



# Government Gazette

OF

## WESTERN AUSTRALIA

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[1964

### CONVICTED INEBRIATES REHABILITATION ACT, 1963.

Chief Secretary's Department,  
Perth, 14th October, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Interpretation Act, 1918-1962, and the Convicted Inebriates Rehabilitation Act, 1963, has been pleased to make the regulations set out in the schedule hereto, to take effect on the date on which the Act last abovementioned comes into operation.

J. DEVEREUX,  
Under Secretary.

#### Schedule.

#### Regulations.

Citation. 1. These regulations may be cited as the Convicted Inebriates Regulations, 1964.

Interpretation. 2. In these regulations—  
“Act” means the Convicted Inebriates Rehabilitation Act, 1963;  
“inmate” means a person placed in an institution, under the provisions of the Act;  
“Superintendent” means the person, for the time being, in charge of an institution.

- Application. 3. These regulations shall be read and applied in conjunction with, and not in derogation of, Part V of the Prison Regulations, 1940.
- Forms. 4. (1) The form set out in the schedule to these regulations may be used for the purposes of a certificate given under section 4 of the Act.
- (2) Any recommendation or report made by the Board shall be in such form as the Minister may, from time to time, direct, or in the absence of such a direction, as the Board may from time to time determine, having regard to the requirements of a court or a judge.
- Some recommendations may be communicated orally, in the first instance. 5. Where the circumstances so require, the Comptroller General or the Superintendent may act on a recommendation of the Board communicated to him orally, by a member of the Board, but, in every such case, the recommendation shall, as soon as practicable thereafter, be reduced to writing and given to the person to whom it was communicated orally.
- Resolution of questions where treatment is affected. 6. Where any action taken in the institution with regard to an inmate conflicts with, or mitigates against, the clinical treatment of the inmate, the Board shall raise the question to, and discuss it with, the Superintendent; and where the question cannot be so resolved, the Superintendent shall refer it to the Comptroller General, for such action as may be required, under the provisions of subsection (3) of section 8 of the Act.
- Action by Board on advice of punishments. 7. Upon the receipt of advice from the Superintendent that an inmate has been punished, by the withdrawal of privileges, or is to be brought before the Visitor or Justices on an allegation of an offence, the Board shall consider whether any and, if so, what action is to be taken by it, in the circumstances of the case.
- Restriction of action under ss. 9, 10 and 11 of the Act. 8. The Comptroller General shall not initiate any proceeding under section 9, 10 or 11 of the Act, unless and until he has obtained a recommendation from the Board.
- Inmates to be delivered to the Board on release. 9. Where, under the provisions of the Act, whether by effluxion of time or otherwise, an inmate is to be released from an institution, the Superintendent shall give prior advice to the Board of that fact and arrange for the inmate to be delivered to a person nominated by the Board at such place as the Board may require.
- Additional powers of Board. 10. (1) The Board is empowered to—
- (a) require the attendance of an inmate for clinical treatment or therapies at all reasonable times;
  - (b) recommend to the Comptroller General that a person nominated by the Board be permitted to attend the institution, from time to time, to assist in the promotion of therapies;
  - (c) with the approval of the Comptroller General, initiate conferences and training of officers of an institution, with respect to their dealing with, and the rehabilitation of, inmates;
  - (d) recommend to the Comptroller General changes in the staffing of, or of any part of, an institution; and
  - (e) recommend to the Superintendent the nature of the duties that should be allotted to any inmate.
- (2) Where the Board is of the opinion that any policy in the administration of the Act or of any institution requires to be revised or modified, it shall, after discussion with the Comptroller General, make a written report thereon to the Minister.

Schedule.

Convicted Inebriates Rehabilitation Act, 1963.

CERTIFICATE OF MEDICAL PRACTITIONER PURSUANT TO SECTION 4 OF THE ACT.

I..... of ..... (Full name in capital letters) (Address) a legally qualified Medical Practitioner, certify that, on the..... day of..... 19..... at..... I personally examined..... of.....; a person charged with/convicted of the offence of.....

1. The history of the offender's inebriety communicated to me by him and by others is as follows:—

(a) By the offender:—

(b) By.....: (Name of person communicating history)

2. Facts indicating inebriety observed by myself: (any observations on his mental and/or physical state):—

3. From the above examination and inquiry I form the opinion that the said..... is an inebriate, within the meaning of the above Act.

4. Any further comments of examining Medical Officer.

Dated at..... the..... day of..... 19.....

Signature.

PRISONS ACT, 1903-1963.

Chief Secretary's Department, Perth, 14th October, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Prisons Act, 1903-1963, has been pleased to make the regulations set out in the schedule hereto.

J. DEVEREUX, Under Secretary.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Prison Regulations, 1940, published in the Government Gazette on the 23rd August, 1940, and amended from time to time, prior to the 5th May, 1961, and reprinted as so amended, pursuant to the Reprinting of Regulations Act, 1954, in the Government Gazette on the 31st July, 1961, are referred to as the principal regulations.

Reg. 2  
amended.

2. Regulation 2 of the principal regulations is amended by adding, after the arrangement of Part IV, the following:—

PART V—INSTITUTIONS FOR THE RECEPTION OF CONVICTED INEBRIATES, Regs. 268-281.

Part V  
added.

3. The principal regulations are amended by adding, after Part IV, the following heading and Part:—

PART V—INSTITUTIONS FOR THE RECEPTION OF CONVICTED INEBRIATES.

268. In this Part—

“Board” means the Inebriates Advisory Board, established under the Convicted Inebriates Rehabilitation Act, 1963;

“farm manager” means the person responsible for the operation of any farm established at an institution;

“inmate” means a person placed in an institution;

“institution” means a place set apart, by the Governor under the Act, as an institution for the reception of convicted inebriates;

“officer” means a disciplinary officer other than the Superintendent;

“Superintendent” means the person, for the time being, in charge of an institution.

269. The Superintendent, in addition to his other duties—

- (a) is responsible for the good order, discipline and proper working of the institution and for the safe custody of the inmates;
- (b) shall cause such books and records to be kept as the Comptroller General may, from time to time, direct;
- (c) is responsible for the allotment to inmates of work, according to their several skills and capacity or as the Board may, from time to time, advise;
- (d) make a daily inspection of every part of the institution where inmates are located, unless on any day it is impracticable for him to make such an inspection, in which event he shall delegate that duty to an officer;
- (e) shall allocate duties to the officers;
- (f) co-operate with the farm manager, in the conduct of farming activities, and with the Board, in the clinical treatment of inmates; and
- (g) shall inform the Board of any action taken by him, with regard to an inmate, that may conflict with, or mitigate against, the clinical treatment of the inmate.

270. Without limiting the duties of officers, every officer is required to—

- (a) interest himself in, and promote, the proper and efficient working of the institution;
- (b) encourage the inmates to be assiduous in their work; and
- (c) assist in the rehabilitation of inmates.

271. An inmate shall not proceed beyond the limits of any boundary fixed by the Superintendent, without the special permission of the Superintendent, given on each occasion.

272. Every inmate shall occupy the quarters from time to time assigned to him and shall maintain any quarters so assigned in a state of complete cleanliness.

273. (1) Every inmate may—

- (a) at the discretion of the Comptroller General and subject to his application to his duties and being of good behaviour, receive a gratuity, not exceeding 11s. per week;
- (b) subject to his being of good behaviour, receive 2 oz. of tobacco, weekly, or, if so required, a monetary credit to the value thereof.

(2) Of the amount mentioned in paragraph (a) of sub-regulation (1) of this regulation, an amount not exceeding half of the gratuity may be expended by the inmate, in any one week, for the purchase of toilet requisites, tobacco and any other commodity that may, from time to time, be approved by the Comptroller General.

274. Every inmate shall—

- (a) observe complete silence after the time fixed for, and known as, "lights out";
- (b) bath and shave daily, and keep his hair trimmed.

275. An inmate shall, subject to his being of good behaviour, be permitted to write two letters, to an address outside the institution, in each month; but every letter so written shall be examined and any improper language or any comment derogatory of the institution shall be suppressed.

276. (1) An inmate may, subject to his being of good behaviour, receive visits by relatives or friends, between the hours of 2 p.m. and 4 p.m. on the first and third Sunday, in each month.

(2) The Superintendent may, in his discretion, terminate any visit, notwithstanding that the time fixed for visiting by this regulation has not elapsed.

277. (1) Subject to any variations or alterations from time to time recommended by the Superintendent and approved by the Comptroller General, the time table, hereunder, shall, as far as circumstances permit, be observed, on each week day, other than a public holiday:—

6.30 a.m.—Reveille.

7 a.m.—Breakfast.

8 a.m.—Parade and march off to duty.

10 a.m. - 10.15 a.m.—Smoko and tea, if available.

12 noon - 1 p.m.—Lunch.

3 p.m. - 3.15 p.m.—Smoko and tea, if available.

5 p.m.—Parade at cessation of labour.

5.30 p.m.—Dinner.

9.30 p.m.—Lights out.

(2) The times prescribed by this regulation for reveille, meals and lights out, shall be observed on Saturdays, Sundays and public holidays, but inmates, other than duty personnel, may, at other times, engage themselves in sport, study or voluntary labour, on those days.

278. Every inmate shall accord such respect to a member of the Board and to the farm manager as is required to be accorded to an officer of the institution; and shall cooperate with the Board, in his clinical treatment and rehabilitation, and with the farm manager, as regards any allotted work on the institution farm.

279. (1) An inmate absconding from an institution is liable for all costs and expenses incurred in the course of, or arising out of, his being retaken and of his transport to, or from, any place of confinement, thereafter.

(2) Subject to the directions of the Comptroller General, the Superintendent may appropriate from any moneys then or thereafter standing to the credit of an absconding inmate, under the provisions of regulation 273 of these regulations, moneys in satisfaction, or in part satisfaction, of any amount for which the inmate is liable under the provisions of this regulation.

280. (1) Where an inmate is punished by the withdrawal of any privilege, the Board shall be informed, by the Superintendent, of that event.

(2) Where an inmate is to be brought before the Visitor or Justices, on an allegation of any offence, the Superintendent shall advise the Board of that fact, and the Board may appoint any one of its members to be present at the hearing of the allegation and tender such advice as it considers necessary or expedient in the circumstances; and that member shall, thereupon, be heard by the Visitor or Justices.

281. Any regulations made under the Act that are not inconsistent with the provisions of this Part apply, with such adaptations as may be necessary, to persons employed in, and inmates in, an institution.

#### LOCAL GOVERNMENT ACT, 1960.

Local Government Department,  
Perth, 2nd November, 1964.

L.G. 928/61.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1963, has been pleased to cause the Draft Model By-laws set out in the schedule hereto to be prepared and published.

2. Councils of municipalities that have already adopted the Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No. 7, will, if requiring to give effect to the amendments comprised in the by-laws hereunder, need to make a resolution for their adoption. Councils requiring to adopt the by-laws, as now amended, will need to make a resolution to that effect.

A. E. WHITE,  
Secretary for Local Government.

#### Schedule.

##### Draft Model By-laws.

- |                       |  |
|-----------------------|--|
| Principal<br>by-laws. | 1. In these by-laws, the Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No. 7 published in the <i>Government Gazette</i> on the 1st August, 1962, are referred to as the principal by-laws.  |
| By-law 11<br>amended. | 2. By-law 11 of the principal by-laws is amended— <ul style="list-style-type: none"> <li>(a) by adding immediately after the by-law number "11.", the sub-by-law designation, "(1)"; and</li> <li>(b) by adding the following sub-by-law:—             <ul style="list-style-type: none"> <li>(2) Every person who removes a vehicle from an appointed place without the authority of the Clerk commits an offence.</li> </ul> </li> </ul> |

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Bunbury.

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

L.G. 637/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of October, 1964, to adopt such Draft Model By-laws published in the *Government Gazette* on 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 subject to the inclusion of a clause as follows:—

23A. Special Signs.—Where a sign does not conform in all details to the particular section relating to that sign, or where a sign does not, by reason of the unusual construction or size of same, conform with the foregoing by-laws, the Council may consent to the erection of such a sign if it does not conflict with the restrictions mentioned in paragraph 9 of these by-laws.

Dated the 15th day of October, 1964.

The Common Seal of the Town of Bunbury was affixed hereto in the presence of—

[L.S.]

E. A. COOKE,  
Acting Mayor.  
A. L. SCOTT,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of October, 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 the Removal and Disposal of Obstructing Animals and Vehicles No. 7.

L.G. 542/64.

IN pursuance of the powers conferred upon it by the above Act, the Council of the Town of Narrogin hereby records having resolved on the 8th day of September, 1964, to adopt without amendment the Local Government Model By-laws (Removal and Disposal of Obstructing Animals and Vehicles) No. 7, published in the *Government Gazette* on the 1st day of August, 1962.

The Common Seal of the Town of Narrogin was hereto affixed this 24th day of September, 1964, in the presence of—

[L.S.]

M. ZILKO,  
Mayor.  
G. P. STEWART,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of October, 1964.

R. H. DOIG,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Melville.

Amendment to By-laws Governing Long Service Leave to be Granted to Employees of the Town of Melville.

L.G. 162/59.

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 25th day of August, 1964, to make and submit for confirmation by the Governor, the following by-law:—

The by-laws of the Town of Melville (formerly Melville Road Board) passed at an ordinary meeting of the Melville Road Board on the 16th day of December, 1952 (and published in the *Government Gazette* on the 16th January, 1953) and an amendment thereto, passed at an ordinary meeting of the Melville Road Board on the 23rd day of February, 1960 (and published in the *Government Gazette* on the 21st April, 1960), and hereby amended by:—

Deleting the amendment gazetted on the 21st April, 1960, and substituting in lieu thereof:—

Add after the word "completed" in lines seven and eight of paragraph two, the following—

'except that the Council may, with the approval in writing of the Minister for Local Government, grant long service leave *pro rata* to a person who has had not less than five years' continuous service and whose services are terminated—

- (a) because of having reached the age of 65 years;
- (b) because of an accident;
- (c) because of ill health.

Passed by the Town of Melville on the 25th day of August, 1964.

The Common Seal of the Town of Melville was hereunder affixed as required by section 190 (5) (c) of the Local Government Act, 1960-1963.

[L.S.]

R. F. CARROLL,  
Mayor.  
J. E. ELLIS,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of October, 1964.

R. H. DOIG,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Tableland.

By-law Relating to Long Service Leave to be Granted to Employees of the Tableland Shire Council.

L.G. 467/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Shire hereby records having resolved on the 10th day of October, 1964, to make and submit for the confirmation of the Governor the following by-law:—

1. In the interpretation of this by-law the following words shall have the meanings assigned them as hereunder:—

- (a) "Council" means the Municipality of the Shire of Tableland.
- (b) "Employee" means and includes all persons employed in any capacity by the Council, and who are in regular and full time employ of the Council.



- (c) "Continuous service" means service in the employment of the Council during which an employee has not been absent from the service of the Council for a continuous period of more than two normal working days or an aggregate period of more than ten days, without leave of absence being granted by the Council.

2. All present and future employees of the Council shall, after each period of ten years' continuous service as permanent full time employees thereof commencing from the 1st day of January, 1960, be entitled to three months' long service leave but, subject to the provision of clause 2A, no long service leave shall be granted to an employee without a qualifying period of 10 years being first completed.

2A. Where an employee has completed at least five years' continuous service since its commencement and his employment is terminated—

- (i) by his death;
- (ii) in any circumstances otherwise than by the employer for serious misconduct;

the Council may, by an absolute majority and with the consent of the Minister, approve of the payment of *pro rata* long service leave and the amount of long service leave shall be such proportion of 13 weeks' leave as the number of completed years of such service bears to ten years.

3. (a) The Council shall grant long service leave to an employee who has been granted long service leave in respect of 10 years' continuous service and before a further period of ten years' continuous service has been completed if such employee retires from the Council's service on reaching the retiring age of 65 years or is retired through ill health or is dismissed through retrenchment or redundancy, in which case the term of the long service leave shall be computed *pro rata* as the length of the term of qualification bears to 10 years of continuous service.

Provided that no such grant shall be made to an employee of the Council who, prior to the completion of a further period of 10 years' continuous service, resigns from his employment with the Council for any reason other than ill health or on reaching retiring age.

(b) The long service leave which may be granted under this by-law, shall be for a period not exceeding one and three-tenth weeks for each completed year of service since the conclusion of the period of service which qualified the employee for his previous long service leave, and shall be on full pay.

4. An employee dismissed by the Council for neglect of duty or for irregular practices shall not be paid any sum in pursuance of the preceding clause.

5. Absence on account of sickness shall not be deemed to be a break in continuity of service, providing that the period of absence shall not exceed three months in any year, unless otherwise decided by the Council.

6. Long service leave shall be taken at the convenience of Council who will as far as is possible, meet with the wishes of the employee, but the Council may require the employee to take the leave by giving three months' notice.

7. In the event of the retirement through age or ill health or of the death of an employee, the Council shall pay to such employee (or in the case of death, to his personal representatives) or if there are none, to his dependants a sum of money equal to his wages or salary for the period of the long service leave which the Council is empowered under this by-law to grant to such an employee at the date of such retirement or death, or if the Council, after consideration of all circumstances, direct that the death of an employee be presumed, the Council may authorise the payment to the dependants of the employee a sum equivalent to the amount of wages or salary 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 Council.

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

(b) The Council may, at its discretion, either—

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

9. All annual leave to which an employee is entitled or will become entitled before the expiration of his long service leave shall be taken in addition to his long service leave, but any public holidays which may occur during the taking of his long service leave are not to be paid for over and above the long service leave but are to form part of such long service leave.

10. Long service leave shall be considered as a special period of recuperation after a lengthy term of service with a view of 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 Council.

Any contravention of this clause shall entitle the Council to dismiss the employee from its service and to cease paying or to recover any amounts paid in advance on account of long service leave.

Dated this 10th day of October, 1964.

The Common Seal of the Shire of Tableland was hereunder affixed by authority of a resolution of the Council in the presence of—

[L.S.]

O. A. ALLAN,  
President.  
M. F. SHEEHAN,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of October, 1964.

R. H. DOIG,  
Clerk of the Council.

#### LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Donnybrook.

Adoption of Draft Model By-laws Relating to Local Government Model By-laws (Signs, Hoardings and Bill Posting) No. 13.

L.G. 990/63.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 20th day of November, 1963, to adopt the whole of Draft Model By-laws published in the *Gazette* of the 11th day of June, 1963.

Dated this 7th day of October, 1964.

The Common Seal of the Shire of Donnybrook was hereunto affixed pursuant to a resolution of the Council in the presence of—

[L.S.]

A. C. FROST,  
Deputy President.  
D. A. JONES,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of October, 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. 252/64.

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 8th day of September, 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 6—Shopping Areas: Add new paragraph as follows:—

26. Portion of Jandakot A.A. Location 169, part of lot 3 on Plan 30047 and being lot 4 on Plan 30790 which land shall however be limited to use for hotel purposes only.

Dated this 11th day of September, 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 28th day of October, 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 22nd day of July, 1964, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Bassendean Shire Council (formerly the 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 day of November, 1954, as amended from time to time thereafter, are hereby further amended by a new by-law reading as follows:—

1. By-law 2 is altered by the deletion of the words "hostels, tenements and flats and boarding houses."

2. After by-law 2 the following new by-law is inserted:—

2A. No person shall erect or use a stable or keep a horse within a Residential Area; provided that any existing use may be continued subject to the provisions of by-law 11 hereof.

3. The Second Schedule is altered by the deletion of the words "the northern boundaries of lots 957, 958, 959, 960 on the north" and substituting therefore the words "the southern side of Broadway."

4. The Third Schedule is altered by the deletion of the following words:—

5. Anzac Terrace—Penzance Street Intersection .... Lot 940.

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Dated this 6th day of August, 1964.

[L.S.]

A. C. FAULKNER, J.P.,  
President.  
R. F. DAWSON,  
Shire Clerk.

Recommended—

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L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of October, 1964.

R. H. DOIG,  
Clerk of the Council.