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[1955.

### WAR SERVICE LAND SETTLEMENT SCHEME ACT, 1954.

Department of Lands and Surveys,  
Perth, 26th January, 1955.

HIS Excellency the Governor in Executive Council, acting pursuant to the War Service Land Settlement Scheme Act, 1954, has been pleased to make the following regulations.

F. C. SMITH,  
Acting Under Secretary for Lands.

#### Schedule.

#### Citation.

1. These regulations may be cited as the War Service Land Settlement Scheme Act Regulations, 1954.

#### Revocation.

2. The regulations made under the Land Act, 1933-1954, and published in the Government Gazette on the 9th day of May, 1947, and amended from time to time, are hereby revoked.

#### Interpretation.

3. In these regulations, unless the context requires otherwise—

“Act” means the War Service Land Settlement Scheme Act, 1954;

“Allotment Board” means the Board appointed by the Minister to deal with applications for holdings;

“applicant” means a person applying to participate under the Scheme;

“assistance period” means the period of one year or such longer period as provided for in the conditions next following the allotment of a holding to a settler;

“Board” means the Land Settlement Board for the time being as appointed by the Minister;

“Classification Committee” means the Committee appointed by the Minister to determine the eligibility or otherwise of applicants under the Scheme and to classify eligible persons as suitable (either immediately or after training or further experience) or as unsuitable for settlement;

“conditions” means the conditions determined by the Minister for the Interior of the Commonwealth of Australia in accordance with the States Grants (War Service Land Settlement) Act, 1952, of the Parliament of the Commonwealth;

"Crown lands" means (subject to subsection (2) of section 4 of the Land Act, 1933-1954) all lands of the Crown vested in Her Majesty, except land which is for the time being, reserved for or dedicated to any public purpose, or granted or lawfully contracted to be granted in fee simple or with the right of purchase under the Land Act, 1933-1954, or any Act repealed by that Act, and all lands between high and low water mark on the sea shore and on the banks of tidal waters;

"eligible person" means a person who, in accordance with the provisions of regulation six or seven of these regulations, as the case may be, is eligible to participate in the scheme;

"holding" means the land allotted or to be allotted to a settler under the scheme;

"lessee" means the holder of a lease granted under the Act;

"Minister" means the Minister of the Crown for the time being charged with the administration of the Act;

"prescribed" means prescribed by the Act or any regulations made thereunder;

"private land" means all land other than Crown land;

"project" means an approved plan of settlement or such aggregation of approved plans of settlement as form a unit for development and subdividing;

"regulations" means regulations made under the Act;

"settler" means an eligible person who has been allotted a holding under the scheme or an eligible person to whom a holding has been transferred;

"structural improvements" includes a house, shed or any other type of building whatsoever, fence, dam, water supply, domestic drain, bridge road dip or weir and fruit trees, vines and plantations;

"the scheme" means the War Service Land Settlement Scheme which prior to the coming into operation of the Act has been carried out and given effect under the Acts repealed by the Act and which after the coming into operation of the Act is to continue to be carried out under the Act in compliance with the conditions.

#### Administration.

4. The Board is directly responsible to the Minister for the management and control of private land acquired for the scheme or projects relating to Crown lands for the settlement of eligible persons under the scheme.

#### Land for Settlement.

5. For the purpose of being disposed of under the provisions of the Act to eligible persons, there may be set apart by notice published in the *Government Gazette*—

- (a) areas of Crown lands;
- (b) areas of land acquired by negotiation;
- (c) areas of land resumed under and by virtue of the Closer Settlement Act, 1927-1953,

which have been developed as holdings, as required under the provisions of the Act.

#### Eligible Persons.

6. Persons with war service may apply to participate in the scheme and, in determining whether the applicant is an eligible person, the Classification Committee shall apply the following principles:—

(a) In the case of an applicant with war service as defined in this regulation, an eligible person means a discharged member of the Forces who enlisted prior to the 1st day of July, 1947, and who has been honourably discharged after not less than six months' war service or who having, in the opinion of the Classification Committee, been materially prejudiced by reason of his war service, has been honourably discharged after less than six months' war service.

(b) For the purposes of this regulation—

- (i) a member of the Forces who has ceased to be engaged on war service is deemed to have been discharged;

## (ii) a person—

who was appointed or enlisted on or before the 30th day of June, 1947, for service in a part of the Defence Force, which was raised in time of war for war service, or enlisted on or before that date, solely for service in time of war or for service during that time and a definite period thereafter; or who enlisted in the permanent Forces after the 30th day of June, 1937 and before the 1st day of October, 1940, for a definite period not exceeding 12 years,

and whose service was not terminated before the 30th day of June, 1949, is deemed to have ceased to be engaged on war service on the last-mentioned date;

## (iii) "member of the Forces" means—

- (a) a person who is or was, during the war, a member of the permanent Forces, other than the Australian Imperial Force;
- (b) a person who is or was, during the war, a member of the Australian Imperial Force;
- (c) a member of the Citizen Forces who is or was enlisted, appointed or called up for continuous service for the duration of, and directly in connection with, the war;
- (d) a person who is or was, during the war, engaged on continuous full time service as a member of any of the following services—

The Royal Australian Naval Nursing Service;  
The Women's Royal Australian Naval Service;  
The Australian Army Nursing Service;  
The Australian Army Medical Women's Service;  
The Australian Women's Army Service;  
The Royal Australian Air Force Nursing Service;  
The Women's Auxiliary Australian Air Force;

- (e) a member of a Voluntary Aid Detachment who is or was, during the war, engaged on continuous full-time paid duty with any part of the Defence Force;
- (f) a member of the Naval, Military or Air Force of any part of the Queen's Dominions other than Australia, who is or was, during the war, engaged on service in a prescribed area and was born in Australia or was, immediately prior to his becoming a member of any of those Forces, domiciled in Australia; and
- (g) a person who is or was, during the war, engaged on continuous full-time service with any Nursing Service or other Women's Service auxiliary to the Naval, Military or Air Forces of any part of the Queen's Dominions other than Australia, who was born in Australia or was, immediately prior to her becoming a member of that Service domiciled in Australia;

but does not include any enemy alien who served during the war as a member of the Army Labour Corps but not otherwise;

## (iv) "the war" means the war which commenced on the 3rd day of September, 1939, and includes any other war in which Her Majesty became engaged after that date and before the 2nd day of September, 1945;

## (v) "war service" means—

- (a) service as a member of the permanent Forces other than the Australian Imperial Force;
- (b) service in the Australian Imperial Force;
- (c) the service of a member of the Citizen Forces, when called out for war service in pursuance of the Defence Act, 1903-1945, of the Parliament of the Commonwealth, or during continuous training under that Act, the Naval Defence Act, 1910-1934, or the Air Force Act, 1923-1941, of the Parliament of the Commonwealth;

- (d) the continuous full-time service in the Defence Force under any Act or under any regulations under an Act, of any person who volunteers and is accepted for that service during the war; or
  - (e) in the case of a person specified in paragraphs (d), (e), (f) or (g) of the definition of "member of the Forces," service in any of the bodies specified in those paragraphs.
- (c) The widow of a settler who was an eligible person under this regulation is also eligible to receive the benefits of the scheme in respect of the holding allotted to her husband at the time of his demise.

Eligible Persons—Members of the Forces (Korea or Malaya Operations).

7. Persons with war service within the meaning of this regulation may apply to participate in the scheme and in determining whether the applicant is an eligible person the Classification Committee shall apply the following principles:—

(a) In the case of an applicant with war service an eligible person means a discharged member of the Forces, who has been honourably discharged after not less than six months' war service or who having, in the opinion of the Classification Committee, been materially prejudiced by reason of his war service, has been honourably discharged after less than six months' war service.

(b) For the purposes of this regulation—

(i) a member of the permanent Forces shall have been discharged not later than two years after termination of that member's war service to retain eligibility;

(ii) "member of the Forces" means—

(a) a person who served on war service as a member of the Defence Force; and

(b) a person—

(i) who served on war service as a member of the naval, military or air forces of a part of the Queen's Dominions other than the Commonwealth; and

(ii) who is resident in Australia or in a Territory of the Commonwealth and satisfies the Classification Committee that he was domiciled in Australia or a Territory of the Commonwealth immediately before his appointment or enlistment;

"operational area" means an area outside Australia that is prescribed under the Re-establishment and Employment Act, 1945, and its amendments, of the Parliament of the Commonwealth to be an operational area for the purposes of warlike operations in Korea after the 26th day of June, 1950, or in Malaya after the 28th day of June, 1950;

"port" includes airport;

"the war" means the warlike operations in Korea after the 26th day of June, 1950, or in Malaya after the 28th day of June, 1950;

"war service" means, in relation to a member of the Forces, his service while—

(a) a member of, or attached to, a body, contingent or detachment of the Naval, Military or Air Forces of the Commonwealth that was allotted for duty in an operational area; or

(b) allotted for duty in an operational area;

(iii) the war service of a member of the Forces—

(a) shall be deemed to have commenced—

(i) if he was in Australia at the time at which he was allotted for war service—at the time of his departure from the last port of call in Australia for that service; or

(ii) if he was outside Australia at the time at which he was allotted for war service—at the time at which he was so allotted; and

- (b) shall be deemed to have ended—
- (i) in the case of a member of the Forces who has returned to Australia—at the time of his arrival at the first port of call in Australia; or
  - (ii) in the case of a member of the Forces who has been allotted for duty in an area outside Australia other than an operational area—at the time of his arrival in that area, or, if he was in that area at the time at which he was so allotted, at that time;
- (iv) a member of the Forces who has ceased to be engaged on war service is deemed to have been discharged.
- (c) The widow of a settler who was an eligible person under this regulation is also eligible to receive the benefits of the scheme in respect of the holding allotted to her husband at the time of his demise.

#### Period of Eligibility.

8. (1) A person who is an eligible person in accordance with the provisions of regulation six of these regulations may apply to participate under the scheme not later than the later of the following dates:—
- (a) the 2nd day of September, 1950; or
  - (b) the date, five years from the date when he ceased to be engaged on war service, if the lastmentioned date was not later than the 30th day of June, 1949.
- (2) A person who is an eligible person in accordance with the provisions of regulation seven of these regulations may apply to participate under the scheme not more than three years after the later of the following dates:—
- (a) the date on which the applicant ceased to be engaged on war service; or
  - (b) the date of the cessation of hostilities in the Malaya and Korea operations as determined by the Commonwealth.

#### Applications.

9. (1) An applicant shall—
- (a) apply to the Classification Committee for classification;
  - (b) lodge an application in the form of First Schedule and
  - (c) obtain a qualification certificate to qualify to apply for a holding from the Committee in the form of Second Schedule.
- (2) Where an applicant who has been granted a qualification certificate—
- (a) fails within a reasonable time to apply for any holdings which have been gazetted as being open for selection; or
  - (b) is in the opinion of the Classification Committee no longer suitable for settlement,
- the Committee may by notice in writing to the applicant cancel the certificate and thereupon the certificate is, subject to appeal, cancelled.
- (3) Where a certificate is so cancelled, the holder of the certificate may within thirty days of the receipt by him of the notice of cancellation appeal to the Minister against the cancellation and the decision of the Minister on appeal is final.

10. (1) An application in the form of the Third Schedule for land set apart for selection by eligible persons, may be lodged at the Department of Lands and Surveys, Perth, by an applicant during the period the land is gazetted as being open for selection.

(2) Where more than one application is received for the same piece of land during the period, the Allotment Board shall recommend to the Minister the applicant to whom the land is to be allotted.

(3) When, after the period, more than one application is received on the same day for the same piece of land which was not selected during the period, the Allotment Board shall recommend to the Minister the name of the applicant to whom the land is to be allotted.

#### Rent.

11. Rent shall be payable by the lessee in accordance with the provisions of the lease instrument under which the lessee is granted his holding and the rent shall be paid by the lessee to the Minister in accordance with the terms of the lease or to such other authority as the Minister may from time to time direct in accordance with the terms of the lease.

#### Lease.

12. After the Allotment Board makes its recommendation for the allotment of a holding and the application therefor is approved by the Minister, a lease shall be issued in accordance with the conditions.

#### Earnings during Assistance Period.

13. The net proceeds of the holding during the assistance period shall be paid by the settler to the Minister and shall, in such proportion as the Minister may direct, be credited against future obligations of the settler in respect of advances for stock, plant, equipment, improvements and rent or otherwise.

#### Payment for Structural Improvements.

14. All payments towards the purchase of structural improvements shall be made to the Minister.

#### Advances.

15. After the expiration of the assistance period, if an application for advances for the purpose of providing working capital, paying for and effecting improvements and acquiring stock, plant and equipment is made by a settler, it shall be made to and in the manner determined by the Minister.

During the assistance period any such advances shall be made at the direction of the Minister.

#### Residence.

16. A settler shall personally reside on the holding for at least eleven months of each and every year of the first five years and for nine months of each and every year from the sixth to tenth year from the date when the holding was first allotted to him.

#### Transfers.

17. (1) A holding shall not be transferred, mortgaged or encumbered, except with the consent in writing of the Minister being first had and obtained.

(2) Approval shall not be given to any contract of sale or transfer of any holding, where the consideration is a premium for the interest in a holding, unless all amounts owing by the settler to the Minister or other Crown instrumentality, authority or agent have first been paid.

(3) (a) No contract of sale, sub-lease, conveyance or other dealing in respect to any holding shall be entered into without the written approval of the Minister being first had and obtained.

(b) Where a settler commits a breach of this regulation the holding may be forfeited by the Minister.

(4) Until the full amount of any indebtedness to the Minister or other Crown instrumentality, authority or agent has been paid in respect to a holding, the holding shall not be mortgaged or otherwise encumbered other than to an authority or person approved of by the Minister.

(5) (a) If, within the first five years of acquiring a holding, on account of ill health or for any other good reason, a lessee wishes to determine his interest in the holding, he shall surrender the lease of the holding, in which event the lessee shall be compensated by the Minister for any improvements effected by him which are essential for the working of the holding, and from the amount of the compensation moneys there shall be deducted any amount owing to any Crown authority by the lessee.

(b) From and after the first five years and up to ten years of a holding being acquired by a settler, a transfer of the holding shall not be approved other than to an eligible and qualified person, unless it is proved to the satisfaction of the Minister that there is no eligible and qualified person willing to acquire the holding and capable of working it, but in no case shall a transfer of a holding be approved to a person who is already a lessee.

(6) In the event of the insolvency or bankruptcy of a lessee during the first five years of acquiring a holding the lease of the holding shall be surrendered and re-allotted to an eligible person; in the event of the insolvency or bankruptcy of a lessee from and after the first five years and up to ten years after he has acquired a holding, a holding shall not be transferred to other than an eligible and qualified person, unless it is proved to the satisfaction of the Minister that there is no eligible and qualified person willing to acquire the holding and capable of working it, and in the event of the death of a lessee a holding may be transferred to the person entitled in distribution in intestacy or the lawful beneficiary of the lessee under his will.

(7) A person who has held and surrendered or transferred a holding shall not be eligible to hold another holding, except under special circumstances approved by the Minister.

#### Care of Improvements.

18. All buildings, fences and other permanent improvements, on a holding shall be kept in good and tenable order and condition by the lessee, in accordance with the terms of the lease of the holding, and the Minister or his authorised agent may at any time enter upon a holding to ascertain if the conditions of this regulation are being performed and observed by a lessee. Where a lessee commits a breach of this regulation the Minister may cancel the lease and forfeit the holding.

#### Purchase of Improvements.

19. (1) Structural improvements on a holding shall be purchased by the lessee and any advance made to the lessee by the Minister for this purpose shall be repaid by the lessee by equal half-yearly instalments together with interest thereon at the rate of 3½ per centum per annum at the times and in the manner provided by the lease of the holding, the instalments shall be paid at the same time as that prescribed for rental payments.

(2) Until the full amount of purchase money has been paid by the lessee and on any default in payment of rent or any instalment of purchase moneys, the holding and all improvements thereon, as well as any purchase money that may have been paid by the lessee may be forfeited to the Minister.

#### Insurance of Improvements.

20. (1) Until the full amount of any advance made by the Minister to the lessee to purchase structural improvements and interest thereon has been paid, a lessee shall insure and keep insured, all improvements being purchased, to their full insurable value, in the joint names of the Minister and the lessee in some public insurance office approved by the Minister, or with such insurer as the Minister directs, against loss or damage by fire.

(2) The lessee shall deposit with the Minister the policy of insurance and the receipt or receipts for the annual or other premium payable thereon.

(3) In the event of loss or damage by fire the lessee shall make good the loss or damage to the satisfaction of the Minister as soon as practicable.

(4) Where a lessee fails to effect and continue the insurance the Minister may, but shall not be obliged so to do, insure the improvements or improvement and pay any premiums therefor, and any premiums so paid and all incidental expenses shall be repaid by a lessee to the Minister on demand.

21. A lessee shall be responsible for payment of all existing and future rates assessments and taxes in respect of a holding.

#### Living Allowance to Settlers during Assistance Period.

22. The rates of living allowance payable to settlers during the assistance period shall be as follows:—

	Per Week.		
	£	s.	d.
Settler with no dependants .....	6	0	0
Settler with one adult dependant .....	7	11	0
Settler with more than one dependant (including one adult dependant) .....	8	0	0

A settler with one or more dependent children, but no dependent adult, shall be paid £6 per week, plus nine shillings per week for each child, but the maximum weekly payment in any one case shall not exceed £8.

The above rates are applicable when the dependants are fully dependent on the settler, and the following scale of payments shall apply in respect of dependants who are partially dependent on the settler:—

Weekly income of Dependant.		Adult dependant. (Scale A.)	Child dependant. (Scale B.)
s. d.	s. d.	s. d.	
Up to	7 11	31 0	
8 0 to	12 11	26 0	Child dependant other than a
13 0 to	17 11	21 0	person defined under definition
18 0 to	22 11	17 6	of "child" such amount as
23 0 to	27 11	14 0	together with income will
28 0 to	32 11	10 6	amount to 17/-.
33 0 to	37 11	7 0	
38 0 to	42 0	3 6	
Over	42 0	Nil	

The wife (other than a separated wife) and child of an applicant are deemed to be totally dependent on the applicant.

Payment made by a settler to a dependant is not regarded as income of the dependant for the purpose of applying the above scale.

For the purpose of payment of this allowance "dependants" are defined as follows:—

- (a) "Settler with no dependants" means a single man, widower, or divorcee not maintaining his children.
- (b) "Child of a settler" means a child who is not sixteen years of age and includes a step-child, illegitimate child or adopted child.
- (c) "Adult dependant" means a wife, separated wife or other member of the family of an applicant or a dependent female who is wholly, or in part, dependent upon his earnings;
  - (i) other members of the family mean father, mother, grand-mother, grandfather, step-father, step-mother, grand-child, brother, sister, half-sister, or mother-in-law, foster-mother, half-brother;
  - (ii) "dependent female" means a woman who, though not legally married to the applicant, is recognised as his wife and is living with him and is wholly dependent on him;
  - (iii) "separated wife" means, in relation to a settler, his wife who is living apart from him in pursuance of any decree, judgment, order or deed of separation or by reason of desertion of either party or in circumstances analogous thereto.

#### Purchase of Fee Simple.

23. (1) Unless the conditions require otherwise the lessee of a tenure of perpetual leasehold of land demised by instrument of lease under the scheme may, subject to—

- (a) the conditions;
- (b) the provision, if applicable to the land, of subsection (5) of section eight of the Act relating to mineral rights;
- (c) any mortgage or other encumbrance if any affecting the land;
- (d) the provisions of the regulations for the time being in force where applicable; and
- (e) compliance with the provisions of the lease instrument

after the expiration of a period of ten years from the commencement of the term of the perpetual lease and on payment of such purchase price for the fee simple as is fixed under the scheme by the Minister in accordance with the conditions purchase the fee simple in the land and on completion of the purchase is entitled to surrender the lease instrument and obtain in place of it a Crown Grant of the fee simple in the land.

(2) Subject to the conditions the following terms apply to the purchase of the fee simple in the land at any time and from time to time during the period of ten years from the commencement of the term of the lease:—

- (a) Instalments of purchase money on account of the purchase may be paid in advance if all the commitments to be paid by the lessee under the lease have been met but the instalments shall not

exceed in the aggregate ninety per centum of the purchase price for the fee simple and on making payment of an amount on account of the purchase price interest on the amount so paid by him ceases to accrue.

- (b) Instalments paid in advance shall not be withdrawn by the lessee.
- (c) The lessee shall not be entitled to any adjustment of the rental payable under the terms of the lease consequent upon the payment of instalments of purchase money in advance.
- (d) Advance payments of purchase money may be appropriated by the Minister in payment of arrears or rent, interest on other moneys payable to the Minister by the lessee.
- (e) The obtaining of the fee simple by the lessee as provided in this regulation shall be subject to the surrender by him of the perpetual lease and payment of the sum then required to complete payment of the sum then required to complete payment of the purchase price together with the necessary fees.

24. (1) The authority to investigate and determine such matters arising between a settler and the State as the Commonwealth of Australia and the State agree may be referred to it for determination, shall be known as the War Service Land Settlement Appeal Board.

(2) The Board shall be constituted as follows:—

- (a) A stipendiary or resident magistrate appointed by the Governor, who shall be Chairman.
- (b) One member representing the Department of Lands and Surveys to be appointed by the Minister; and
- (c) one member to be nominated by the Returned Sailors, Soldiers and Airmen's Imperial League of Australia, W.A. Branch Incorporated.

(3) Every member of the Board holds office for a period of two years from the date upon which he first takes his seat on the Board by virtue of his appointment and he is eligible for re-appointment.

(4) The Board has jurisdiction to investigate and determine such matters arising between the settler and the State as the Commonwealth and the State agree may be referred to it for investigation and determination.

(5) In the absence of any member of the Board other than the Chairman or where a member is personally interested in a matter referred to the Board for investigation and determination, a deputy may sit in the place of that member during his absence or for the determination of the matter in which he is personally interested. The deputy has all the powers and authority of the member of the Board and shall be appointed in accordance with this regulation.

(6) The Board may regulate its own procedure and may conduct its enquiries without regard to legal forms and shall direct itself by the best evidence it can procure or that is laid before it.

(7) The decisions of the Board or of a majority of the members of the Board shall in each case be reported in writing by the Board to the Minister and shall be final and effect shall be given to every such decision.

Regulations for the Conduct of Business of the Classification Committee.

25. The Classification Committee shall consist of not less than three members duly appointed by the Minister, at least one of whom shall be a representative of the Lands and Surveys Department, and one a representative of the Returned Sailors, Soldiers and Airmen's Imperial League of Australia.

26. The Minister shall appoint one member as Chairman of the Committee and in the event of the Chairman not being present at any meeting the members present may elect a chairman for the meeting.

27. In the case of illness, inability, or absence of any member of the Committee, the Minister may appoint some other person to act as the deputy of that member, and every person shall while he is acting as deputy have the powers and may perform the duties of a member of the Committee.

28. Two members of the Committee shall form a quorum.

29. The Committee shall meet for the dispatch of business at such time or times and at such place or places as the Minister, or other officer authorised by him in that behalf, shall from time to time appoint and if necessary may adjourn from time to time. Every meeting of the Board (except an adjourned meeting) shall be convened and appointed by the Chairman or other officer authorised by him in that behalf by posting to each member of the Committee at his usual address, at least three clear days before the date of the meeting a notice in writing specifying the date and place of the meeting. Any omission to post a notice as aforesaid to any one or more members of the Committee shall not invalidate the meeting.

30. When the date of any committee meeting has been fixed, due notice will be sent to each applicant required to attend for examination, of the time, place, and date of the sitting of the Committee.

31. Application forms for classification setting out the particulars required by the Committee, may be obtained on application at the Department of Lands and Surveys, Perth.

32. Any applicant who shall interview, prior to the sitting of the Committee, any member of the Committee, with a view to influencing an application, shall be disqualified.

33. In all cases coming before the Committee the decision of the Committee or of the majority of the members of the Committee shall be final.

34. No person shall interrupt the proceedings of the Committee or cause a disturbance. Any person offending against this regulation shall be liable to a penalty not exceeding £10.

35. There shall be a secretary of the Committee, who shall be responsible for the proper recording and indexing of the minutes, and shall carry out all necessary work incidental to his position as may be required from time to time by the Committee.

36. All communications shall be addressed to the Chairman Land Settlement Board, Lands Department, Perth.

37. The duties of the Classification Committee shall be—

- (a) to receive, consider and give decisions on applications for classification certificates, and to issue them in accordance with the system in operation in the State of Western Australia;
- (b) to keep plans and records showing the numbers of classification notices and their types issued in each road board district, including figures for each of the main localities within each road board district, where necessary;
- (c) to interview applicants after discharge from the Forces and examine their qualifications;
- (d) to arrange for medical and Defence Force reports to be received and considered;
- (e) to furnish such reports on the progress of the classification of applicants as may be required by the Chairman, Land Settlement Board, and such other duties in connection with the training and allotment of ex-servicemen as may be decided.

38. Fees of £3 3s. per day shall be paid to the Committee members for each complete day on which sittings are held. If any member is on the permanent or temporary staff of the Public Service he shall receive payment assessed on the difference between the fee paid to outside members and the salary of the member for each of the days on which sittings are held.

39. When travelling or absent from home on the business of the Committee, members shall be paid travelling allowance as prescribed by the Public Service Regulations.

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Regulations for the Conduct of Business of the Allotment Board.

40. There shall be appointed by the Minister an Allotment Board, hereinafter called the "Board," to deal with simultaneous applications for holdings. The Board shall consist of not less than three members, at least one of whom shall be a representative of the Lands and Surveys Department and one a representative of the Returned Sailors, Soldiers and Airmen's Imperial League of Australia.

41. The Minister shall appoint one member as Chairman of the Board, and in the event of the Chairman not being present at any meeting of the Board, the members present may elect a chairman for the meeting.

42. In the case of illness, inability or absence of any member of the Board, the Minister may appoint some other person to act as the deputy of that member, and every person shall, while he is acting as deputy, have the powers and may perform the duties of a member of the Board.

43. The Board shall meet for the despatch of business at such time or times and at such place or places as the Minister or other officer authorised by him in that behalf shall from time to time appoint, and if necessary, may adjourn from time to time.

44. There shall be an interval of at least three days between the closing date for the receipt of applications and the date fixed for the sitting of the Board. When the date for the sitting of the Board has been fixed, due notice shall be sent to each applicant (if required to appear before the Board), advising the time, place, and date of the sitting of the Board; also a form of declaration for completion by him, should he be unable to appear before the Board.

45. Declaration forms, setting out particulars required by the Board, may be obtained at time of application at the Department of Lands and Surveys, Perth, or at any District Land Office or Commonwealth Employment Office. The applicant may make the declaration before a Justice of the Peace, a town clerk, secretary of a road board, electoral registrar, a postmaster, classified officer in the State or Commonwealth Public Service, or a classified State school teacher, a member of the Police Force, or a commissioner for declarations under the Declarations and Attestations Act, 1913. Any statement made by the applicant shall be supported by documentary evidence, if so desired by the Board.

46. The Board shall take evidence and may call any evidence or witnesses they think fit.

47. The Board may, at the request of an applicant, vary his application preference list, but shall only substitute or add thereto a holding referred to the Board for determination.

48. The members of the Board shall be paid £3 3s. per day for each complete day on which sittings are held. If any member is on the permanent or temporary staff of the Public Service he shall receive payment assessed on the difference between the fee paid to outside members and the salary of the member for each of the days on which sittings are held.

49. When travelling or absent from home on the business of the Board, members shall be paid travelling allowance as prescribed by the Public Service Regulations.

50. It shall be necessary for any person appearing before the Board on behalf of an applicant to produce to the Chairman an order from the applicant so authorising him to appear.

51. Any applicant for a holding or person appearing on behalf of an applicant who shall interview prior to the sitting of the Board, any member of the Board, with a view to influencing an application, shall be disqualified both as an applicant and as an agent.

52. In all cases of adjudication coming before the Board, the decision of the Board or of the majority of the members of the Board shall be final.

53. No person shall interrupt the proceedings of the Board or cause a disturbance. Any person offending against this regulation shall be guilty of an offence and be liable to a penalty not exceeding £10.

54. There shall be a secretary of the Board, who shall be responsible for the proper recording and indexing of the minutes, and shall carry out all work incidental to his position as may be required from time to time by the Board.

First Schedule.

War Service Land Settlement.

Western Australia.

APPLICATION FOR CLASSIFICATION.

I, (a)....., being a (b)....., hereby apply for classification under the War Service Land Settlement Scheme Act, 1954.

In support of this application I furnish the particulars as set forth on the back hereof.

.....  
(Signature)

.....  
(Postal Address)

.....  
(Road Board District)

Date.....

(a) Name in full.

(b) State whether "member of the forces" or "discharged member of the forces." See footnote.

To the Chairman,  
Land Settlement Board, Perth:

For Office Use Only.

Decision of Classification Committee.

Received.....

Entered.....

Notice to attend.....

Date of inquiry.....

.....  
.....  
.....  
.....

Note.—See Regulations 6 and 7 for "Member of the Forces" and "Discharged Member of the Forces."

Questionnaire.

Question.	Answer.
1. Date of birth?	
2. To which of the forces (naval, military or air) do you, or did you, belong?	
3. What is, or was— (a) Your identification number? (b) Your regimental number? (c) Your unit?	..... ..... .....
4. If you are a discharged member of the forces of the present war, what was— (a) Your length of service? (b) The date of your discharge? (c) The reason for your discharge?	..... ..... .....
5. What physical disabilities (if any) do you suffer from by reason of wounds or disease resulting from your naval, military or air force service? State particulars as to loss of limb or faculty, or as to condition of health.	
6. Are you in receipt of a pension in respect to your war service? If so, state percentage of disability.	
7. What form of farming or grazing do you desire to follow, and in what district?	
8. What experience have you had (if any) in farming or pastoral pursuits? State where, quote the period and class of farming, etc., engaged in, and the name of your employer when you joined the forces.	
9. What is the amount of capital at your disposal?	
10. Are you to be financially assisted by your parents or any person? If so, to what extent?	
11. Are you single, married, or a widower, if married, or a widower, state number of children dependent on you.	
12. What land (if any) do you at present own or have an interest in? State particulars.	
13. If married, what land or interest in land (if any) does your wife own? State particulars.	
14. Should it become necessary for you to be interviewed in connection with this application, and you are in Western Australia, at what centre would you prefer such interview to take place?	

Date.....

.....  
(Signature of Applicant)

Second Schedule.

War Service Land Settlement.

CERTIFICATE OF QUALIFICATION TO APPLY FOR LAND UNDER THE WAR SERVICE LAND SETTLEMENT SCHEME ACT, 1954.

Department of Lands and Surveys, Perth....., 19.....

Certificate No.....

THIS IS TO CERTIFY that we have investigated the qualifications of and we are satisfied that he is (a)..... is suitable and sufficiently experienced to entitle him to apply for land under the War Service Land Settlement Scheme Act, 1954, for the purpose of (b).....

Dated this..... day of....., 195.....

Chairman.

Members Classification Committee.

Signature of person in whose name this.....Certificate is issued.....

(a) Insert "Member of the Forces," "Discharged Member of the Forces" (as defined in 6 and 7 of these regulations) as the case may be.

(b) Insert "Sheep and Wheat Farming," "Dairy Farming," "Pastoral Pursuits," "Fruit Growing," "Mixed Farming," whichever is applicable.

This Certificate of itself does not entitle the holder to be allotted a farm, but as far as possible the demand for farms will be met.

Correspondence No.....

S. 824.

WESTERN AUSTRALIA.

*The War Service Land Settlement Scheme Act, 1954.*

THIRD SCHEDULE.

Lease No.....

APPLICATION FOR A PERPETUAL LEASE.

Division..... Land District.....

Plan..... Location or Lot No.....

I HEREBY apply for a Perpetual Lease of the Crown Land described below under the provisions of the War Service Land Settlement Scheme Act, 1954, and the Regulations in force thereunder for the time being. I do not own any land or interest in any land except that which is described on the back hereof, and I am otherwise duly qualified to hold land under the above-mentioned Act.

*Office References.*

Noted on Public Plan.....  
 Surveyed, see Diagram or O.P.....  
 Passed on Plan.....  
 Examined.....  
 Approval Notice Issued.....  
 Sketch sent to Land Agent.....

.....  
*Signature of Applicant.*

Date.....

Name at full length, address, and calling of Applicant.	Description of Holding applied for.	Particulars	
	Location or Lot Nos..... ..... being the whole of the land comprised in farm W.S.L.S. No..... .....	Value of Structural Improvements ..... Half-yearly instalment on structural improvements Rental half-yearly commencing from the termination of Assistance period ..... project (subject to increase for improvements to be apportioned)	£..... £..... £.....

Received this application on..... of..... 19.....

.....  
*Chairman, Land Settlement Board.*

Application approved, as shown above, to a depth of.....feet below the natural surface, and subject to any necessary survey, this..... day of..... 19.....

Lease to extend from..... 19.....

.....  
*An officer authorised in this behalf by the Governor, by order of the Minister for Lands.*

.....  
*Accountant.*

Date..... 19.....

If applying for more than one holding please state order of preference on back hereof.

See OVER.

PARTICULARS OF LAND OWNED OR ANY INTEREST IN LAND OWNED BY THE APPLICANT.

Land District..... Road Board District.....  
 Location or Lot Nos..... Total Area.....  
 Nature of interest therein, *e.g.*, freehold, leasehold, partnership, sharefarming agreement, etc.  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

I wish to apply for the holdings in order of preference as shown hereunder.

Preference No.	Farm No.	Preference No.	Farm No.
1	.....	16	.....
2	.....	17	.....
3	.....	18	.....
4	.....	19	.....
5	.....	20	.....
6	.....	21	.....
7	.....	22	.....
8	.....	23	.....
9	.....	24	.....
10	.....	25	.....
11	.....	26	.....
12	.....	27	.....
13	.....	28	.....
14	.....	29	.....
15	.....	30	.....

.....  
 Signature of Applicant.

Approved by His Excellency the Governor in Executive Council, 26th January, 1955.

E. P. FOREMAN,  
 Acting Clerk of the Council.

## ROAD DISTRICTS ACT, 1919-1948.

By-laws Governing Long Service Leave to be Granted to Employees  
of the Kondinin Road Board.

THE Kondinin Road Board, under and by virtue of the powers conferred on it in that behalf by the Road Districts Act, 1919-1948, and all other powers enabling it, doth hereby make and publish the following by-laws:—

1. In the interpretation of these by-laws, the following words shall have the meaning assigned to them hereunder:—

- (a) "Board" means the Kondinin Road Board.
- (b) "Continuous service" means service in the employment of the Board during which an employee has not been absent from the service of the Board for a continuous period of more than two days or an aggregate period of more than 10 days without leave of absence being granted by the Board.

2. All employees of the Board shall, after each period of 10 years' continuous service as permanent full-time employees thereof commencing from the 1st day of July, 1950, be entitled to three months' long service leave. Long service leave is to be taken at the convenience of the Board, which will, as far as possible, meet with the wishes of the employee, but the Board may require the employee to take his leave by giving not less than three months' notice.

3. Absence on account of sickness shall not be deemed to be a break in the continuity of service, providing the period of absence shall not be longer than three months in any year, unless otherwise decided by the Board.

4. (a) Employees due to take long service leave shall be paid their salary or wage for the period thereof at the rate equivalent to the salary or wage paid in the week immediately preceding the taking of long service leave.

(b) The Board at its discretion may either—

- (1) pay to an employee his salary or wages periodically during long service leave, or
- (2) pay to the employee in advance a sum representing the amount of his salary or wages for the period of his long service leave.

5. Employees shall not be entitled to long service leave until the completion of 10 years' service. After completion of the first 10 years, employees will be entitled to a pro rata payment if they leave the service of the Board before the next period is completed.

6. In the event of the resignation, retirement, or death of an employee, the Board may pay to such employee (or in the case of death, to his personal representative, or if there be none, to his dependants) a sum of money equal to his salary or wages for the period of long service leave which the Board was empowered under these by-laws to grant such employee at the date of his resignation, retirement, or death, or if the Board, after consideration of all the circumstances, direct that the death of an employee be presumed, the Board may authorise the payment to the dependants of the employee a sum equivalent to the amount of salary or wages which would under this by-law have been granted to the employee immediately prior to the date of his death, such date to be determined by the Board.

7. An employee dismissed by the Board, except in the matter of retrenchment, shall not be paid any sum in pursuance of the preceding by-law.

8. Long service leave shall be considered as a special period of recuperation after a lengthy term of service, with a view to fitting the employee for a further term, and during such leave no employee shall undertake any form of employment for hire or reward, unless by special permission of the Board. Any contravention of this by-law shall entitle the Board to dismiss the employee from its service and to cease paying or recover any amounts paid in advance on account of long service leave.

Passed by the Kondinin Road Board at an ordinary meeting of the Board held on Saturday, 10th of June, 1950.

K. M. GROWDEN,  
Chairman.  
J. ASHBY-FREEMAN,  
Secretary.

## MILK ACT, 1946-1954.

Department of Agriculture,  
Perth, 26th January, 1955.

HIS Excellency the Governor in Executive Council, under the provisions of the Milk Act, 1946-1954, has been pleased to approve of the amendment, in the manner mentioned in the Schedule hereunder, of the regulations made by the Minister and published in the *Government Gazette* on the 18th day of March, 1949.

G. K. BARON HAY,  
Director of Agriculture.

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Schedule.

Paragraph (a) of regulation 35 (*Government Gazettes* 18/3/49, 18/7/52 and 13/11/53) of the abovementioned regulations is amended by substituting for the words "one-twentieth of one penny" in line two the words "one-thirtieth of one penny."