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OFFENDERS PROBATION AND PAROLE ACT, 1963.

Crown Law Department,
Perth, 3rd April, 1964.

HIS Excellency the Governor in Executive Council, acting in pursuance of the provisions of the Offenders Probation and Parole Act, 1963, has been pleased to make the regulations set forth in the Schedule hereunder.

R. C. GREEN,
Under Secretary for Law.

Schedule.

Regulations.

- Citation.** 1. (1) These regulations may be cited as the Offenders Probation and Parole Regulations, 1964.
- Interpretation.** (2) In these regulations "the Act" means the Offenders Probation and Parole Act, 1963.
See s. 39
Act No. 30
of 1918.
- Arrangement.** 2. These regulations are divided into Parts as follows:—
- Part I.—Pre-sentence Reports.
 - Part II.—Probation Orders.
 - Part III.—Discharge and Amendment of Probation Orders.
 - Part IV.—Breach of Probation Orders.
 - Part V.—Chief Probation Officer.
 - Part VI.—Deputy Chief Probation Officer.
 - Part VII.—Probation Officers.
 - Part VIII.—Supervision of Male and Female Probationers.
 - Part IX.—Parole Orders.
 - Part X.—Cancellation of Parole Orders.
 - Part XI.—Good Conduct Remissions.
 - Part XII.—Notifications to the Board of Prisoners Eligible for Parole and Reports on Prisoners.
 - Part XIII.—The Secretary to the Board.
 - Part XIV.—The Chief Parole Officer.
 - Part XV.—Deputy Chief Parole Officer.
 - Part XVI.—Parole Officers.
 - Part XVII.—Supervision of Male and Female Persons on Parole.
 - Part XVIII.—Annual Report.

Part I.—Pre-sentence Reports.

3. (1) A Court that desires to receive a pre-sentence report on any convicted person may request the report from the Chief Probation Officer in the form, or to the effect, of Form A in the Schedule to these regulations.

(2) Form A may be signed by the Clerk of the Court or an officer thereof.

4. A pre-sentence report shall be furnished to the Court so requesting it within twenty-one days of the receipt of the request by the Chief Probation Officer.

5. The Chief Probation Officer shall assign a probation officer to prepare a pre-sentence report requested by a Court.

6. The report shall be submitted in triplicate to the Court requesting it, and at the discretion of the Court, copies may be made available to the parties representing the prosecution and the defence in the proceedings before the Court.

7. Where a Court requires a pre-sentence report to be accompanied by a medical, psychiatric or psychological report on the convicted person to whom the report relates, the Form A may be endorsed accordingly and if the form is so endorsed, the Chief Probation Officer shall obtain the medical, psychiatric or psychological report from the appropriate medical officer, psychiatrist or psychologist and forward it to the Court with the pre-sentence report.

Part II.—Probation Orders.

8. A probation order shall be in the form, or to the effect, of Form B in the Schedule to these regulations.

9. In addition to the conditions set forth in Form B, there shall be specified in a probation order all other conditions subject to which the order is made by the Court.

10. The fact that an offender to whom a probation order relates has expressed his willingness to comply with the requirements of the order, shall be signified by the offender endorsing the order in the appropriate place.

11. (1) The Court by which a probation order is made shall, in accordance with subsection (9) of section nine of the Act, cause copies of the probation order to be given—

- (a) to the probationer named therein;
- (b) to the Chief Probation Officer;
- (c) to the person in charge of any institution in which the probationer is required to reside; and
- (d) to the supervising Court, together with such documents and information relating to the probationer and the offence with which he was charged before the Court, as that Court considers likely to be of assistance to the supervising Court.

(2) Where a Court includes in a probation order a requirement that the offender to whom the probation order relates pay damages for injury or compensation for loss, the Court shall cause a copy of the order to be given to the person to whom the damages or compensation is to be paid.

Part III.—Discharge and Amendment of Probation Orders.

12. The Chief Probation Officer shall determine when an application by a probation officer for discharge of a probation order under section twelve of the Act, or for substitution of a new supervising Court under section thirteen of the Act, or for amendment of a probation order under section fourteen of the Act, shall be made.

13. (1) Where a probation officer or a probationer, as the case may be, makes application to a Court for discharge of a probation order under section twelve of the Act, or for substitution of a new supervising Court under section thirteen of the Act, or for amendment of a probation order under section fourteen of the Act, the probation officer or the probationer, as the case may be, shall give at least seven days' notice in writing of the application to the probationer concerned or the probation officer, as the case requires.

(2) An application for the substitution of a new supervising Court in place of the appointed supervising Court shall, in respect of a probation order, be in the form or to the effect of Form C in the Schedule to these regulations.

14. Where a Court discharges a probation order under section twelve of the Act, or substitutes a new supervising Court under section thirteen of the Act, or amends a probation order under section fourteen of the Act, the Court shall cause the Chief Probation Officer to be notified of its action in that behalf by an appropriate endorsement in the form, or to the effect, of Form D in the Schedule to these regulations, on the back of the probation order, and where the application was made by a probation officer, the Chief Probation Officer shall, as soon as practicable after receiving such notification, notify the probationer concerned, accordingly.

Part IV.—Breach of Probation Orders.

15. A probation officer shall not take action under, or for the purposes of, section sixteen or seventeen of the Act unless he has first obtained the written authority of the Chief Probation Officer to do so.

16. Where a Court deals with a probationer for a breach of any provisions of the Act relating to probation, or of the probation order, the Court shall cause the Chief Probation Officer to be informed of the action taken.

Part V.—Chief Probation Officer.

17. The duties of the Chief Probation Officer shall be as follows:—

- (1) To be responsible to the Minister or such other person as the Minister shall from time to time in writing determine, for the administration of the probation service:
- (2) To assign probation officers to individual cases—
 - (a) for a pre-sentence report; or
 - (b) for supervision:
- (3) To maintain a list of all honorary probation officers appointed under section six of the Act:
- (4) To supervise the work of all probation officers:
- (5) To maintain case records and statistics of the probation service:
- (6) To determine when an application for discharge of a probation order under section twelve of the Act, or for substitution of a new supervising Court under section thirteen of the Act, or for amendment of a probation order under section fourteen of the Act, shall be made by any probation officer:
- (7) To determine when action is to be taken by a probation officer under section sixteen or seventeen of the Act for breach of a probation order:
- (8) To prepare and submit such reports as required by the Minister, or person referred to in paragraph (1) of this regulation:
- (9) To report to the Minister before the first day of October in each year as required by section eight of the Act:

- (10) To perform such other duties as may be required to be performed by him by or under the Act, or by the Minister or person referred to in paragraph (1) of this regulation.

Part VI.—Deputy Chief Probation Officer.

18. The duties of the Deputy Chief Probation Officer shall be as follows:—

- (1) In the absence of the Chief Probation Officer or during any vacancy in the office of Chief Probation Officer, to act as Chief Probation Officer;
- (2) To supervise the work of probation officers as directed by the Chief Probation Officer;
- (3) To perform such other duties as directed by the Chief Probation Officer:

Part VII.—Probation Officers.

19. The duties of a probation officer shall be—

- (1) To prepare pre-sentence reports as directed by the Chief Probation Officer;
- (2) To carry out directions of the Court in relation to the probation order;
- (3) To supervise persons placed on probation as assigned by the Chief Probation Officer;
- (4) To maintain case records and statistics as required by the Chief Probation Officer;
- (5) To keep a register in the form, or to the effect of Form E in the Schedule to these regulations;
- (6) To perform such other duties as directed by the Chief Probation Officer:

Part VIII.—Supervision of Male and Female Probationers.

20. Male probation officers only shall be assigned to supervise male probationers and female probation officers only shall be assigned to supervise female probationers.

Part IX.—Parole Orders.

21. A parole order shall be in the form or to the effect of, Form F in the Schedule to these regulations.

22. A parole order shall be signed by any two members of the Board.

23. A parole order shall be made out and signed in triplicate, of which one copy shall be—

- (a) endorsed by the prisoner named therein and retained at the appropriate prison as authority for the release of the prisoner from the prison;
- (b) given to the prisoner named therein; and
- (c) retained by the Board.

24. (1) Where the Governor acting pursuant to section forty-two of the Act, on the recommendation of the Board, by order releases on parole a prisoner undergoing a sentence of imprisonment, either with or without hard labour, for life, the Clerk of the Executive Council shall forthwith send to the Board a copy of the Order in Council evidencing the release by the Governor.

(2) In order to give effect to the order of the Governor and the provisions of the Act, the Board shall thereupon issue a parole order in the form, or to the effect of, Form F in the Schedule to these regulations, making such adaptations as the circumstances require, and the prisoner shall be released accordingly.

Part X.—Cancellation of Parole Orders.

25. An order cancelling a parole order shall be in the form, or to the effect of Form G in the Schedule to these regulations.

26. A warrant authorising apprehension and return to prison of a prisoner, where the parole order that relates to the prisoner is cancelled, shall be in the form or to the effect of Form H in the Schedule to these regulations.

27. A warrant referred to in regulation 26 of these regulations, is sufficient authority to the Superintendent of a prison or person in charge thereof, to receive the prisoner into custody and detain him until released according to law and upon reception of the prisoner the Superintendent or person in charge of a prison shall notify the Secretary of the Board.

Part XI.—Good Conduct Remissions.

28. Pursuant to subsection (2) of section thirty-nine of the Act, where a minimum term is fixed, a maximum of three days' reduction from the term so fixed for each month actually served by the prisoner undergoing the term may be granted by the Comptroller General, if he is satisfied that the good conduct and industry of the prisoner throughout the term actually served merit such reduction.

Part XII.—Notifications to the Board of Prisoners Eligible for Parole and Reports on Prisoners.

29. The Superintendent or person in charge of a prison shall notify in writing the Chief Parole Officer, of the date upon which it is expected that a prisoner therein, who has been sentenced to a term of imprisonment in respect of which a minimum term has been fixed, will be eligible to be released on parole and such notification shall be so given not less than six weeks before that date.

30. In assessing the date on which it is expected a prisoner will be eligible to be released on parole, the Superintendent or person in charge of the prison where the prisoner is imprisoned shall deduct the amount of good conduct remission granted or expected to be granted under subsection (2) of section thirty-nine of the Act as prescribed in regulation 28 of these regulations and shall add the period of any sentence referred to in subsection (2) of section thirty-eight of the Act.

31. The Chief Parole Officer shall submit the case of each prisoner who will be eligible for parole to the Board not less than twenty-eight days prior to the date on which it is expected that the prisoner will be eligible for parole together with such reports on the prisoner as the Board may require including a report on the employment, if any, available to that prisoner if he is released on parole.

Part XIII.—The Secretary to the Board.

32. The duties of the Secretary to the Board are—

- (1) To act as Secretary to the Board:
- (2) To record the Minutes of the meetings of the Board:
- (3) To prepare the agenda of parole cases for each meeting of the Board:
- (4) To prepare parole orders as determined and directed by the Board:
- (5) To carry out such other duties as directed by the Board.

Part XIV.—The Chief Parole Officer.

33. The duties of the Chief Parole Officer are—

- (1) To be responsible to the Minister for the administration of the parole service:
- (2) To assign parole officers for supervision of persons released on parole:
- (3) To supervise the work of all parole officers:
- (4) To submit the case of each prisoner who will be eligible for parole to the Board as required by regulation thirty-one of these regulations:
- (5) To maintain case records and statistics of the parole service as required by the Board:
- (6) To submit such reports as required by the Board:
- (7) To apply to the Board for the cancellation of a parole order in any case where he thinks it proper to do so:
- (8) To submit reports to the Board where cancellation of a parole order is applied for:
- (9) To perform such other duties as may be required by or under the Act by the Board or by the Minister.

Part XV.—Deputy Chief Parole Officer.

34. The duties of the person appointed under paragraph (b) of subsection (1) of section thirty-five of the Act, are—

- (1) In the absence of the Chief Parole Officer or during any vacancy in the office of Chief Parole Officer to act as Chief Parole Officer:
- (2) To supervise the work of parole officers as directed by the Chief Parole Officer:
- (3) To perform such other work as directed by the Chief Parole Officer.

Part XVI.—Parole Officers.

35. The duties of parole officers are—

- (1) To supervise persons released on parole as assigned by the Chief Parole Officer:
- (2) To carry out the directions of the Board in relation to any parole order:
- (3) To maintain case records and statistics as required by the Chief Parole Officer:
- (4) To perform such other duties as directed by the Chief Parole Officer.

Part XVII.—Supervision of Male and Female Persons on Parole.

36. Male parole officers only shall be assigned to supervise male persons who have been released on parole and female parole officers only to supervise female persons so released.

Part XVIII.—Annual Report.

37. Before the first day of October in each year the Board shall make to the Minister, the report required to be made by it pursuant to section thirty-four of the Act in respect of the year ending on the last preceding thirtieth day of June, and once in every year the Board shall make the report required to be made under subsection (2) of that section.

Schedule.

Form A.

Offenders Probation and Parole Act, 1963.

REQUEST FOR PRE-SENTENCE REPORT.

Chief Probation Officer, Perth.

At (name of Court) on / /19 , (name in full) (surname in block letters) who resides at (full address) was convicted of
and remanded for sentence in custody
on bail

(strike out words not applicable) at

He is to appear for sentence at on / /19 .

Please submit a pre-sentence report to .

Medical report ^{required}
~~not required~~ (strike out words not required).

Psychiatric report ^{required}
~~not required~~ (strike out words not required).

Psychological report ^{required}
~~not required~~ (strike out words not required).

(Clerk or Officer of the Court.)

Dated / /19 .

N.B.—This report is to be submitted in triplicate within 21 days after receipt of this request.

Form B.

Offenders Probation and Parole Act, 1963.

PROBATION ORDER.

To (name in full) (surname in block letters).

of

WHEREAS you have been found guilty of:—

at (name of Court) on / /19 .

The provisions of subsection (8) of section nine of the abovementioned Act having been complied with this Court hereby directs, with your consent, that you be admitted to probation and requires that you be under the supervision of the probation officer assigned by the Chief Probation Officer in respect of this order for a period of years from this date on the following conditions:—

- (1) That you abstain from violation of the law.
- (2) That within twenty-four hours after this date you report to the personally.
- (3) That you carry out the lawful instruction of the probation officer.
- (4) That you report and receive visits as directed by the probation officer.
- (5) That you notify the probation officer within 48 hours of any change of your address or change of your employment during the probation period.

The following special conditions also apply to this order:—
(Set out any conditions imposed under subsections (6) or (7) of section nine of the abovementioned Act.)

This Court hereby appoints the Court of Petty Sessions at _____ as the Supervising Court under this order.

Dated at _____ this _____ day of _____, 19____.

* Judge, Chairman, Stipendiary Magistrate, Justice, Officer of the Court.

* Strike out where not applicable.

I, _____, hereby confirm that I have consented to the terms and conditions of this order and will comply with the requirements of the order.

Dated _____ / _____ /19____.

(Signature).

Note:—

- (1) A copy of this order will be forwarded to the Chief Probation Officer, Perth.
- (2) The Chief Probation Officer will advise you of the name and address of the probation officer who will supervise your probation.
- (3) You are required to give seven days' notice in writing to the Chief Probation Officer prior to any application to the Court by you for discharge or amendment of this order.

Form C.

Offenders Probation and Parole Act, 1963.

APPLICATION FOR SUBSTITUTION OF NEW SUPERVISING COURT.

To
The Court of Petty Sessions
At

The application of _____ of _____ in the State of Western Australia made this _____ day of _____, 19____, before the undersigned Justice of the Peace for the State who says that on the _____ day of _____, 19____, at (name of Court) that (name of probationer) (or I) of _____ was convicted of (offence) and the Court instead of sentencing him/her/me made a probation order requiring him/her/me to be under the supervision of a probation officer for a period of _____ years from (date of order) and under the Offenders Probation and Parole Act, 1963, the Court of Petty Sessions at _____ was appointed as the Supervising Court in the probation order: And whereas the applicant now desires that the Court of Petty Sessions at _____ in the State shall be substituted under that Act in lieu of the Court of Petty Sessions at _____ in the State as the Supervising Court of the said probation order and the applicant prays that you the said Court of Petty Sessions, will proceed in the premises according to law.

.....
(Signature of Applicant.)

Made before me, day and year first abovementioned at _____ in the said State.

A Justice of the Peace.

Form F.

Offenders Probation and Parole Act, 1963.

PAROLE ORDER.

To (name in full) (surname in block letters) whereas you were convicted of _____ at _____ and sentenced to _____

Now this Board directs that you be released on parole on _____ on the following general conditions:—

That you abstain from violation of the law.

That you shall not frequently consort with reputed criminals or persons of ill repute.

That you carry out the lawful instructions of the parole officer.

That you report as and when directed by the parole officer.

That you be available for interview by a parole officer at such time and place as directed by the parole officer.

That you notify the parole officer within 48 hours of any change of your address or change of your employment during the parole period.

The following special conditions also apply to this order:—

You are still under sentence and the Board may cancel your parole at any time.

If you are sentenced to another term of imprisonment your parole is automatically cancelled.

Otherwise if you observe the conditions of this order your parole will expire on _____

The parole officer who is assigned to supervise your parole is _____

19 Dated at _____ this _____ day of _____,

For and on behalf of the Parole Board,

Member.

Member.

I declare that I fully understand the conditions of my parole and undertake to comply with them.

Dated:

Signed

One copy of this order is to be signed by the prisoner and retained at the prison as authority for release.

One copy is to be handed to the prisoner on release.

One copy is to be retained by the Board.

Form G.

Offenders Probation and Parole Act, 1963.

ORDER FOR CANCELLATION OF PAROLE.

Whereas (surname in block letters) was convicted of (state offence) at _____ on _____ and sentenced to _____ and by order of this Board dated _____ was released on parole from _____ on _____

Now this Board hereby orders cancellation of such parole.

19 Dated at _____ this _____ day of _____,

For and on behalf of the Parole Board,

Member.

Member.

Form H.

Offenders Probation and Parole Act, 1963.

WARRANT FOR APPREHENSION AND
RETURN TO PRISON.

To _____ and all other members of the Police Force in the State of Western Australia and to the Superintendent or other person in charge of the prison at _____ in the said State or of any other prison which is more accessible or convenient.

Whereas (surname in block letters) was convicted of (state offence) at _____ on _____ and sentenced to _____ and by the order of this Board dated _____ was released on parole from _____ on _____.

Now this Board having ordered cancellation of such parole on _____ (or the prisoner having been convicted of _____ at _____ on _____) this warrant authorises any member of the Police Force, or other officer, to apprehend the prisoner and return him to a prison, and this warrant requires the Superintendent or other person in charge of the prison to receive the prisoner into custody and detain him until release according to law.

Dated at _____ this _____ day of _____, 19 _____.

For and on behalf of the Parole Board,

Member.

Member.

FIRE BRIGADES ACT, 1942-1963.

Chief Secretary's Department,
Perth, 3rd April, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Fire Brigades Act, 1942-1963, has been pleased to make the regulations set forth in the schedule hereunder.

J. DEVEREUX,
Under Secretary, Chief Secretary's Department.

Schedule.
Regulations.

Principal regulations.

1. In these regulations the Fire Brigades Act Regulations made under the Fire Brigades Act, 1942 (as amended), reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on the 29th March, 1961, with all amendments up to and including the 28th September, 1960, and amended by notices published in the *Government Gazette* on the 29th June, 1961, and on the 19th February, 1964, are referred to as the principal regulations.

Reg. 100A added.

2. The principal regulations are amended by adding after regulation 100 the following regulation:—

100A. (1) An employee of the Board shall, when so required by, and at the expense of, the Board, submit himself for examination by the Government District Medical Officer who may, however, engage the services of consultants if, in his opinion, the case so requires.

(2) The services of an employee certified by the Government District Medical Officer to be physically unfit for further service may be terminated by the Board.

(3) An employee who fails, when required by the Board, to submit himself for examination, is guilty of an act of misconduct and his services may be terminated by the Board.

Third Appendix substituted. 3. The principal regulations are amended by substituting for the Third Appendix, the following:—

Third Appendix.

Fire Brigades Act, 1942.

RETURN AND DECLARATION BY INSURANCE COMPANY.

(Pursuant to Section 39.)

STATUTORY DECLARATION.

I (1)....., of (2)....., do solemnly and sincerely declare that:—

- 1. I am the (3).....of (4)..... the registered office of which is situated at (5).....
2. The said company is carrying on the business of insurance (6) (is constituted an insurance company under the provisions of section 39 (5) of the Fire Brigades Act, 1942).
3. To the best of my knowledge, information and belief the contribution numerator of the said company for the twelve months ended.....19....., is £.....

And I make this solemn declaration under, and by virtue of, section 106 of the Evidence Act, 1906 (7).

Declared at.....in the State of } this.....day of }
.....,19..... }

Before me.....
Justice of the Peace or Commissioner for Declarations.

- (1) Full name of declarant. (2) Address and description of declarant. (3) Office held by declarant with insurance company. (4) Corporate name or registered business name of insurance company. (5) Address of registered office. (6) Strike out the portion of this clause that the circumstances require. (7) Where this declaration is made at a place outside the State of Western Australia, this clause must be varied to conform with the law of that place.

HEALTH ACT, 1911-1962.

Shire of Roebourne.

WHEREAS under the Health Act, 1911-1962, the Governor may cause to be prepared Model By-laws for all or any of the purposes of the said Act; and whereas Model By-laws, described as Series "A," have been prepared, and amended from time to time, and reprinted, pursuant to the Reprinting of Regulations Act, 1954, in the Government Gazette on 17th July, 1963, and further amended by notice published in the Government Gazette on 7th November, 1963; and whereas a local authority may adopt such Model By-laws with or without modification: Now, therefore, the Roebourne Shire Council, being a local authority within the meaning of the Act, and having adopted the Model By-laws, Series "A," as reprinted in the Government Gazette on 17th July, 1963, doth hereby resolve and determine that the aforesaid amendment published in the Government Gazette on 7th November, 1963, shall be adopted without modification.

Passed at a meeting of the Roebourne Shire Council this 20th day of February, 1964.

J. A. FERNIHOUGH,
President.

A. J. PEDDER,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1962.

Shire of Leonora.

WHEREAS it is provided in the Health Act, 1911, as amended, that a local authority may, of its own motion, by resolution, adopt with or without modification, the whole or any portion of by-laws caused to be prepared by the Governor under the provisions of section 343 (1) of that Act; and whereas Model By-laws, described as Series "A," prepared in accordance with those provisions, and duly amended, have, pursuant to the Reprinting of Regulations Act, 1954, been reprinted with amendments to and including that published in the *Government Gazette* on 25th June, 1963, and as so reprinted have been published in the *Government Gazette* on 17th July, 1963: Now, therefore, the Shire of Leonora, being a local authority within the meaning of the said Act, doth hereby resolve and determine that the said Model By-laws, as so reprinted and published in the *Government Gazette* on the 17th July, 1963, shall be adopted without modification, and doth hereby prescribe the following scale of fees as applied to Schedule "D" of Part IX of the adopted by-laws:—

	Fee per Annum.		
	£	s.	d.
Slaughterhouse	5	0	0
Piggery	1	0	0

Passed at a meeting of the Shire of Leonora this 11th day of February, 1964.

L. H. WALTON,
President.
P. J. HUGHSON,
Acting Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1962.

Shire of Northampton.

WHEREAS it is provided in the Health Act, 1911, as amended, that a local authority may, of its own motion, by resolution, adopt with or without modification, the whole or any portion of by-laws caused to be prepared by the Governor under the provisions of section 343 (1) of that Act; and whereas Model By-laws, described as Series "A," prepared in accordance with those provisions, and duly amended, have, pursuant to the Reprinting of Regulations Act, 1954, been reprinted with amendments to and including that published in the *Government Gazette* on 25th June, 1963, and as so reprinted have been published in the *Government Gazette* on 17th July, 1963: Now, therefore, the Shire of Northampton, being a local authority within the meaning of the said Act, doth hereby resolve and determine that the said Model By-laws, as so reprinted and published in the *Government Gazette* on the 17th July, 1963, shall be adopted without modification, and doth hereby prescribe the following scale of fees as applied to Schedule "D" of Part IX of the adopted by-laws:—

	Fee per Annum.		
	£	s.	d.
Piggery	2	0	0
Slaughterhouse	2	2	0

Passed at a meeting of the Shire of Northampton this 14th day of February, 1964.

A. C. HENVILLE,
President.
R. CHARLTON,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

BUSH FIRES ACT, 1954-1958.

By-laws of the Shire of Exmouth Council Relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades for the Shire of any Part of the Shire of Exmouth.

Establishment of Brigade.

1. (a) On the resolution of the Council to establish, maintain and equip a bush fire brigade under the provisions of the Bush Fires Act, 1954, and regulations thereunder, the brigade shall be formed in accordance with these by-laws; and a name shall be given to the brigade and application accompanied by the resolution of the Council forming the brigade shall be made to the Bush Fires Board for its registration accordingly.

(b) A bush fire brigade may be established for the whole of the Shire or for any specified area thereof.

Appointment of Officers.

2. The Council shall appoint a captain, a first lieutenant, a second lieutenant and such additional lieutenants as it shall deem necessary to act as officers of the brigade and who, in the Council's opinion, have the necessary qualification and knowledge of the district required in such capacities.

3. The Shire Clerk or such other person as the Council may appoint, shall be the Secretary of the brigade.

4. The Council may appoint an equipment officer who shall be responsible for the custody and maintenance in good order and condition of all equipment and appliances acquired by the Council for the purposes of the brigade. Such officer may station such equipment at a depot approved by the captain where, if possible, motor trucks can easily be called upon. If there are more than one such depots in the area, the equipment officer shall appoint at each depot a person to look after the equipment and have it ready for immediate use when required.

5. The Council shall appoint bush fire control officers in accordance with the requirements of the district and may prescribe the area over which each such officer shall have jurisdiction. The employment, dismissal and payment for services of persons (other than officers) employed for duties under this Act, shall be vested in the President and Shire Clerk of the Council conjointly.

Duties of Officers.

6. The duties of all officers appointed under these by-laws shall be as laid down in the provisions of the Bush Fires Act, 1954, and each officer so appointed shall be supplied with a copy of the Act and regulations. The captain shall have full control over the members of the brigade whilst engaged in fire fighting and shall issue instructions as to the methods to be adopted by the firemen. In the absence of the captain, the first lieutenant, and in the absence of the first, the second lieutenant or senior officer of the brigade present at the fire shall exercise all the powers and duties of the captain.

Membership of Brigade.

7. (1) The membership of a bush fire brigade may consist of the following:—

- (a) subscribing members;
- (b) fire fighting members; and
- (c) associate members.

(2) Subscribing members shall be those persons who, being interested in forwarding the objects of the brigade, pay an annual subscription to the funds of the brigade at the following rates:—

	s.	d.
(i) Owner or occupier of land within the brigade area—		
minimum subscription of 	10	0
(ii) Other persons—a minimum subscription of 	5	0

(3) Fire fighting members shall be those persons, being able-bodied men over 15 years of age who are willing to render service at any bush fire when called upon, and who sign an undertaking in the form contained in the First Schedule to these by-laws.

(4) Associate members shall be those persons who are willing to supply free motor transport for fire fighters or equipment, or are prepared to render other approved assistance, and who sign an undertaking in the form contained in the Second Schedule to these by-laws.

(5) No fees or subscriptions shall be payable either by fire fighting members or associate members and the enrolment of persons as such members shall in every case be subject to the approval of the Board.

(6) A subscribing member shall be eligible for enrolment as a fire fighting member.

Finance.

8. The expenditure incurred by the Council in the purchase of equipment, payment for services and generally for the purposes of this Act, shall be a charge on the ordinary revenue of the Council, but the Shire Clerk shall keep record of the expenditure incurred under this Act.

Meetings of Brigade.

9. Meetings will be held as necessary.

These by-laws under the Bush Fires Act, 1954, were passed by a resolution of the Exmouth Shire Council (a local authority under the provisions of such Act) at a meeting held at Exmouth on 28th February, 1964.

J. K. MURDOCK,
Commissioner.
M. WINTER,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

First Schedule.

FORM OF ENROLMENT—FIRE FIGHTING MEMBER.

I, the undersigned, hereby make application to be enrolled as a fire fighting member of the.....Bush Fire Brigade.

My private address is.....

My business address is.....

I can be communicated with by telephone No.....

If needed, I can provide my own transport to the scene of any outbreak. (This line to be struck out if not applicable.)

I hereby declare that I am over 15 years of age and in good health. On election by the committee as a fire fighting member, I hereby undertake:—

- (1) To promote the objects of the brigade as far as shall be in my power.
- (2) To be governed by the provisions of the constitution and such by-laws and regulations as may from time to time be made thereunder.
- (3) To use my best endeavours to give assistance in fire fighting measures when called upon on such occasions to obey all orders and instructions issued by duly authorised officers of the brigade.

Applicant's Signature.....

Date.....

Second Schedule.

FORM OF ENROLMENT—ASSOCIATE MEMBER.

I, the undersigned, hereby make application for enrolment as an associate member of the.....Bush Fire Brigade.

- (a) I am prepared to offer to transport fire fighting members and/or equipment to the scene of any outbreak when called upon. I have a motor vehicle of the following type..... available for such purpose.
(b) I am prepared to offer my services in the following capacity:—

(Paragraph (a) or (b) above may be struck out if both do not apply.)

My private address is.....

My business address is.....

I can be communicated with by telephone No.....

On election as an associate member by the committee, I hereby undertake:—

- (1) To promote the objects of the brigade as far as shall be in my power.
(2) To be governed by the provisions of the constitution and such by-laws and regulations as may from time to time be made thereunder.
(3) To use my best endeavours to assist in fire suppression work in the above capacity when called upon.

Applicant's Signature.....

Date.....

BUSH FIRES ACT, 1954-1963.

Katanning Shire Council—Resolution.

WHEREAS under the provisions of the Bush Fires Act, 1954-1963, a local authority may make by-laws: Now, therefore, the Katanning Shire Council, being a local authority within the meaning of the Act, doth hereby make the following by-law:—

- 1. Fee for application for permit to burn clover:—

The fee payable with an application for a permit to burn clover under regulation 19 of the Bush Fires Act, 1954-1963, Regulations, shall be £1 1s. (one pound one shilling) plus a fee for inspection of the land concerned in the permit calculated at the rate of twelve pence per mile for the travelling involved each way up to a maximum amount of £3 3s. (three pounds three shillings); the total amount that may be charged for the issue of any single permit under this by-law shall not exceed £4 4s. (four pounds four shillings).

Passed by the Katanning Shire Council at a duly constituted meeting held on the 12th day of February, 1964.

A. R. KIDDIE,
Chairman.

W. E. BROUGHTON,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Claremont.

By-laws Relating to Zoning.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 28th day of January, 1964, to make and submit for confirmation by the Governor the following amendments to Zoning By-laws published in the *Government Gazette* of the 8th February, 1957, at pages 205-217, both inclusive, and amended from time to time thereafter, as follows:—

Fourth Schedule.

In the section "Residential Flat Zone—North Ward" and following the words "lot 10, location 702, Plan 3283, Albert Street" in the fourth paragraph insert the words "lots 12 and 13, location 702, Chatsworth Terrace", and after the word "excluding" in the same paragraph delete the words "lots 6 and 7, location 702, Stirling Highway".

Eighth Schedule.

Special Business Zone—Squash Courts: Delete the words "North Ward—Lots 6 and 7, location 702, Stirling Highway, lots 12 and 13, location 702, Chatsworth Terrace".

The Common Seal of the Town of Claremont was hereunto affixed on the 31st day of January, 1964, in the presence of—

[L.S.]

A. W. CROOKS,
Mayor.
D. E. JEFFERIES,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Narrogin.

Adoption of Draft Model By-laws Relating to Petrol Pumps.

L.G. 144/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 10th day of March, 1964, to adopt the Draft Model By-laws published in the *Government Gazette* of the 16th day of January, 1963, as here set out:—

Local Government Model By-laws (Petrol Pumps) No. 10.—The whole of the by-laws.

Dated this 11th day of March, 1964.

The Common Seal of the Town of Narrogin was hereto affixed this 11th day of March, 1964, in the presence of—

[L.S.]

T. N. HOGG,
Mayor.
G. P. T. STEWART,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Narrogin.

Adoption of Draft Model By-laws Relating to Caravan Parks.

L.G. 145/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 10th day of March, 1964, to adopt the Draft Model By-laws as published in the *Government Gazette* on the 28th September, 1961, and as subsequently amended as per *Government Gazette* of 16th January, 1963, as here set out:—

Local Government Model By-laws (Caravan Parks) No. 2.—The whole of the by-laws and amendments.

Dated this 11th day of March, 1964.

The Common Seal of the Town of Narrogin was hereto affixed this 11th day of March, 1964, in the presence of—

[L.S.]

T. N. HOGG,
Mayor.
G. P. T. STEWART,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

TOWN PLANNING AND DEVELOPMENT ACT, 1928.

The Municipality of the Shire of Cockburn.

By-laws Relating to the Classifying of the District.

L.G. 291/62.

IN pursuance of the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of January, 1964, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Cockburn Shire Council (formerly Cockburn Road Board) passed at an ordinary meeting of the Cockburn Road Board held on the 23rd day of October, 1957, and published in the *Government Gazette* of the 17th day of April, 1958, as amended from time to time thereafter, are hereby further amended by a new by-law reading as follows:—

1. Delete from by-law No. 19 of the aforesaid by-laws the symbols "(1)" and all words appearing in the said subparagraph 1.
2. Delete from the said by-law No. 19 at the beginning of subparagraph 2 the symbols "(2)".

Dated this 4th day of February, 1964.

[L.S.]

J. H. COOPER,
President.
E. L. EDWARDES,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Cockburn.

By-laws Relating to the Classifying of the District.

L.G. 291/62.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of January, 1964, to make and submit for confirmation by the Governor the following by-law:—

The by-laws of the Cockburn Shire Council (formerly Cockburn Road Board) passed at an ordinary meeting of the Cockburn Road Board held on the 23rd day of October, 1957, and published in the *Government Gazette* of the 17th day of April, 1958, as amended from time to time thereafter, are hereby further amended by a new by-law reading as follows:—

1. Schedule 5—Special Industry: Add new paragraph as follows:—

- (e) All those pieces of land being (firstly) portion of Cockburn Sound Location 406 and being part of lot 2 on Diagram 655 and (secondly) portion of Cockburn Sound Location 406 and being part of the land on Diagram 52 and being the whole of the land comprised in Certificate of Title Volume 864, folio 147.

All that piece of land being portion of Cockburn Sound Location 406 and being the subject of Diagram 7536 and being the whole of the land comprised in Certificate of Title Volume 978, folio 105.

Dated this 4th day of February, 1964.

[L.S.]

J. H. COOPER,
President.
E. L. EDWARDES,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Bassendean.

By-laws Relating to the Classifying of the District.

L.G. 351/54.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 8th day of May, 1963, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Bassendean Shire Council (formerly Bassendean Road Board) passed at an ordinary meeting of the Bassendean Road Board on the 25th day of August, 1954, and published in the *Government Gazette* of the 12th November, 1954, as amended from time to time thereafter, are hereby further amended by a new by-law reading as follows:—

1. By-law 1 is deleted and the following by-law inserted in its place:—

1. These by-laws shall apply to the whole of the Shire of Bassendean.

2. By-law 5 is altered by the deletion of the words "service stations and garages".

3. By-law 6 is altered by the deletion of the words "within the area of the gazetted townsite".

4. After by-law 5 the following new by-laws are inserted:—

Service Station Areas.

5A. Those portions of the Shire of Bassendean which are specified in the Fourth Schedule hereto are classified as Service Station Areas.

5B. In these by-laws unless the context otherwise requires, the term "service station" means business premises for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs and minor mechanical repairs.

Rural Areas.

5C. Those portions of the Shire of Bassendean which are specified in the Fifth Schedule hereto are classified as Rural Areas.

5D. No person shall use any land or any building or structure in a Rural Area except for one or more of the following purposes:—

- (a) Any purpose permitted in a Residential Area.
- (b) Agriculture, horticulture, forestry or pasture.
- (c) Poultry farming.

5. By-law 7 is altered by the deletion of the words "First and Third Schedules" and by the substitution in their place of the words "First, Third and Fifth Schedules".

6. By-law 9 is deleted and the following new by-law is inserted in its place:—

9. No person shall use any land or any building or structure for any purpose or in any manner not permitted by these by-laws.

7. After by-law 11 the following new by-law is inserted:—

12. Any person who shall commit a breach of any of these by-laws shall be liable to—

- (a) a maximum penalty of fifty pounds;
- (b) a maximum daily penalty during the breach of five pounds per day.

8. The First Schedule is altered by—

- (a) the deletion of the words "Bassendean Townsite as gazetted on the 28th August, 1936" and by the substitution in their place of the words "Shire of Bassendean"; and
- (b) by the deletion of the words "Second or Third" and by the substitution in their place of the words "Second, Third, Fourth or Fifth".

9. The Second Schedule is altered by the deletion of the words "Bassendean Townsite" and by the substitution in their place of the words "Shire of Bassendean".

10. The Second Schedule is altered by the addition at the end thereof of the following:—

Corner of Vincent and Wicks Streets:

Portion of Swan Location S and being portion of lot 1 on Plan 6084.

Corner of Vincent Street and Railway Parade:

Portion of Swan Location S and being lots 174, 175 and 176 on Plan 2759.

Railway Parade:

Portion of Swan Location S and being lot 6 on Plan 6084.

11. After the Third Schedule the following new schedules are inserted:—

Fourth Schedule.

Service Station Areas.

Corner of Kathleen Street and Guildford Road:

Portion of Swan Location Q1 and being lots 7, 8 and 9 on Plan 2787.

Corner of Whitfield Street and Guildford Road:

Portion of Swan Location Q1 and being lots 14 and 15 on Diagram 24317.

Corner of Hamilton Street and Guildford Road:

Portion of Swan Location Q1 and being portion of lot 84 contained in Certificate of Title Volume 1006, folio 672, and portion of lot 85 contained in Certificate of Title Volume 411, folio 52.

Corner of North Road and Guildford Road:

Portion of Swan Location R and being the land comprised in Diagram 1585.

Broadway:

Portion of Swan Location Q1 and being lot 744 on Plan 3262.

Corner of Marion Street and Walter Road:

Portion of Swan Location P and being lot 75 on Plan 3469.

Fifth Schedule.

Rural Areas.

Hamilton Street:

Portion of Swan Location S, being lots 616 and 617 on Plan 3712 and lots 63, 64, 65 and 66 on Diagram 8007.

Villiers Street:

Portion of Swan Location S, being lots 67, 68 and 69 on Diagram 8007, portion of lot 632 on Plan 3712 contained in Certificate of Title Volume 651, folio 87, and lots 1 and 2 on Diagram 25405.

West Road:

Portion of Swan Location S, being lot 4 on Diagram 25405 and lots 630 and 631 on Plan 3712.

Dated this 11th day of October, 1963.

[L.S.]

A. C. FAULKNER, J.P.,
President.

R. F. DAWSON,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Swan-Guildford.

By-law Relating to Verandahs and Awnings Over Streets.

L.G. 20/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 17th day of February, 1964, to make and submit for confirmation by the Governor, the following:—

1. In this by-law—

“verandah or awning” means a verandah or awning of which any part extends or can be made to extend over any part of a street, way, footpath or other public places;

“Council” means the Council of the Shire of Swan-Guildford;

“Surveyor” means the Building Surveyor of the Shire of Swan-Guildford and includes any acting Surveyor.

2. No person shall erect a verandah or awning without first having obtained a building license in accordance with the provisions of the Uniform General Building By-laws:—

- (a) The fee prescribed in the First Schedule hereto shall be paid to the Council for each license under this by-law.
- (b) The prescribed fee shall be paid to the Council before a license is issued.

3. Types Permitted.—

- (a) All verandahs and awnings when practicable shall be of suspended awning or cantilever form and unless otherwise permitted by the Council, the fascia shall finish within six inches of the face of the kerb or ten feet from the building line, whichever is the lesser.
- (b) Provided that the Council may approve verandahs or awnings which finish flush with the kerb or a different width if such width conforms with adjoining verandahs or awnings, or verandahs or awnings in close proximity, which were erected prior to the gazettal of this by-law.
- (c) Every verandah or awning shall incorporate such guttering and down pipes as shall be adequate to prevent water collected by the verandah or awning from falling on to a street.

4. Construction.—In the construction of every verandah or awning the following conditions shall be complied with:—

- (a) All girders, rafters and framing other than purlins and battens shall be of steel of dimensions approved by the Surveyor and connections must be of standard type. Purlins and battens for fixing roof covering and fascia may be of jarrah or other approved hardwood.
- (b) The roof shall be covered with 24 gauge galvanised corrugated iron, or other approved material, with a fall of half an inch per foot towards the building.
- (c) Box gutters shall be formed at or near the building line, lined with galvanised plain iron not lighter than 24 gauge and to a capacity sufficient to carry off all rain or storm water. Such capacity shall in no case be less than 27 square inches.
- (d) Downpipes shall be of sufficient capacity to efficiently discharge rainwater falling on roofs. The bottom six-foot length of pipes shall be wrought or cast iron. Pipes shall be chased into walls or piers to a height of nine feet or set back so as not to project beyond the face of the building, and shall discharge under the footway into the street channel or be connected up to underground storm water drains.
- (e) The ceiling shall be of plain galvanised iron, stamped metal, fibrous plaster or other approved non-inflammable materials securely fixed to wood joists, which shall be not less than four inches by two inches spaced not more than two-foot centres running parallel with the footpath and secured to the steel framing. All ceilings to be flat and level.
- (f) The hanging bolts are to be not less than one-inch diameter, properly attached to the framing and securely anchored or bolted to the building, to the approval of the Surveyor, and provided with a union screw and shall be backstayed or anchored as may be necessary for stability. Hanging bolts shall be not more than 12 feet apart unless specially designed fascias are provided and computations submitted.
- (g) The fascias shall be lined with plain galvanised iron, stamped metal or other approved non-inflammable material on jarrah framing. The finished overall depth of fascias for verandahs over footpaths more than nine feet wide shall be 24 inches and for

those over footpaths nine feet wide or less shall be 18 inches. Pediments constructed with fascias of verandahs shall in all cases be subject to the approval of the Council.

5. Verandah Ends.—

- (a) Whenever a proposed verandah or awning will abut on to an existing verandah or awning, it shall be so finished as to prevent rain falling between such verandahs or awnings. Provided that when the existing verandah is not more than six inches shorter than the frontage of the building to which it is attached, the person erecting the new verandah or awning shall make the necessary extension to the existing one. When, however, any such existing verandah is shorter by more than six inches, the owner shall on requisition by the Council, continue such verandah up to the building line of such existing building.
- (b) Whenever the end of a verandah or awning abuts on to the end of a right of way, street, or public place, the fascia shall be returned along such end to the satisfaction of the Surveyor.

6. Height above Pavement.—

- (a) The height of verandah or awning ceilings shall be a minimum nine feet above the pavement level. Where there are existing verandahs the new verandahs or awnings must conform thereto subject in all cases to the approval of the Council.
- (b) Where necessary, verandahs or awnings must be stepped to conform with the grade of the footpaths such steps shall not exceed one foot in depth without special permission.

7. Time of Erection of Verandah or Awning.—Cantilever verandahs or awnings shall not be erected except during such hours as shall be appointed or prescribed by the Surveyor.

8. Verandahs or Awnings to be Kept in Repair.—The owner or occupier for the time being of any building against or in front of which there is any verandah or awning, whether constructed before or after the passing of this by-law, shall keep the verandah or awning clean, painted, watertight and in good repair, and it shall be lawful for the Surveyor to give notice to the owner or occupier of the said building to clean, paint or repair such verandah or awning whenever in his opinion such cleaning, painting or repairing is required; and every owner or occupier who neglects or refuses within seven days after the service of such notice to effect such cleaning, painting or repair, shall be guilty of an offence against this by-law and shall be liable to a penalty not exceeding fifty pounds.

9. Blinds under Verandahs or Awnings.—Blinds may be permitted under verandahs subject to the following conditions:—

- (a) Such blinds shall be hung from the other edge of the verandah parallel to the kerb and when specially approved by the Council at discontinuous ends of verandahs.
- (b) Such blinds shall be so constructed that they cannot hang lower than seven feet six inches above the level of the footway and when down shall be fixed rigidly in position.
- (c) Blinds shall be maintained in a proper state of repair to the satisfaction of the Surveyor.

10. Power to Approve Awnings of Special Design.—Notwithstanding anything contained in this section the Council may approve awnings or verandahs of a design not complying with the provisions of clauses 3, 4 and 5.

11. (a) The Council may, on or after the 1st day of January, 1965, by notice, require the owner of any verandah protruding into, or above, a street, way, footpath or other public place, and which is supported by posts erected in, or on, a street, way, or footpath or other public place to remove it within the time stipulated in the notice. The said notice shall be in writing and shall be given and served by the Council on the said owner.

(b) If the owner of the said verandah fails to comply with the terms of the said notice the Council, by its officers, servants or contractors, may remove the said verandah and recover the cost of so doing from the owner thereof in a Court of competent jurisdiction.

12. Penalties.—(1) Where, by this by-law, anything is directed, or forbidden, to be done, or authority is given to any person to direct, or forbid, anything to be done and that authority is exercised, any person failing or neglecting to do anything so directed, or doing anything so forbidden, commits an offence.

(2) Any person guilty of an offence against this by-law is liable to a penalty not exceeding fifty pounds.

Schedule No. 1.

FEES.

For a license for a verandah awning over a footway for each lineal foot measured along the frontage of the building—one shilling. (Minimum fee, £1.)

Dated this 17th day of February, 1964.

The Common Seal of the Shire of Swan-Guildford was hereunto affixed in the presence of—

[L.S.]

D. H. FERGUSON,
President.
T. J. WILLIAMSON,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Capel.

Adoption of Draft Model By-laws Relating to Extractive Industries.

L.G. 31/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 10th day of January, 1964, to adopt Draft Model By-laws published in the Gazette on the 8th day of November, 1962:—

Local Government Model By-laws (Extractive Industries) No. 9.

Dated this 13th day of March, 1964.

The Seal of the Shire of Capel was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

F. E. BROCKMAN,
Deputy President.
W. M. WRIGHT,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

Municipality of the Shire of Dardanup.

Adoption of Draft Model By-laws Relating to Signs,
Hoardings and Billposting, No. 13.

L.G. 153/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 21st day of December, 1963, to adopt the Draft Model By-laws published in the *Gazette* of the 11th day of June, 1963, as are here set out:—

Local Government Model By-laws (Signs, Hoardings and Billposting), No. 13.—The whole of the by-laws.

Dated the 29th day of January, 1964.

The Common Seal of the Shire of Dardanup was hereunto affixed this 29th day of January, 1964, in the presence of—

[L.S.]

W. H. RATCLIFFE,
President.
R. PEDDIE,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Narembeen.

Adoption of Draft Model By-laws Relating to Prevention
of Damage to Streets, No. 1.

L.G. 165/64.

IN pursuance of the powers conferred upon it by the Local Government Act, 1960, the Council of the Municipality of the Shire of Narembeen hereby records having resolved on the 18th day of December, 1963, to adopt the Draft Model By-laws published in the *Government Gazette* on the 7th day of September, 1961:—

Local Government Model By-law (Prevention of Damage to Streets) No. 1.—The whole of the by-law.

Dated this 9th day of March, 1964.

The Common Seal of the Municipality was hereto affixed in the presence of—

[L.S.]

A. ROACH,
President.
R. H. FARDON,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 3rd day of April, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1963.

Local Government Department,
Perth, 6th April, 1964.

L.G. 523/61.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1963, has been pleased to make the uniform general by-laws set out in the schedule hereunder.

R. C. PAUST,
Acting Secretary for Local Government.

Schedule.

Uniform General By-laws.

1. In these by-laws, the Uniform Building By-laws, 1961, published in the *Government Gazette* on the 23rd June, 1961, and amended by uniform general by-laws published in the *Government Gazette* on the 13th June, 1962, the 4th October, 1962, the 3rd July, 1963 and the 30th December, 1963, are referred to as the principal by-laws.

2. By-law 1 of the principal by-laws is amended by adding after the interpretation, "the Surveyor", the following interpretation:—

"U" factor" means the number of British Thermal Units (B.T.U.s.) per square foot, per hour, transmitted per degree Fahrenheit difference of temperature; .

3. By-law 60 of the principal regulations is amended by substituting for the passage commencing with the word, "not" in line three of sub-by-law (2) and ending with the word, "values", being the last word in that sub-by-law, the passage, "material or a combination of materials that will give a 'U' factor of not more than .25".

4. The principal by-laws are amended by substituting for by-law 68 the following by-law:—

68. **Laundries.**—(1) The average height of the walls of any laundry shall be not less than 7 ft. 6 in., measured from the floor level to the underside of the rafters.

(2) The floor area of any laundry that has, as its equipment, not more than a single wash trough and a washing machine, shall be not less than 42 square feet, and in any other case, not less than 50 square feet.

5. By-law 74 of the principal by-laws is amended—

(a) by substituting for the word, "openable" in line six of subparagraph (i) of paragraph (a) of sub-by-law (1) the passage, "capable of being opened, at any one time";

(b) by substituting for the word, "by-law" in line two of paragraph (b) of sub-by-law (1) the word, "sub-by-law"; and

(c) by adding, after sub-by-law (2), the following sub-by-law:—

(3) Where, by reason of the enclosure of a verandah, sleep-out or other structure, the natural light to, and the entry of external air by, the window or windows of a habitable room is obstructed, an alternative window or windows, complying with the provisions of paragraph (a) of sub-by-law (1) of this by-law shall be provided in another external wall of that room; but if—

(a) there is an unobstructed opening, from the enclosure to the room, having—

(i) a height of not less than 7 ft. and a width of not less than 5 ft.; and

(ii) piers, formed by the wall of the room, on either side of the opening, not exceeding 22½ in. in length; and

(b) the enclosure, itself, incorporates adequate windows, in conformity with these by-laws,

the enclosure is not deemed to obstruct natural light or the entry of external air, and is deemed to form a part of the room.

6. The principal by-laws are amended by adding, after by-law 91 the following by-law:—

91A. **Openings between Adjacent Occupancies.**—An opening in the external wall of a building that is built within three feet of land in another occupancy overlooked by the opening shall not be taken into account when providing openings to comply with this Section.

7. By-law 216 of the principal by-laws is amended by deleting the note, in parentheses, immediately following paragraph (b) of sub-by-law (1).

8. By-law 262 of the principal by-laws is amended by adding after sub-by-law (2) the following sub-by-law:—

(3) Where a building of Class V Occupancy is provided with a central air conditioning system, partitions, in which glass is incorporated, may be extended to the ceiling, if the area of glass in the partition is not less than 30 per cent. of the total area of the partition nor less than 10 per cent. of the floor area of the partitioned room.

9. By-law 356 of the principal by-laws is amended by adding immediately after the word, "hour", being the last word in sub-by-law (1), the passage, "; but, where the only occupancies, other than that of the principal occupier, are in the form of a licence or other right without exclusive possession and are open for business only so long as that of the principal occupier is open, compliance with the requirement of this sub-by-law may be waived by the local authority."

10. By-law 358 of the principal by-laws is amended by deleting the words, "and a room shall not be constructed over the garage", in the last line of sub-by-law (3).

11. By-law 406 of the principal by-laws is amended by deleting the words, "and any kitchen of a residential flat shall have direct access to escape stairs", in the last line of sub-by-law (2).

12. The principal by-laws are amended by adding after by-law 406 the following by-law:—

406A. **Balconies and External Corridors.**—In buildings of Class II Occupancy all balconies and external corridors shall be provided with a dado or balustrade of a height not less than 3 ft. 6 in.

13. The principal by-laws are amended by adding after by-law 409 the following by-law:—

409A. **Balconies and External Corridors.**—In buildings of Class III Occupancy all balconies and external corridors shall be provided with a dado or balustrade of a height not less than 3 ft. 6 in.

14. By-law 444 of the principal regulations is amended by inserting after the word, "Fire" in line two, the words, "and Accident".

TOTALISATOR AGENCY BOARD BETTING ACT, 1960-1963.

Totalisator Agency Board,
Perth, 3rd April, 1964.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the schedule hereunder, made by the Totalisator Agency Board pursuant to the provisions of section 57 of the Totalisator Agency Board Betting Act, 1960-1963.

J. P. MAHER,
Chairman, Totalisator Agency Board.

Schedule.
Regulations.

Principal regulations. 1. In these regulations the Totalisator Agency Board Betting Regulations, 1961, published in the *Government Gazette* on the 8th February, 1961, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

Reg. 35 amended. 2. Regulation 35 of the principal regulations is amended—
(a) by substituting for subparagraph (i) of paragraph (a) the following subparagraph:—
(i) All horse races held at race courses situated at Ballarat, Bendigo, Caulfield, Cranbourne, Flemington, Geelong, Kyneton, Moonee Valley, Mornington, Pakenham, Springvale, Werribee and Yarra Glen;
(b) by revoking subparagraph (ii) of paragraph (a);

- (c) by substituting for the subparagraph designation, "(iii)" in line one of subparagraph (iii) of paragraph (a), the subparagraph designation, "(ii)"; and
- (d) by substituting for paragraph (c) the following paragraph:—
 - (c) In the State of Queensland:
All horse races held at the Albion Park, Eagle Farm and Doomben race courses situated at Brisbane, and the Bundamba race course situated at Ipswich.

CITY OF PERTH PARKING FACILITIES ACT, 1956-1961.

Office of the Minister for Transport,
Perth, 3rd April, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the City of Perth Parking Facilities Act, 1956-1961, has been pleased to make the regulations set out in the schedule hereunder.

J. F. CRAIG,
Minister for Transport.

Schedule.
Regulations.

Schedule amended.

1. In these regulations the City of Perth Parking Facilities Act (Constitution of Parking Regions) Regulations, published in the *Government Gazette* on the 5th March, 1957, as amended by the regulations published in the *Gazette* on the 15th July, 1958, 7th November, 1958, 21st April, 1960, 29th December, 1961, 20th December, 1962, 3rd July, 1963, and 16th October, 1963, are referred to as the principal regulations.

Principal regulations.

2. The Schedule to the principal regulations is amended by adding after paragraph (j) the following paragraph:—

(k) within the bold outline depicted on the drawing numbered 2990 and marked "K" hereunder.

