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[1964

HEALTH ACT, 1911-1962.

Shire of Gosnells.

WHEREAS it is provided in the Health Act, 1911, as amended, that a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted: Now, therefore, the Shire of Gosnells, being a local authority within the meaning of the Act and having adopted the Model By-laws, described as Series "A", as reprinted, pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on 17th July, 1963, doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

PART IX—OFFENSIVE TRADES.

Substitute for by-law 2 of Section C—Piggeries a new by-law 2 as follows:—

2. (a) For the purpose of this section of these by-laws, no premises shall be registered as a piggery unless every portion of the sties and drainage sumps of the piggery are at least 200 feet distant from any street or thoroughfare and from any dwelling house, church, schoolroom, hall, factory, dairy or premises whatsoever wherein food is manufactured, packed or prepared for human consumption, and the sties and drainage sumps of the piggery are not less than 50 feet distant from the boundary of any land not in the same occupation, ownership or possession.

(b) No enclosure appurtenant to the sties or grazing area to which pigs have access shall be at a less distance than 50 feet from any boundary or any land not in the same occupation, ownership or possession, or at any less distance than 200 feet from any dwelling house, church, schoolroom, hall, factory, dairy or premises whatsoever wherein food is manufactured, packed or prepared for human consumption.

Passed at a meeting of the Gosnells Shire Council this 26th day of October, 1964.

ARTHUR A. MILLS,
President.

H. W. WALKER,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council, this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1962.

Shire of Swan-Guildford.

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 Swan-Guildford, 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 adapted together with the amendments thereto published in the *Government Gazette* on the 7th November, 1963, the 20th March, 1964, and the 16th June, 1964, subject to the following alterations and modifications:—

PART I.—GENERAL SANITARY PROVISIONS.

1. By-law 1, paragraph (b): In the first line substitute the figures "30" for the figures "20".

2. By-law 1C: Insert after by-law 1B a new by-law 1C as follows:—

*Provision of Apparatus for the Bacteriolytic Treatment
of Sewage.*

1C. (a) By-law 1C shall apply to all premises which are within 100 feet of a public water supply and which are not within 300 feet of a sewer.

(b) Every house constructed after the date of the coming into operation of this by-law on premises to which this by-law relates shall be provided with a water closet or water closets to the number required by law and such water closet or water closets shall be connected to apparatus for the bacteriolytic treatment of sewage. Plans and specifications of every proposed house lodged with the municipality for approval after the date of the coming into operation of this by-law shall include water closet or water closets as required by this by-law.

3. By-law 4A: After subsection (2) add a new subsection (3) to read as follows:—

(3) At least one sink shall be installed in the kitchen or scullery or some other place approved by the local authority. Such sink shall be properly supported so that the height at the top of the front edge of the sink shall be between 34 inches and 39 inches above floor level, and shall be provided with draining board or boards integral with or affixed thereto; such draining boards shall have an impervious upper surface and shall be so constructed and installed that water falling thereon shall drain into the sink.

4. By-law 4C: After by-law 4B insert a new by-law 4C as follows:—

4C. In relation to cooking facilities to be provided in houses or public places or private places in accordance with the provisions of section 99 of the Act, the following provisions shall apply:—

(1) Every house used for human habitation shall be provided with—

(a) a wood cooking stove properly installed to provide for the escape of smoke through a properly constructed chimney; or

(b) a gas or electric cooking stove. Where a stove operated by gas or any type of oil fuel is used for cooking or heating purposes, the waste produce of combustion shall be conducted by an approved flue to the outside air without creating a nuisance;

- (c) and where in any house common cooking facilities are used by more than three separate family units a separate stove shall be provided for each three family units or part of that number.
- (2) The stove or stoves provided in accordance with subsection (1) hereof and all brick work, chimneys or approved flues, recesses and other parts thereof, shall at all times, whilst such house is occupied or used or is available for occupation or use, be kept and maintained in good order and condition and properly repaired and fit for use.
5. By-law 11A: After the word "sewage" where it appears in the fourth line of subsection (1), insert the words "within the areas specified in Schedule 'B' and Schedule 'C' to this part."
6. By-law 14A: After by-law 14 add the following heading and by-law:—
Prescribed Areas—Section 112A.
 14A. The areas specified in Schedule "C" to this part are the areas within which the provisions of section 112A of the Act shall operate and have effect.
7. By-law 21: In the third line of by-law 21 after the word "domestic", add the words "or trade".
8. By-law 23: In paragraph (g) of subsection (2A) delete from the word "dwelling" in the second line to the end of the sentence.
9. By-law 25A: After by-law 25 add the following heading and by-law:—
Prohibiting the Slaughtering of Animals.
 25A. The slaughtering of any animal is prohibited within the following areas of the municipality:—
 The Guildford Ward of the Shire of Swan-Guildford as designated in the *Government Gazette* (10/6/1960) and described in the *Government Gazette* (21/2/1871) and amended in the *Government Gazette* (10/5/1901).
 The subdivision of Hazelmere as approved by the Lands Department, being all that land on Land Titles Office Plan No. 5212 and known as Hazelmere, being lots 1 to 49 inclusive.
 The townsite of Kingsford, as established under the Road Districts Act and in the *Government Gazette* (12/6/1936).
 The townsite of South Guildford, as established under the Road Districts Act and described in the *Government Gazette* (4/8/1939).
 The townsite of Middle Swan, as established under the Road Districts Act and described in the *Government Gazette* (6/8/1948).
10. By-law 26. In the first line of paragraph (a) substitute the figures "30" for the figures "20".
11. By-law 29A:
 Delete the whole of paragraph (b) of subsection (1).
 Substitute for subsection (2), the following:—
 (2) This by-law operates and has effect in the whole of the areas described in by-law 25A.
12. Substitute for by-law 30 a new by-law 30 to read as follows:—
 30. The owner of a dead animal, or the owner or occupier of any premises whereon there is a dead animal, shall not dispose of the carcase of such animal on any premises, except at a recognised sanitary site, or on premises approved by the local authority for that purpose, and it shall there be disposed of in such manner as is directed by an inspector.

13. By-law 40A: After by-law 40 insert a new by-law to read as by-law 40A as follows:—

40A. Where any house is not provided with an ample supply of potable water, the owner of the premises shall cause such house to be properly provided with a supply, either by connecting to any existing water main, constructing a well or providing suitable rain water tanks; such work to be carried out to the satisfaction of the inspector.

14. The following schedules, "B" and "C", are added after Schedule "A" of Part I:—

Schedule "B."

All parts of Swan Locations P, O, N, M1, and M; thence from the junction of the Swan Location M with Lanius Road north-easterly to the south-easterly corner of lot 336, location H; then following Blundell Road to its junction with Park Street; thence north to Ghangara Road; thence north-easterly to the junction of Orange Avenue and Apple Street; thence easterly along Apple Street to the Great Northern Highway; thence south-easterly to the north-eastern corner of lot 51, location 5; thence southerly to the north-western corner of location 1114; thence along the boundaries of the Shire to its junction with the left bank of the Swan River; thence across the river to the right bank and westerly along the boundary to the starting point.

Schedule "C."

Those portions of the district comprising part of Swan Location 16 from the junction of lot 24 and the Swan River; thence easterly; thence southerly and westerly along the district boundary to the north-western junction of High Street and the Great Eastern Highway; thence southerly to the left bank and along the left bank of the Helena River to Central Avenue; thence south-westerly to lot 124, location 20a; thence west to Waterhall Road; thence along Waterhall Road to Adelaide Street; thence to the south-easterly corner of lot 80 of Helena Location 20; thence south-westerly to the district boundary; thence north-westerly along the said boundary to the left bank of the Swan River; thence generally northerly along the said bank of the river, and north-easterly along the left bank of the Helena River to the junction of the southern boundary of lot part 181; thence westerly to the south-west corner of lot 24, Terrace Road, and thence along the western boundary of lot 24 to the starting point.

The Guildford Ward of the Shire of Swan-Guildford as designated in the *Government Gazette* (10/6/1960) and described in the *Government Gazette* (21/2/1871) and amended in the *Government Gazette* (10/5/1901).

PART II.—INFECTIOUS DISEASES.

By-law 1:

Delete the word "all" in the first line.

Delete the words "at least once in each period of six months and so much more" in the first and second lines and insert in lieu thereof the word "as".

Add the word "considered" after the words "may be" at the beginning of line 3.

PART IV.—DAIRIES AND MILK SHOPS.

By-law 17: After paragraph (g) add paragraphs to be known as paragraphs (h) and (i) to read as follows:—

(h) He shall not deposit any full, partly filled or empty bottle, jar, can, drum, crate or other container which is normally used for the distribution of either pasteurised or raw milk or cream, on any street, road, footpath, right-of-way, or public thoroughfare or land.

(i) He shall immediately remove all portions of any container which may be broken by him from any street, road, footpath, right-of-way, or public thoroughfare or land.

PART VII.—FOOD.

1. By-law 12A: After by-law 12 add a new by-law 12A to read as follows:—

12A. No person shall deposit any food of any kind intended for sale for human consumption upon any street, road, footpath, right-of-way, or any public thoroughfare or land.

2. By-law 51:

In subsection (2) delete all words after the word "trade" in the fifth line to the end of the sentence.

In subsection (3) add after "D" in the last line the words "on payment by the applicant, to the Council, of a license fee of £10."

PART IX.—OFFENSIVE TRADES.

1. By-law 5: After the word "trade" in the first line insert the words "except a fish shop".

2. By-law 5A: After by-law 5 add a new by-law to read as by-law 5A:—

5A. No offensive trade except those specified hereunder shall be registered unless every part of such premises is at least 100 feet distant from any street or thoroughfare, and at least 200 feet distant from any dwelling house or dairy, or other premises wherein food is prepared for sale provided that no such offensive trade shall be within 500 feet of the Great Northern Highway.

Trades excepted from the above are:—

Fish shops, laundries, marine stores, chemical works and flock factories.

3. Schedule "D": Fees to be paid on application for registration of offensive trade premises in respect of:—

	£	s.	d.
Slaughterhouses, artificial manure depots, bone mills, wool scouring establishments, knackeries, poultry processing establishments, places for storing, drying or preserving bones, hides, hoofs or skins, fat melting, fat extracting or tallow melting establishments, blood drying, fell mongeries, manure works, fish curing establishments, chemical works	5	0	0
Fish shops, laundries, cleaning establishments and dye works, marine stores, rag and bone merchants' premises, flock factories, gut scraping, gut spinning, and preparation of sausage skins, piggeries	3	0	0
Other trades not specified	5	0	0

4. Schedule "F": After Schedule "E" add the following Schedule "F":

Localities in which noxious or offensive trades, except fish shops, may not be established:—

The Guildford Ward of the Shire of Swan-Guildford as described in the *Government Gazette* (21/2/1871) and amended in the *Government Gazette* (10/5/1901), and designated in the *Government Gazette* (10/6/1960).

The subdivision of Hazelmere as approved by the Lands Department, being all that land on Land Titles Office Plan No. 5212 and known as Hazelmere, being lots 1 to 49 inclusive.

The townsite of Kingsford, as established under the Road Districts Act and in the *Government Gazette* (12/6/1936).

The townsite of South Guildford, as established under the Road Districts Act and described in the *Government Gazette* (4/8/1939).

The townsite of Middle Swan, as established under the Road Districts Act and described in the *Government Gazette* (6/8/1948).

Passed at a meeting of the Swan-Guildford Shire Council this 19th day of October, 1964.

D. H. FERGUSON,
President.

[L.S.]

T. J. WILLIAMSON,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

BUSH FIRES ACT, 1954-1963.

Shire of Augusta-Margaret River.

WHEREAS under the provisions of the Bush Fires Act, 1954 (as amended), a local authority may, with the approval of the Governor, make by-laws not inconsistent with that Act: Now, therefore, the Shire of Augusta-Margaret River, being a local authority within the meaning of the said Act, doth hereby resolve and determine that the by-laws made by the Shire and published in the *Government Gazette* on the 8th August, 1941, shall be amended—

- (a) by substituting for the passage, "men over 18" in line two of sub-by-law (3) of by-law 7, the passage, "members of either sex over 15"; and
- (b) by substituting for the numerals, "18" in line one of the sixth paragraph of the First Schedule, the numerals, "15."

Passed at a meeting of the Council of the Shire of Augusta-Margaret River this 8th day of October, 1964.

C. S. SMITH,
President.

C. S. WEST,
Shire Clerk.

Recommended—

STEWART BOVELL,
Minister for Lands.

Approved by His Excellency the Governor in Executive Council this 11th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

WESTERN AUSTRALIAN MARINE ACT, 1948-1962.

Department of Public Works,
Perth, 25th November, 1964.

HIS Excellency the Governor in Executive Council, acting under the provisions of section 89 of the Western Australian Marine Act, 1948-1962, has been pleased to revoke the regulations contained in the Second Schedule to the Act, and to substitute the regulations set forth in the schedule hereunder.

J. McCONNELL,
Under Secretary.

Schedule.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

PART A.—PRELIMINARY AND DEFINITIONS.

Regulation 1.

(a) These Regulations shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in Regulation 30. Where, as a result of their special construction, it is not possible for seaplanes to comply fully with the provisions of Regulations specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

(b) The Regulations concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out. The lights prescribed by these Regulations may also be exhibited from sunrise to sunset in restricted visibility and in all other circumstances when it is deemed necessary.

(c) In the following Regulation, except where the context otherwise requires:—

- (i) the word "vessel" includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;
- (ii) the word "seaplane" includes a flying boat and any other aircraft designed to manoeuvre on the water;
- (iii) the term "power-driven vessel" means any vessel propelled by machinery;
- (iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel;
- (v) a vessel or seaplane on the water is "under way" when she is not at anchor, or made fast to the shore, or aground;
- (vi) the term "height above the hull" means height above the uppermost continuous deck;
- (vii) the length and breadth of a vessel shall be her length overall and largest breadth;
- (viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;
- (ix) vessels shall be deemed to be in sight of one another only when one can be observed visually from the other;
- (x) the words "visible", when applied to lights, means visible on a dark night with a clear atmosphere;
- (xi) the term "short blast" means a blast of about one second's duration;
- (xii) the term "prolonged blast" means a blast of from four to six seconds' duration;
- (xiii) the word "whistle" means any appliance capable of producing the prescribed short and prolonged blasts;
- (xiv) the term "engaged in fishing" means fishing with nets, lines or trawls but does not include fishing with trolling lines.

PART B.—LIGHTS AND SHAPES.

Regulation 2.

- (a) A power-driven vessel when under way shall carry:—
- (i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a white light so constructed as to show an unbroken light over an arc of the horizon of 225 degrees (20 points of the compass), so fixed as to show the light 112½ degrees (10 points) on each side of the vessel, that is, from right ahead to 22½ degrees (2 points) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.
 - (ii) Either forward or abaft the white light prescribed in paragraph (i) of this subregulation a second white light similar in construction and character to that light. Vessels of less than 150 feet in length shall not be required to carry this second white light but may do so.
 - (iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in such a position that the forward light shall always be shown lower than the after one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing superstructures.
 - (iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 112½ degrees (10 points of the compass), so fixed as to show the light from right ahead to 22½ degrees (2 points) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
 - (v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 112½ degrees (10 points of the compass), so fixed as to show the light from right ahead to 22½ degrees (2 points) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.
 - (vi) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.
- (b) A seaplane under way on the water shall carry:—
- (i) In the forepart amidships where it can best be seen a white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees on each side of the seaplane, namely, from right ahead to 20 degrees abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.
 - (ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
 - (iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

Regulation 3.

(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two white lights in a vertical line one over the other, not less than 6 feet apart, and when towing and the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet, shall carry three white lights in a vertical line one over the other, so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light described in Regulation 2 (a) (i). None of these lights shall be carried at a height of less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

(b) The towing vessel shall also show either the stern light prescribed in Regulation 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

(c) Between sunrise and sunset a power-driven vessel engaged in towing, if the length of tow exceeds 600 feet, shall carry, where it can best be seen, a black diamond shape at least 2 feet in diameter.

(d) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in Regulation 2 (b) (i), (ii) and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light prescribed in Regulation 2 (b) (i), and in a vertical line at least 6 feet above or below such light.

Regulation 4.

(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights prescribed in Regulation 2 (a) (i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

(b) A seaplane on the water which is not under command may carry, where they can best be seen, and in lieu of the light prescribed in Regulation 2 (b) (i), two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

(c) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, or a vessel engaged in replenishment at sea, or in the launching or recovery of aircraft when from the nature of her work she is unable to get out of the way of approaching vessels, shall carry, in lieu of the lights prescribed in Regulation 2 (a) (i) and (ii), or Regulation 7 (a) (i), three lights in a vertical line one over the other so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart where they can best be seen, three shapes each not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(d) (i) A vessel engaged in minesweeping operations shall carry at the fore truck a green light, and at the end or ends of the fore yard on the side or sides on which danger exists, another such light or lights. These lights shall be carried in addition to the light prescribed in Regulation 2 (a) (i) or Regulation 7 (a) (i), as appropriate, and shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day she shall carry black balls, not less than 2 feet in diameter, in the same position as the green lights.

(ii) The showing of these lights or balls indicates that it is dangerous for other vessels to approach closer than 3,000 feet astern of the minesweeper or 1,500 feet on the side or sides on which danger exists.

(e) The vessels and seaplanes referred to in this Regulation, when not making way through the water, shall show neither the coloured sidelights nor the stern light, but when making way they shall show them.

(f) The lights and shapes prescribed in this Regulation are to be taken by other vessels and seaplanes as signals that the vessel or seaplane showing them is not under command and cannot therefore get out of the way.

(g) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Regulation 31.

Regulation 5.

(a) A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed in Regulation 2 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white lights prescribed therein, which they shall never carry. They shall also carry stern lights as prescribed in Regulation 10, provided that vessels towed, except the last vessel of a tow, may carry, in lieu of such stern light, a small white lights as prescribed in Regulation 3 (b).

(b) In addition to the lights prescribed in subregulation (a) of this regulation, a sailing vessel may carry on the top of the foremast two lights in a vertical line one over the other, sufficiently separated so as to be clearly distinguished. The upper light shall be red and the lower light shall be green. Both lights shall be constructed and fixed as prescribed in Regulation 2 (a) (i) and shall be visible at a distance of at least 2 miles.

(c) A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights prescribed in Regulation 2 (a) (iv) and (v) and shall be screened as provided in Regulation 2 (a) (vi), provided that any number of vessels pushed ahead in a group shall be lighted as one vessel.

(d) Between sunrise and sunset a vessel being towed, if the length of the tow exceeds 600 feet, shall carry where it can best be seen a black diamond shape at least 2 feet in diameter.

Regulation 6.

(a) When it is not possible on account of bad weather or other sufficient cause to fix the green and red sidelights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side nor, if practicable, more than $22\frac{1}{2}$ degrees (2 points) abaft the beam on their respective sides.

(b) To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the lights they respectively contain, and shall be provided with proper screens.

Regulation 7.

Power-driven vessels of less than 65 feet in length, vessels under oars or sails of less than 40 feet in length, and rowing boats, when under way shall not be required to carry the lights prescribed in Regulations 2, 3 and 5, but if they do not carry them they shall be provided with the following lights:—

(a) Power-driven vessels of less than 65 feet in length, except as provided in subregulations (b) and (c) of this Regulation, shall carry:—

(i) In the forepart of the vessel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a white light constructed and fixed as prescribed in Regulation 2 (a) (i) and of such a character as to be visible at a distance of at least 3 miles.

- (ii) Green and red sidelights constructed and fixed as prescribed in Regulation 2 (a) (iv) and (v), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to $22\frac{1}{2}$ degrees (2 points) abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.
- (b) Power-driven vessels of less than 65 feet in length when towing or pushing another vessel shall carry:—
- (i) In addition to the sidelights or the combined lantern prescribed in subregulation (a) (ii) of this Regulation two white lights in a vertical line, one over the other not less than 4 feet apart. Each of these lights shall be of the same construction and character as the white light prescribed in subregulation (a) (i) of this Regulation and one of them shall be carried in the same position. In a vessel with a single mast such lights may be carried on the mast.
 - (ii) Either a stern light as prescribed in Regulation 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.
- (c) Power-driven vessels of less than 40 feet in length may carry the white light at a less height than 9 feet above the gunwale but it shall be carried not less than 3 feet above the sidelights or the combined lantern prescribed in subregulation (a) (ii) of this Regulation.
- (d) Vessels of less than 40 feet in length, under oars or sails, except as provided in subregulation (f) of this Regulation, shall, if they do not carry the sidelights, carry, where it can best be seen a lantern showing a green light on one side and a red light on the other, of such a character as to be visible at a distance of at least 1 mile, and so fixed that the green light shall not be seen on the port side, nor the red light on the starboard side. Where it is not possible to fix this light, it shall be kept ready for immediate use and shall be exhibited in sufficient time to prevent collision and so that the green light shall not be seen on the port side nor the red light on the starboard side.
- (e) The vessels referred to in this Regulation when being towed shall carry the sidelights or the combined lantern prescribed in subregulations (a) or (d) of this Regulation, as appropriate, and a stern light as prescribed in Regulation 10, or, except the last vessel of the tow, a small white light as prescribed in subregulation (b) (ii) of this Regulation. When being pushed ahead they shall carry at the forward end the sidelights or combined lantern prescribed in subregulations (a) or (d) of this Regulation, as appropriate, provided that any number of vessels referred to in this Regulation when pushed ahead in a group shall be lighted as one vessel under this Regulation unless the overall length of the group exceeds 65 feet when the provisions of Regulation 5 (c) shall apply.
- (f) Small rowing boats, whether under oars or sail, shall only be required to have ready at hand an electric torch or a lighted lantern, showing a white light, which shall be exhibited in sufficient time to prevent collision.
- (g) The vessels and boats referred to in this Regulation shall not be required to carry the lights or shapes prescribed in Regulations 4 (a) and 11 (e) and the size of their day signals may be less than is prescribed in Regulations 4 (c) and 11 (c).

Regulation 8.

(a) A power-driven pilot-vessel when engaged on pilotage duty and under way:—

- (i) Shall carry a white light at the masthead at a height of not less than 20 feet above the hull, visible all round the horizon at a distance of at least 3 miles and at a distance of 8 feet below it a red light similar in construction and character. If such a vessel is of less than 65 feet in length she may carry the white light at a height of not less than 9 feet above the gunwale and the red light at a distance of 4 feet below the white light.
- (ii) Shall carry the sidelights or lanterns prescribed in Regulation 2 (a) (iv) and (v) or Regulation 7 (a) (ii) or (d), as appropriate, and the stern light prescribed in Regulation 10.
- (iii) Shall show one or more flare-up lights at intervals not exceeding 10 minutes. An intermittent white light visible all round the horizon may be used in lieu of flare-up lights.

(b) A sailing pilot-vessel when engaged on pilotage duty and under way:—

- (i) Shall carry a white light at the masthead visible all round the horizon at a distance of at least 3 miles.
- (ii) Shall be provided with the sidelights or lantern prescribed in Regulation 5 (a) or 7 (d), as appropriate, and shall, on the near approach of or to other vessels, have such lights ready for use, and shall show them at short intervals to indicate the direction in which she is heading, but the green light shall not be shown on the port side nor the red light on the starboard side. She shall also carry the stern light prescribed in Regulation 10.
- (iii) Shall show one or more flare-up lights at intervals not exceeding 10 minutes.

(c) A pilot-vessel when engaged on pilotage duty and not under way shall carry the lights and show the flares prescribed in subregulation (a) (i) and (iii) of this Regulation or subregulation (b) (i) and (iii) of this Regulation, as appropriate, and if at anchor shall also carry the anchor lights prescribed in Regulation 11.

(d) A pilot-vessel when not engaged on pilotage duty shall show the lights or shapes for a similar vessel of her length.

Regulation 9.

(a) Fishing vessels when not engaged in fishing shall show the lights or shapes for similar vessels of their length.

(b) Vessels engaged in fishing, when under way or at anchor, shall show only the lights and shapes prescribed in this Regulation, which lights and shapes shall be visible at a distance of at least 2 miles.

(c) (i) Vessels when engaged in trawling, by which is meant the dragging of a dredge net or other apparatus through the water, shall carry two lights in a vertical line, one over the other, not less than 4 feet nor more than 12 feet apart. The upper of these lights shall be green and the lower light white and each shall be visible all round the horizon. The lower of these two lights shall be carried at a height above the sidelights not less than twice the distance between the two vertical lights.

(ii) Such vessels may in addition carry a white light similar in construction to the white light prescribed in Regulation 2 (a) (i) but such light shall be carried lower than and abaft the all-round green and white lights.

(d) Vessels when engaged in fishing, except vessels engaged in trawling, shall carry the lights prescribed in subregulation (c) (i) of this Regulation except that the upper of the two vertical lights shall be red. Such vessels if of less than 40 feet in length may carry the red light at a height of not less than 9 feet above the gunwale and the white light not less than 3 feet below the red light.

(e) Vessels referred to in subregulations (c) and (d) of this Regulation, when making way through the water, shall carry the sidelights or lanterns prescribed in Regulation 2 (a) (iv) and (v) or Regulation 7 (a) (ii) or (d), as appropriate, and the stern light prescribed in Regulation 10. When not making way through the water they shall show neither the sidelights nor the stern light.

(f) Vessels referred to in subregulation (d) of this Regulation with outlying gear extending more than 500 feet horizontally into the seaway shall carry an additional all-round white light at a horizontal distance of not less than 6 feet nor more than 20 feet away from the vertical lights in the direction of the outlying gear. This additional white light shall be placed at a height not exceeding that of the white light prescribed in subregulation (c) (i) of this Regulation and not lower than the sidelights.

(g) In addition to the lights which they are required by this Regulation to carry, vessels engaged in fishing may, if necessary in order to attract the attention of an approaching vessel, use a flare-up light, or may direct the beam of their searchlight in the direction of a danger threatening the approaching vessel, in such a way as not to embarrass other vessels. They may also use working lights but fishermen shall take into account that specially bright or insufficiently screened working lights may impair the visibility and distinctive character of the lights prescribed in this Regulation.

(h) By day vessels when engaged in fishing shall indicate their occupation by displaying where it can best be seen a black shape consisting of two cones each not less than 2 feet in diameter with their points together one above the other. Such vessels if of less than 65 feet in length may substitute a basket for such black shape. If their outlying gear extends more than 500 feet horizontally into the seaway vessels engaged in fishing shall display in addition one black conical shape, point upwards, in the direction of the outlying gear.

Regulation 10.

(a) Except where otherwise provided in these Regulations, a vessel when under way shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of 135 degrees (12 points of the compass), so fixed as to show the light $67\frac{1}{2}$ degrees (6 points) from right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles.

(b) In a small vessel, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, an electric torch or a lighted lantern showing a white light shall be kept at hand ready for use and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

(c) A seaplane on the water when under way shall carry on her tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles.

Regulation 11.

(a) A vessel of less than 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light visible all round the horizon at a distance of at least 2 miles. Such a vessel may also carry a second white light in the position prescribed in subregulation (b) of this Regulation but shall not be required to do so. The second white light, if carried, shall be visible at a distance of at least 2 miles and so placed as to be as far as possible visible all round the horizon.

(b) A vessel of 150 feet or more in length, when at anchor, shall carry near the stem of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible at a distance of at least 3 miles and so placed as to be as far as possible visible all round the horizon.

(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

(d) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when at anchor, shall carry the lights or shapes prescribed in Regulation 4 (c) in addition to those prescribed in the appropriate preceding sub-regulations of this Regulation.

(e) A vessel aground shall carry the light or lights prescribed in sub-regulation (a) or (b) of this Regulation and the two red lights prescribed in Regulation 4 (a). By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

(f) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all round the horizon at a distance of at least 2 miles.

(g) A seaplane on the water 150 feet or upwards in length, when at anchor, shall carry, where they can best be seen, a white light forward and a white light aft, both lights visible all round the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all round the horizon at a distance of 1 mile.

(h) A seaplane aground shall carry an anchor light or lights as prescribed in subregulations (f) and (g) of this Regulation, and in addition may carry two red lights in a vertical line, at least 3 feet apart, so placed as to be visible all round the horizon.

Regulation 12.

Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by these Regulations required to carry, show a flare-up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorised elsewhere under these Regulations.

Regulation 13.

(a) Nothing in these Regulations shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for ships of war, for vessels sailing under convoy, for fishing vessels engaged in fishing as a fleet or for seaplanes on the water.

(b) Whenever the Government concerned shall have determined that a naval or other military vessel or water-borne seaplane of special construction or purpose cannot comply fully with the provisions of any of these Regulations with respect to the number, position, range or arc of visibility of lights or shapes, without interfering with the military function of the vessel or seaplane, such vessel or seaplane shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes as her Government shall have determined to be the closest possible compliance with these Regulations in respect of that vessel or seaplane.

Regulation 14.

A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point downwards, not less than 2 feet in diameter at its base.

PART C.—SOUND SIGNALS AND CONDUCT IN RESTRICTED VISIBILITY.

Preliminary.

1. The possession of information obtained from radar does not relieve any vessel of the obligation of conforming strictly with the Regulations and, in particular, the obligations contained in Regulations 15 and 16.

2. The Annex to the Regulations contains recommendations intended to assist in the use of radar as an aid to avoiding collision in restricted visibility.

Regulation 15.

(a) A power-driven vessel of 40 feet or more in length shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 40 feet or more in length shall be provided with a similar fog horn and bell.

(b) All signals prescribed in this Regulation for vessels under way shall be given—

- (i) by power-driven vessels on the whistle;
- (ii) by sailing vessels on the fog horn;
- (iii) by vessels towed on the whistle or fog horn.

(c) In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals prescribed in this Regulation shall be used as follows:—

- (i) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes a prolonged blast.
- (ii) A power-driven vessel under way, but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts, with an interval of about 1 second between them.
- (iii) A sailing vessel under way shall sound at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.
- (iv) A vessel when at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the after part of the vessel, at intervals of not more than 1 minute for about 5 seconds, a gong or other instrument, the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with Regulation 12, sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.
- (v) A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to manoeuvre as required by these Regulations shall, instead of the signals prescribed in paragraphs (i), (ii) and (iii) of this subregulation sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.
- (vi) A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.
- (vii) A vessel aground shall give the bell signal and, if required, the gong signal, prescribed in paragraph (iv) of this subregulation and shall, in addition, give 3 separate and distinct strokes on the bell immediately before and after such rapid ringing of the bell.
- (viii) A vessel engaged in fishing when under way or at anchor shall at intervals of not more than 1 minute sound the signal prescribed in paragraph (v) of this subregulation. A vessel when fishing with trolling lines and under way shall sound the signals prescribed in paragraphs (i), (ii) or (iii) of this subregulation as may be appropriate.

- (ix) A vessel of less than 40 feet in length, a rowing boat, or a seaplane on the water, shall not be obliged to give the above-mentioned signals but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.
- (x) A power-driven pilot-vessel when engaged on pilotage duty may, in addition to the signals prescribed in paragraphs (i), (ii) and (iv) of this subregulation, sound an identity signal consisting of 4 short blasts.

Regulation 16.

(a) Every vessel, or seaplane when taxi-ing on the water, shall, in fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

(b) A power-driven vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

(c) A power-driven vessel which detects the presence of another vessel forward of her beam before hearing her fog signal or sighting her visually may take early and substantial action to avoid a close quarters situation but, if this cannot be avoided, she shall, so far as the circumstances of the case admit, stop her engines in proper time to avoid collision and then navigate with caution until danger of collision is over.

PART D.—STEERING AND SAILING REGULATIONS.

Preliminary.

1. In obeying and construing these Regulations, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.

2. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

3. Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.

4. Regulations 17 to 24 apply only to vessels in sight of one another.

Regulation 17.

(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:—

- (i) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.
- (ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(b) For the purposes of this Regulation the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

Regulation 18.

(a) When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Regulation only

applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective course, pass clear of each other. The only cases to which it does apply are when each of two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

(b) For the purposes of this Regulation and Regulations 19 to 29 inclusive, except Regulation 20 (c) and Regulation 28, a seaplane on the water shall be deemed to be a vessel, and the expression "power-driven vessel" shall be construed accordingly.

Regulation 19.

When two power-driven vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Regulation 20.

(a) When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risks of collision, except as provided for in Regulations 24 and 26, the power-driven vessel shall keep out of the way of the sailing vessel.

(b) This Regulation shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a power-driven vessel which can navigate only inside such channel.

(c) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with these Regulations.

Regulation 21.

Where by any of these Regulations one of two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision (see Regulations 27 and 29).

Regulation 22.

Every vessel which is directed by these Regulations to keep out of the way of another vessel shall, so far as possible, take positive early action to comply with this obligation, and shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Regulation 23.

Every power-driven vessel which is directed by these Regulations to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Regulation 24.

(a) Notwithstanding anything contained in these Regulations, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

(b) Every vessel coming up with another vessel from any direction more than $22\frac{1}{2}$ degrees (2 points) abaft her beam, i.e., in such a position, with reference to the vessel which she is overtaking, that at night she would be

unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alterations of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Regulations, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

Regulation 25.

(a) In a narrow channel every power-driven vessel when proceeding along the course of the channel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

(b) Whenever a power-driven vessel is nearing a bend in a channel where a vessel approaching from the other direction cannot be seen, such power-driven vessel, when she shall have arrived within one-half ($\frac{1}{2}$) mile of the bend, shall give a signal by one prolonged blast on her whistle which signal shall be answered by a similar blast given by any approaching power-driven vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

(c) In a narrow channel a power-driven vessel of less than 65 feet in length shall not hamper the safe passage of a vessel which can navigate only inside such channel.

Regulation 26.

All vessels not engaged in fishing, except vessels to which the provisions of Regulation 4 apply, shall, when under way, keep out of the way of vessels engaged in fishing. This Regulation shall not give to any vessel engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels.

Regulation 27.

In obeying and construing these Regulations due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from the above Regulations necessary in order to avoid immediate danger.

PART E.—SOUND SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER.

Regulation 28.

(a) When vessels are in sight of one another, a power-driven vessel under way, in taking any course authorised or required by these Regulations, shall indicate that course by the following signals on her whistle, namely:—

One short blast to mean "I am altering my course to starboard".

Two short blasts to mean "I am altering my course to port".

Three short blasts to mean "My engines are going astern".

(b) Whenever a power-driven vessel which, under these Regulations, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under Regulations 27 and 29 or any other Regulation, or of her duty to indicate any action taken under these Regulations by giving the appropriate sound signals laid down in this Regulation.

(c) Any whistle signal mentioned in this Regulation may be further indicated by a visual signal consisting of a white light visible all round the horizon at a distance of at least 5 miles, and so devised that it will operate simultaneously and in conjunction with the whistle-sounding mechanism and remain lighted and visible during the same period as the sound signal.

(d) Nothing in these Regulations shall interfere with the operation of any special rules made by the Government of any nation with respect to the use of additional whistle signals between ships of war or vessels sailing under convoy.

PART F.—MISCELLANEOUS.

Regulation 29.

Nothing in these Regulations shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Regulation 30.

Nothing in these Regulations shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbour, river, lake, or inland water, including a reserved seaplane area.

Regulation 31.

Distress Signals.

(a) When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely:—

- (i) A gun or other explosive signal fired at intervals of about a minute.
- (ii) A continuous sounding with any fog-signalling apparatus.
- (iii) Rockets or shells, throwing red stars fired one at a time at short intervals.
- (iv) A signal made by radiotelegraphy or by any other signalling method consisting of the group . . . - - - . . . in the Morse Code.
- (v) A signal sent by radiotelephony consisting of the spoken word "Mayday".
- (vi) The International Code Signal of distress indicated by N.C.
- (vii) A signal consisting of a square flag having above or below it a ball or anything resembling a ball.
- (viii) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.).
- (ix) A rocket parachute flare or a hand flare showing a red light.
- (x) A smoke signal giving off a volume of orange-coloured smoke.
- (xi) Slowly and repeatedly raising and lowering arms outstretched to each side.

Note.—Vessels in distress may use the radiotelegraph alarm signal or the radiotelephone alarm signal to secure attention to distress calls and messages. The radiotelegraph alarm signal, which is designed to actuate the radiotelegraph auto alarms of vessels so fitted, consists of a series of twelve dashes, sent in 1 minute, the duration of each dash being 4 seconds, and the duration of the interval between 2 consecutive dashes being 1 second. The radiotelephone alarm signal consists of 2 tones transmitted alternately over periods of from 30 seconds to 1 minute.

(b) The use of any of the foregoing signals, except for the purpose of indicating that a vessel or seaplane is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.

ANNEX TO THE REGULATIONS.

RECOMMENDATIONS ON THE USE OF RADAR INFORMATION AS AN AID TO AVOIDING COLLISIONS AT SEA.

- (1) Assumptions made on scanty information may be dangerous and should be avoided.
- (2) A vessel navigating with the aid of radar in restricted visibility must, in compliance with Regulation 16 (a), go at a moderate speed. Information obtained from the use of radar is one of the circumstances to be taken into account when determining moderate speed. In this regard it must be recognised that small vessels, small icebergs and similar floating objects may not be detected by radar. Radar indications of one or more vessels in the vicinity may mean that "moderate speed" should be slower than a mariner without radar might consider moderate in the circumstances.
- (3) When navigating in restricted visibility the radar range and bearing alone do not constitute ascertainment of the position of the other vessel under Regulation 16 (b) sufficiently to relieve a vessel of the duty to stop her engines and navigate with caution when a fog signal is heard forward of the beam.
- (4) When action has been taken under Regulation 16 (c) to avoid a close quarters situation, it is essential to make sure that such action is having the desired effect. Alterations of course or speed or both are matters as to which the mariner must be guided by the circumstances of the case.
- (5) Alteration of course alone may be the most effective action to avoid close quarters provided that:—
 - (a) There is sufficient sea room.
 - (b) It is made in good time.
 - (c) It is substantial. A succession of small alterations of course should be avoided.
 - (d) It does not result in a close quarters situation with other vessels.
- (6) The direction of an alteration of course is a matter in which the mariner must be guided by the circumstances of the case. An alteration to starboard, particularly when vessels are approaching apparently on opposite or nearly opposite courses, is generally preferable to an alteration to port.
- (7) An alteration of speed, either alone or in conjunction with an alteration of course, should be substantial. A number of small alterations of speed should be avoided.
- (8) If a close quarters situation is imminent, the most prudent action may be to take all way off the vessel.

RIGHTS IN WATER AND IRRIGATION ACT, 1914-1964.

Department of Public Works Water Supply,
Perth, 25th November, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Rights in Water and Irrigation Act, 1914-1964, has been pleased to make the regulations set forth in the schedule hereunder.

J. M. McCONNELL,
Under Secretary for Works.

Schedule.

Regulations.

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| Principal regulations. | 1. In these regulations the Rights in Water and Irrigation Act Regulations published in the <i>Government Gazette</i> on the 5th December, 1941, and amended by notice published in the <i>Government Gazette</i> on the 17th September, 1964, are referred to as the principal regulations. |
| Reg. 2 amended. | 2. Regulation 2 of the principal regulations is amended by deleting the interpretation, "licensee". |
| Regs. 24A to 24F (inclusive) revoked. | 3. Regulations 24A, 24B, 24C, 24D, 24E and 24F of the principal regulations are revoked. |

RIGHTS IN WATER AND IRRIGATION ACT, 1914-1964.

Department of Public Works Water Supply,
Perth, 25th November, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Rights in Water and Irrigation Act, 1914-1964, has been pleased to make the regulations set forth in the schedule hereunder.

J. McCONNELL,
Under Secretary for Works.

Schedule.

Regulations.

- Principal Regulations. 1. In these regulations the Rights in Water and Irrigation (Construction and Alteration of Wells) Regulations, 1963, published in the *Government Gazette* on the 15th May, 1963, are referred to as the principal regulations.
- Reg. 3 amended. 2. Regulation 3 of the principal regulations is amended by inserting after the interpretation, "Act", the following interpretation—
"licensee" means a person who is deemed to be the holder of a license issued under section 20 of the Act.
- Regs. 12A, 12B, 12C, 12D, 12E and 12F added. 3. The principal regulations are amended by adding after regulation 12 the following regulations and the respective headings thereto:—

Fitting Meters to Wells.

12A. Upon the request of the Minister a licensee shall permit the Minister to fit a meter to any artesian well or non-artesian well for the purpose of stipulating the quantity of water to be drawn from such well.

Damage to Meters.

12B. (1) A licensee whose well is fitted with a meter belonging to the Minister shall pay the cost of making good all damage to the meter whilst on his land and in his charge.

(2) Any repairs required shall be done by the officers of the Minister, and the expense incurred in so doing shall, on demand, be paid by the licensee, and if not paid on demand shall be a debt due to the Minister.

Interference with a Meter.

12C. A person other than an officer of the Minister shall not—

- (a) break or in any way interfere with the seal fixed on a meter;
- (b) turn or attempt to turn any screw, bolt or nut on or attached to a meter;
- (c) introduce or attempt to introduce any body or substance into a meter;
- (d) interfere in any way with the correct registration of a meter; or
- (e) cause the supply of water to by-pass a meter.

Testing of Meters.

12D. (1) Where a licensee is at any time dissatisfied with the reading of a meter, he may give written notice to the Minister or an officer of the Minister within seven days of the reading requiring the meter to be tested, and the meter shall then be tested by passing through it a predetermined quantity of water.

(2) When a test has been completed to the satisfaction of the Minister or an officer of the Minister then—

- (a) where the meter registers more than five per cent. in excess of the quantity that actually passes through it at the test, the Minister shall bear all direct and incidental expenses of that test;
- (b) where the meter registers less than five per cent. in excess of the quantity that actually passes through it at the test, the licensee shall pay to the Minister all direct and incidental expenses of that test.

(3) The expenses of a test shall be fixed by the Minister, subject to a minimum charge of ten shillings.

(4) A licensee may only request a test for the period of registration last preceding the date of reading in respect of which he gives notice.

Averaging of Quantity Drawn.

12E. (1) Where a meter ceases to register the correct quantity of water drawn from a well, or where a meter is being repaired, the Minister shall estimate the quantity of water drawn by taking an average of the quantities drawn during any previous periods, and the quantity so estimated shall be considered to be the amount of water drawn from the well for the purpose of section 21 of the Act.

(2) Notice of an estimate made under this regulation shall be sent to the licensee.

Evidence of Certificate of Reading.

12F. Where in any proceedings the quantity of water drawn from a well is in question, then a certificate signed by an officer appointed by the Minister, which states the quantity registered by the meter attached to the well shall be *prima facie* evidence of the quantity of water drawn from the well.

LOCAL GOVERNMENT ACT, 1960-1963.

Local Government Department,
Perth, 30th November, 1964.

L.G. 77/63.

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 (Signs, Hoardings and Billposting) No. 13 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
by-laws.

1. In these by-laws, the Local Government Model By-laws (Signs, Hoardings and Billposting) No. 13, published in the *Government Gazette* on the 11th June, 1963, are referred to as the principal by-laws.

By-law 36A and heading added. 2. The principal by-laws are amended by adding immediately after by-law 36, the following heading and by-law:—

Removal and Disposal of Signs Unlawfully Displayed.

36A. (1) The Council may remove any sign placed or erected, contrary to the provisions of these by-laws, on any street or land vested in, or under the care or control of, the Council and may, without incurring any liability therefor, dispose of any sign so removed, in such manner as it thinks fit.

(2) Where, in exercise of the power conferred by sub-by-law (1) of this by-law, the Council removes and disposes of a sign, it may recover the cost of the removal and disposal, in any court of competent jurisdiction, from the person responsible for the placing or erecting of the sign.

LOCAL GOVERNMENT ACT, 1960.

By-law No. 65—Town Planning Classification or Zoning By-law for Land and/or Buildings in the Central Area being Part of the City of Perth Municipal District—Amendment.

The Municipality of the City of Perth By-law Relating to Zoning.

L.G. 192/62.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovenamed Municipality hereby records having resolved on the 7th day of September, 1964, to make and submit for confirmation by the Governor the following amendments to by-law No. 65:—

That—

- (a) portion of Perth Town Lot N4 and being lot 28, Goderich Street, on Plan 8058;
- (b) portion of Perth Town Lot N3 and being lot 17, Goderich Street, the subject of Diagram 16533;
- (c) portion of each of Perth Town Lots N2 and N3 and being lot 18, Goderich Street, on Diagram 16532;
- (d) portion of Perth Town Lot N2 and being lot 19, Goderich Street, on Diagram 16532;

be and are hereby excised from Zone 2 Classification and re-classified to be included in Zone 7 and the Central Zoning Plan No. 65 is amended accordingly.

Dated this 9th day of October, 1964.

The Common Seal of the City of Perth was hereunto affixed in the presence of—

[L.S.]

C. J. B. VERYARD,
Lord Mayor.
W. A. McI. GREEN,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the City of Fremantle.

Adoption of Draft Model By-laws Relating to Street Lawns and Gardens.

L.G. 205/58.

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 July, 1964, to repeal existing by-law numbered 222 adopted on the 28th day of July, 1958, and published in the *Government Gazette* of the 25th day of August, 1958, and to adopt such of the Draft Model By-laws published in the *Gazette* of the 7th day of February, 1963, with such alterations as are here set out.

Repealed.

By-law No. 222 adopted the 28th day of July, 1958, and gazetted on the 25th day of August, 1958.

Adopted Draft Model By-law.

Local Government Model By-laws (Street Lawns and Gardens) No. 11.—
The whole.

Alterations.

Nil.

Dated the 13th day of October, 1964.

The Common Seal of the City of Fremantle was hereto affixed this 13th day of October, 1964, pursuant to a resolution passed this 20th day of July, 1964, in the presence of—

[L.S.]

W. FRED. SAMSON,
Mayor.
N. J. C. McCOMBE,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Bunbury.

By-law Relating to Verandahs and Awnings Over Streets.

L.G. 698/64.

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 26th day of October, 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 Town of Bunbury;

“Surveyor” means the Building Surveyor of the Town of Bunbury 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 concealed 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, asbestos 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-feet 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 nine 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.

- (h) Where verandahs or awnings are to be suspended from the face of an existing building, the parapet shall, if required, be strengthened or rebuilt to the satisfaction of the Surveyor.

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 ten 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 six 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. Restoration or Repair of Existing Verandahs and Awnings:—

- (a) If in the opinion of the Surveyor 50 per cent. or more of any verandah or awning is destroyed or demolished, such verandah or awning shall not be restored, repaired or reconstructed, except in accordance with the provisions of these by-laws.

- (b) Where over a period of three consecutive years, repairs affecting more than 50 per cent. of an existing verandah or awning are made or are necessary, such verandah or awning shall be dismantled and totally reconstructed to comply with the requirements of these by-laws.
- (c) Alterations or additions to an existing verandah shall only be made in accordance with the provisions of these by-laws.

12. (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 costs of so doing from the owner thereof in a Court of competent jurisdiction.

13. Penalties:—

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

Schedule No. 1.

FEEES.

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 29th day of October, 1964.

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

[L.S.]

A. H. WILSON,
Mayor.

A. L. SCOTT,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 11th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1962.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning.

L.G. 47/63.

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 13th day of October, 1964, to make and submit for confirmation by the Governor the following by-law:—

The by-laws of the Shire of Perth published in the *Government Gazette* of the 29th day of June, 1960, are hereby amended in the following manner:—

Section 11 of the Fifth Schedule is amended by the addition after serial 3 of the following:—

3A. Osborne	Portion of Perthshire Location Au and being lot 118 on Plan 2809 and being portion of the land comprised in Certificate of Title Volume 1203, folio 480.	A Service Station.
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Dated the 13th day of October, 1964.

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

[L.S.]

M. STARKE,
President.
LLOYD P. KNUCKEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Pounds, Poundkeepers and Rangers.

L.G. 293/58.

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 13th day of October, 1964, to make and submit for confirmation by the Governor the following By-laws:—

The By-laws of the Shire of Perth published in the *Government Gazette* of the 29th June, 1960, are hereby amended in the following manner:—

1. By-law 464 is deleted and the following new by-law is inserted in its place:—

464. In pursuance of the powers conferred upon it the Council has established a public pound within the Council Depot situated at the corner of Cedric Street and North Beach Road, Osborne Park. The Pound is situated at the north-west corner of the said Depot. Notice of the establishment of the said pound was published in the *Government Gazette* of 12th June, 1964.

2. The notes to Part VIII are altered as follows:—

(a) The following note is deleted:—

†The powers and authorities of the Board and the statutory provisions relating to this subject are contained in the Cattle Trespass, Fencing and Impounding Act, 1882-1932, and section 197 of the Act.

(b) The note reading—

“‡William Olds Williams has been appointed Ranger and Poundkeeper (see notice in the *Government Gazette* of the 4th July, 1947)” is deleted and the following note substituted in its place:—

‡Mervin Albert Girando has been appointed Poundkeeper and Ranger and authorised to act on behalf of the Council in accordance with the provisions of Part XX of the Local Government Act.

(c) Note † is altered by the addition at the end thereof of the following:

Notice of the appointment of Mervin Albert Girando as an officer authorised to act on behalf of the Council in accordance with the provisions of the Dog Act was published in the *Government Gazette* of 12th June, 1964.

Dated this 13th day of October, 1964.

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

[L.S.]

M. STARKE,
President.
LLOYD P. KNUCKEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning.

L.G. 47/63.

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 27th day of October, 1964, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Shire of Perth published in the *Government Gazette* of the 29th June, 1960, are hereby amended in the following manner:—

By-law 363 is altered by the deletion of the words and figures “sixty-six (66) feet to a road or street” from paragraph (a) and by the substitution in their place of the following:—

ninety-nine (99) feet to a street; provided that in the case of a corner lot or a lot abutting onto more than one street, the frontage to each street shall not be less than ninety-nine (99) feet.

Dated this 27th day of October, 1964.

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

[L.S.]

M. STARKE,
President.
LLOYD P. KNUCKEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of December, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

Municipality of the Shire of Chittering.

Adoption of Model By-laws Relating to the Removal and Disposal
of Obstructing Animals or Vehicles.

L.G. 280/64.

IN pursuance of the powers conferred on it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 9th day of October, 1964, to adopt the Draft Model By-laws known as the Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No. 7 which were published in the *Gazette* on the 1st August, 1962.

Dated this 21st day of October, 1964.

[L.S.]

E. J. STEPHENS,
President.
L. K. MARTIN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of December, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Northampton.

Adoption of Draft Model By-laws Relating to Removal and Disposal
of Obstructing Animals or Vehicles No. 7.

L.G. 810/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 13th day of November, 1964, to adopt without amendment the Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No. 7 published in the *Government Gazette* on the 1st August, 1962, and the amendment to these by-laws as published in the *Government Gazette* of 6th November, 1964.

The Common Seal of the Shire of Northampton
was hereto affixed this 13th day of November,
1964, in the presence of—

[L.S.]

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

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of December, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Port Hedland.

Adoption of Draft Model By-law Relating to Caravan Parks No. 2.

L.G. 805/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of June, 1964, to adopt such of the Draft Model By-law published in the *Gazette* on the 28th day of September, 1961, and amendments on the 16th day of January, 1963, as set out hereunder:—

Local Government Draft Model By-law No. 2.—The whole of the by-law as amended.

The by-law for controlling reserves and camping as made by the Port Hedland Road Board and published in the *Gazette* on the 19th day of October, 1955, is hereby repealed.

Dated this 19th day of November, 1964.

The Common Seal of the Shire of Port Hedland
was hereunto affixed in the presence of—

[L.S.]

E. A. RICHARDSON,
President.
M. E. BADDELEY,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of December, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Gingin.

By-laws Relating to the Removal of Refuse, Rubbish or Other Material.

L.G. 767/64.

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 record having resolved on the 17th day of September, 1964, to make and submit for confirmation by the Governor the following by-laws:—

1. The Council may require the owner or occupier of any land within the District to remove, within a time specified in a notice given by the Council and served on the owner or occupier of the land, refuse, rubbish or other material whatsoever which in the opinion of the Council is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof.

2. Any owner or occupier of land who fails to comply with the terms of a notice given in accordance with the previous by-laws within the time specified in the said notice shall be guilty of an offence.

3. Where the owner does not remove the refuse, rubbish or other material within the time specified in the notice given by the Council and served on the owner in pursuance of the provisions of by-law No. 1 hereof, the Council may remove the said refuse, rubbish or other material.

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

- (a) a maximum penalty of £50; and
- (b) a maximum daily penalty during the breach of £5 per day.

Dated this 17th day of September, 1964.

The Common Seal of the Shire of Gingin was hereunto affixed in the presence of—

[L.S.]

N. T. FEWSTER,
Shire President.

N. WALLACE,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

Shire of Exmouth By-law No. 4.

By-law Governing Camping within the Shire of Exmouth.

L.G. 697/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Shire of Exmouth hereby records having resolved on the 29th day of October, 1964, to adopt the following by-law.

1. In the construction of this by-law, the term "Council" shall mean the Council of the Shire of Exmouth.

2. The term "Shire" means the Municipality of the Shire of Exmouth, or, where the context so requires, the district thereof.

3. (a) The term "camp" shall mean any tent, fly, awning, blind, hut, shed or other structure used or capable of being used or of being modified to be used by any person as a dwelling or for sleeping purposes.

(b) The term "caravan" shall mean any caravan or vehicle designed or fitted as a habitation for any person or capable of being used for dwelling or sleeping purposes.

4. The term "Health Inspector" shall mean an officer of the Council appointed to carry out the duties of a Health Inspector under the provision of the Health Act, 1911.

5. The word "owner" shall include the licensee, hirer, occupier, or any other person in charge of or occupying a caravan or camp.

6. Except as provided in clause 7 no owner or user of a caravan shall park it or allow it to be parked on any land within the Shire of Exmouth except upon land specifically set aside for such parking.

7. The Council may, on application, grant permission for the parking of a caravan on land other than land set aside specifically for such parking, and such permission shall be subject to the requirements and conditions of by-law No. 1 (Control and Management of Caravan Parks and Camping Areas) of the Shire of Exmouth, and of Model By-Law (Caravan Parks) No. 2, and of the regulations made under the provisions of the Health Act, 1911-1964; and such permission in the form of a license shall have no force or effect other than on the land specified on the license.

8. Except as provided in clause 9 no person shall erect or cause to be erected any camp on any land within the Shire of Exmouth except upon land specifically set aside for the purpose by the Council for camping.

9. Application may be made to the Council for permission to erect a camp on any land not specifically set aside for the purpose, and the Council may grant such permission which shall be subject to the requirements and conditions of By-Law No. 1 (Control and Management of Caravan Parks and Camping Areas) of the Shire of Exmouth, and of the regulations made under the provisions of the Health Act, 1911-1964; and such permission in the form of a license shall have no force or effect other than on the land specified on the license.

10. Permission to park a caravan or erect a camp must be sought in relation to all construction works, industrial undertakings, mining and/or mineral leases, prospecting leases, fisherman's camps and on any and all other locations for any and all other purposes, other than for parking or camping on land specially set aside for such parking or camping.

11. Applications for permission to park or camp must be accompanied by full details of location, structure, design, number of persons of all ages, methods of sanitation and hygiene, washing, bathing, laundering and cooking; and details of water supply, disposal of garbage and night soil. Full details of rights of entry and of rights of access must also be shown.

12. No person shall, if given permission to park or camp on any land—

- (a) bury, deposit or discard any refuse, rubbish or waste material of any kind, except by disposal in an approved garbage pit or area;
- (b) light any fire without due care and regard to the dangers of bush fires, and in any event such fires may only be lit as is permitted in the Bush Fires Act, 1954;
- (c) erect any structure, tent-fly, awning, annex, hut, shed, whether temporary or otherwise, without obtaining approval in writing from the Council; and such permission shall be deemed to incorporate the condition that such structure, annex, tent-fly, awning, hut, or shed shall be maintained in a neat, tidy and orderly condition, so as not to offend decency and public taste.

13. The owner will permit any authorised officer of the Council to enter upon the land the subject of any lease or right, and will not obstruct or interfere with such officer in the performance of his duties.

14. Any sanitary system, and other hygiene matters shall be subject to approval by the Health Inspector, and on approval being given, such approval shall be deemed to incorporate a condition that no alteration, modification or change shall be made without the further approval of the Health Inspector; and that the approved system shall be maintained in a satisfactory condition.

15. Penalties: A person who commits a breach of any provision of this by-law shall be liable to a penalty of not more than £50 and also to a daily penalty of not more than £5 per day whilst any such breach continues.

Dated the 29th day of October, 1964.

The Common Seal of the Shire of Exmouth
was hereunder affixed in the presence of—

[L.S.]

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

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 2nd day of December, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.
The Municipality of the Shire of Kwinana.
By-laws Relating to Standing Orders.

L.G. 391/64.

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 26th day of August, 1964, to make and submit for confirmation by the Governor, the following by-laws:—

STANDING ORDERS.

1. The proceedings and business of the Council shall be conducted according to this by-law, the clauses of which shall be referred to as "the Standing Orders".

Interpretation.

2. In this by-law, unless the context otherwise require—
"Act" means the Local Government Act, 1960;
"clause" means a clause of this by-law.

President to Preside.

3. The President, if present, shall preside at all meetings of the Council, and, in his absence, or if, after being present, he retires, the Deputy President shall preside, but if he is not present, or if after being present, retires, then one of the Councillors chosen by the Councillors there present shall preside.

Quorum.

4. (1) At any meeting of the Council a quorum shall consist of such number as conforms to the provisions of section 173 of the Act.

(2) Subject to clause 5, every meeting shall proceed to business so soon after the time stated in the summons as a quorum is constituted.

Absence of Quorum.

5. If at any meeting a quorum be not present within half an hour after the time appointed for that meeting, the President or in his absence the majority of the Councillors present, or any one Councillor, if only one be present, or the Clerk if no Councillor be present, may adjourn the meeting to any date not later than seven days from the date of the adjournment.

6. If at any time during any meeting of the Council a quorum is not present the President shall thereupon suspend the proceedings of the meeting for a period of two minutes, and if a quorum be not present at the expiration of that period, the meeting shall be deemed to have been counted out, and the President shall adjourn it to some future date.

7. At any meeting at which there is not a quorum of members present, or at which the Council is counted out for want of a quorum, the names of the members then present shall be recorded in the Minute Book.

Open Doors—Except as Provided.

8. (1) The business of the Council shall be conducted with open doors except upon such occasions as the Council may by resolution otherwise decide.

(2) Upon the carrying of such a resolution as is mentioned in subclause (1) of this clause, the President shall direct all persons other than Councillors and servants of the Council to leave the Council Chambers and every person shall forthwith comply with such direction.

(3) Any person failing to comply with a direction made pursuant to subclause (2) of this clause may, by order of the President, be removed from the Council Chambers.

(4) After the carrying of a resolution made under subclause (1) of this clause the business of that meeting of the Council shall proceed behind closed doors until the Council by resolution, decides to proceed with open doors.

(5) While a resolution made under subclause (1) of this clause is in force the operation of clause 26 shall be suspended unless the Council, by resolution, otherwise decides.

(6) Any resolution mentioned in this clause may be moved without notice.

Disturbance by Strangers.

9. (1) A person, not being a Councillor, shall not at any meeting of the Council interrupt the proceedings of the Council.

(2) Any person interrupting the proceedings of the Council shall, when so directed by the President, forthwith leave the Council Chambers.

(3) Any person who, being ordered to leave the Council Chambers, fails to do so may, by order of the President, be removed from the Council Chambers.

Order of Business at Ordinary Meeting.

10. The order of business at an ordinary meeting of the Council shall, unless for the greater convenience of the Council altered by resolution to that effect, be as nearly as practicable as follows, that is to say:—

- (i) Confirmation of minutes.
- (ii) Business arising out of minutes.
- (iii) Correspondence.
- (iv) Petitions.
- (v) Notice of motions.
- (vi) Reports—
 - (a) Committee.
 - (b) Officers.
- (vii) General business.

Order of Business at Special Meeting.

11. The order of business at any special meeting of the Council shall be the order in which that business stands in the notice of the meeting.

Confirmation of Minutes.

12. The minutes of any preceding meeting, whether of an ordinary or a special meeting, not previously confirmed, shall be submitted as the first business at a meeting of the Council in order to proceed to their confirmation, and discussion, other than discussion as to their accuracy as a record of the proceedings shall not be permitted, and when confirmed, the minutes shall thereupon be signed by the President in accordance with section 188 of the Act.

Questions.

13. Any Councillor desiring to ask a question at any meeting of the Council shall give notice thereof in writing to the Clerk at least (10) ten hours before the hour fixed for the commencement of the meeting.

14. Every question and answer shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.

Reception of Correspondence.

15. Discussion shall not be permitted on any motion that any correspondence be received or not received, or that any correspondence or any part thereof be referred to any Occasional Committee of the Council.

Notices of Motion.

16. (1) A Councillor may bring forward at a meeting such business as he considers advisable, in the form of a motion, of which notice has been given in writing to the Clerk, either at the last previous meeting or at any time thereafter, being not less than seven clear days before the meeting at which it is brought forward.

(2) Every notice of motion shall relate to some question affecting the constitution, administration, or condition of the municipality or the Council.

(3) The President shall rule out of order any motion which does not comply with subclause (2) of this clause.

17. Every such motion as is mentioned in clause 16 shall lapse, unless—

- (a) the Councillor who gave notice thereof, or some other Councillor authorised by him in writing, is present to move the motion when called on; or
- (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.

Deputations.

18. (1) Any person or persons wishing to be received as a deputation by the Council shall, in the first instance, send to the Clerk a memorial, setting out in concise terms the subject matter to be raised by the deputation.

(2) Where the Clerk receives a memorial in terms of this clause, he shall lay the memorial—

- (a) before the Committee concerned; or
- (b) where there is no Committee concerned, before the President.

(3) A Committee or the President receiving a memorial in terms of this clause may either receive the deputation or lay the memorial before the Council.

(4) Where a memorial is laid before the Council under subclause (3) of this clause, the Council may, if it so resolves, receive the deputation.

19. A deputation shall not exceed five in number and only two members thereof shall be at liberty to address the Council or a Committee of the Council, except in reply to questions from members of the Council or Committee and the matter shall not be further considered by the Council or the Committee, until the deputation has withdrawn.

Councillors to Address President.

20. (1) Any Councillor moving a motion or amendment, or taking part in the discussion thereon, shall rise and address the President.

Point of Order.

(2) A Councillor who is addressing the President shall not be interrupted except upon a point of order, in which event he shall resume his seat until the Councillor raising the point of order has been heard thereon and the question of order has been disposed of, whereupon the Councillor so interrupted may, if permitted, proceed.

(3) A Councillor rising to express a difference of opinion with, or to contradict, a speaker shall not be recognised as raising a point of order.

(4) A violation of any provision of these Standing Orders is a breach of order.

Substance of Motion to be Stated.

21. Any Councillor desirous of proposing an original motion or amendment shall state its substance before he addresses the Council thereon and, if so required by the President, shall put the motion or amendment in writing.

Motion and Amendments to be Seconded.

22. (1) A motion or amendment shall not be discussed or put to the vote of the Council unless seconded, but a Councillor may require the enforcement of any Standing Order of the Council by directing the President's attention to the infraction thereof.

(2) A nomination to the position of President or Deputy President is not required to be seconded.

Titles to be Used.

23. A speaker, in referring to any other present, shall designate him by the title of President or Councillor, as the case may be.

Priority of Speaking.

24. Where two or more Councillors rise to speak at the same time, the President shall decide who of them is entitled to priority.

President to be Heard.

25. Whenever the President rises during a debate any Councillor then speaking or offering to speak shall sit down and the Council shall be silent so that the President may be heard without interruption.

Speaking Twice.

26. Except where this clause is suspended under clause 27, a Councillor shall not speak twice on the same question except—

- (a) in reply, upon an original motion of which he was the mover;
- (b) in reply, upon an amendment last debated of which he was the mover; or
- (c) by way of personal explanation.

27. The Council may, by resolution moved without notice, suspend the operation of clause 26 hereof and thereupon such clause shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

Personal Explanation.

28. A Councillor making a personal explanation shall confine it to a succinct explanation of a material part of his former speech which may have been misunderstood and to the explanation itself, and shall not advert to matters not strictly necessary for that purpose nor seek to strengthen his former argument by new matter or by replying to other Councillors.

29. The President shall forthwith call to order any Councillor committing a breach of clause 26.

No Speech After Certain Events.

30. No Councillor shall speak on any motion or amendment—
- (a) after the mover has replied; or
 - (b) after the question has been put.

Mover and Seconder have Spoken.

31. A Councillor moving or seconding a motion or amendment is deemed to have spoken thereon.

Limit of Speeches.

32. (1) A Councillor shall not speak upon any motion or amendment or in reply for a longer period than ten minutes without the consent of the Council, which shall be signified without debate.

(2) An extension shall not be permitted under this clause beyond a total of twenty minutes.

Speaking in Reply.

33. A Councillor speaking in reply shall not introduce any new matter but shall strictly confine himself to answering previous speakers.

Division of Motions.

34. The President may, at his discretion, or the Council may, by motion without debate, order a complicated motion to be divided and put in the form of two or more motions.

Withdrawal of Motions.

35. A motion or amendment may be withdrawn by the mover, with the consent of the Council, which shall be signified without debate; and it shall not be competent for any Councillor to speak upon the motion or amendment after the mover has asked permission for its withdrawal unless that permission

Production of Documents.

36. (1) Any member may of right require the production of any of the documents of the Council relating to the question or matter under discussion.

(2) On giving to the Clerk not less than ten hours' notice, a member of the Council shall be entitled to have laid on the Council table, for the duration of a meeting, any document or record of the Council, and the Clerk, on receiving that notice, shall lay the document on the Council table at the commencement of the meeting.

No Digression.

37. A Councillor shall not speak otherwise than upon, or digress from, the question then before the Council, except to make a personal explanation.

No Adverse Reflection on Council.

38. A Councillor shall not reflect adversely upon a resolution of the Council, except on a motion that the resolution be rescinded.

No Adverse Reflection on Councillor.

39. A Councillor shall not reflect adversely upon the character or actions of another member nor impute any motive to a member, unless the Council resolves, without debate, that the question then before the Council cannot otherwise be adequately considered.

40. Any member may require the Clerk to take down any particular words used by a member immediately upon their being used.

Demand for Withdrawal.

41. If any Councillor commits a breach of clause 38 or 39, the President may require him unreservedly to withdraw any offending comment and to make a satisfactory apology; and, if the Councillor declines or neglects to do so, the President may direct such Councillor to cease speaking and resume his seat, and may call on the next speaker.

Disturbance by Councillors.

42. A Councillor shall not make any noise or disturbance or, except to raise a point of order, converse aloud, while any other person is addressing the Council.

Continued Irrelevance, Etc.

43. The President may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a Councillor and may direct that Councillor, if speaking, to discontinue his speech, and thereupon the Councillor shall cease speaking and shall resume his seat.

44. When the President is putting any question, a Councillor shall not walk out of or across the Chamber; and shall not, whilst any other Councillor is speaking, pass between the speaker and the chair.

45. The President shall preserve order, and may call any Councillor to order, whenever, in his opinion, there is cause for so doing.

46. Every Councillor shall be entitled to direct the attention of the President to any infraction of the Standing Orders by any other Councillor; or to draw the attention of the President to any matter of which the latter may take notice under clause 43.

Rulings by President.

47. The President, when deciding a point of order or practice, shall give his decision; argument or comment shall not be permitted thereon and his decision shall be final, in that particular case, unless a majority of the Councillors then present shall, upon motion made forthwith, without discussion, dissent therefrom.

48. Whenever the President has decided that any motion, amendment or other matter before the Council is out of order, it shall be rejected; and whenever anything said or done in the Council, by any Councillor, is similarly decided to be out of order, that Councillor shall be called upon by the President to make such explanation, retraction or apology, as the case may require.

Continued Breach of Order.

49. Where a Councillor persists in any conduct which the President decides is out of order, or refuses to make any explanation, retraction or apology required by the President under clause 48, the President may direct that Councillor to refrain from taking any further part in the then meeting of the Council other than by recording his vote; and the Councillor shall comply with such direction.

Serious Disorder.

50. (1) If at a meeting of the Council the President is of opinion that by reason of disorder or otherwise the business of the Council cannot effectually be continued, he may adjourn the meeting for a period of fifteen minutes, whereafter the Council shall re-assemble and decide whether business is to be proceeded with; and that question shall be decided forthwith and without debate.

(2) Where after any proceeding under subclause (1) of this clause, the President is again of opinion that the business of the Council cannot effectually be continued, he may close the meeting.

All Councillors to Vote.

51. (1) At every meeting of the Council, save where the Act otherwise provides, every Councillor present shall vote, and if any Councillor who is entitled to vote fails to vote, the President shall call upon him to vote.

(2) The Mayor or President, if elected by the electors, shall not vote unless there is an equal division of votes, in which case he has and may exercise a casting vote but if the Mayor or President is elected by the council, he has and may exercise a deliberative vote only.

Subject to this section, a question arising at a meeting of a council shall be determined by a majority of the valid votes of the members of the Council present at the meeting, but where there is an equal division of votes the question shall be determined in the negative.

Permissible Motions during Debate.

52. (1) Subject to subclause (2) of this clause, when a motion is under debate, no further motion shall be moved except a motion—

- (a) that the motion be amended;
- (b) that the Council do adjourn;
- (c) that the debate be adjourned;
- (d) that the question be now put;
- (e) that the Council do proceed with the next business;
- (f) that the Council do sit behind closed doors; or
- (g) that the meeting be now closed.

(2) Where the question before the Council is a recommendation from a Committee of the Council, a Councillor may, at the conclusion of the speech of any other Councillor, move without notice that the question be referred back to the Committee; and on any such motion, the mover may speak for

not more than five minutes, the seconder shall not speak, other than formally to second and the Chairman of the Committee concerned, or in his absence a member thereof, may speak for not more than five minutes, but no other debate shall be allowed.

Amendments to Relate to Motion.

53. Every amendment shall be relevant to the motion on which it is moved.
54. Every amendment shall be read before being moved.

One Amendment at a Time.

55. (1) Only one amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the original motion is put to the vote, except that where an amendment is carried, one further amendment to the original motion, as amended, and no more, may be moved.

(2) In speaking to an amendment a Councillor may give notice of his intention to move a further amendment.

56. Where an amendment is carried, the original motion as amended shall, for all purposes of subsequent debate and subject only to clause 55, be treated as an original motion.

“That Council Adjourn.”

57. (1) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move without notice that the Council do now adjourn and that motion shall state the time and date to which the adjournment is to be made.

(2) On a motion to adjourn, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but no other debate shall be allowed.

58. Where a motion for the adjournment of the Council is negatived, no similar motion shall be moved until the question then under discussion or the next on the notice paper or any other which may be allowed precedence shall have been disposed of.

59. (1) A Councillor who has spoken on the question then before the Council shall not move the adjournment of the Council.

(2) A Councillor shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the Council.

60. On a motion for the adjournment of the Council being carried, the debate on the question (if any) under debate when that motion was moved shall be continued immediately upon the Council resuming after the adjournment.

61. On a motion for the adjournment of the Council being carried, a record shall be taken of all those who have spoken on the subject under consideration at the time of the adjournment and they shall not be permitted to speak on any subsequent consideration of the same subject, but this clause does not deprive a mover of the right of reply.

62. The President may at any time adjourn the Council to such time and date as the motion specifies, or where no time and date is specified to such time and date as he shall then declare.

“That Debate be Adjourned.”

63. (1) A Councillor may at the conclusion of the speech of any other Councillor, without notice, that the debate be adjourned to a later hour of the same meeting or to a subsequent meeting of the Council.

(2) On a motion that the debate be adjourned, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed; but if the question then before the Council is a recommendation from a Committee, the Chairman of the Committee concerned, or, in his absence, a member thereof may speak for not more than five minutes.

64. (1) A Councillor who has spoken on the question then under debate shall not move the adjournment of the debate.

(2) A Councillor shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the same debate.

65. On resuming an adjourned debate the Councillor who moved its adjournment shall be entitled to speak first.

66. On a motion for the adjournment of a debate being carried, a record shall be taken of all those who have spoken on the subject under debate and they shall not be permitted to speak on any resumption of the debate on that subject, but this clause does not deprive a mover of the right of reply.

67. Where the debate on any motion, moved and seconded, is interrupted by the Council being counted out, that debate may, on motion with notice, be resumed at the next meeting, at the point where it was so interrupted.

“That Question be Put.”

68. A Councillor may, at the conclusion of the speech of any other Councillor, move, without notice and without comment, that the question under consideration be now put, and upon that motion being formally seconded, the same shall immediately be put, without debate.

69. A motion that the question under consideration be put shall not be moved by a Councillor who has already spoken on the question.

70. When it is decided by the Council that the question under consideration be put, the mover of the question under consideration shall, if debate has ensued and if otherwise entitled to do so, be permitted to speak in reply for not more than five minutes before the question is put, but subject thereto, the question shall at once be put.

71. Whenever it is decided by the Council that the question be put, the question to be so put includes the main question as well as any amendment thereto.

“That Council Proceed with next Business.”

72. A Councillor may at the conclusion of the speech of any other Councillor move, without notice and without comment, that the Council do proceed with the next business and, upon that motion being formally seconded, it shall be immediately put, without debate.

73. Where the Council decides to proceed with the next business, the question which was then under discussion shall be considered as dropped.

74. During the same debate on any question, a motion that the Council do proceed with the next business shall not be moved within one hour after a similar motion has been negatived.

“That Meeting be Closed.”

75. (1) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move, without notice, that the meeting of the Council be now closed.

(2) On a motion that the Council be closed, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second and the mover of the motion (if any) then under debate may speak for not more than five minutes; but no other debate shall be allowed.

76. If a motion that the meeting of the Council be closed is negatived, a similar motion shall not be moved until after the question then under discussion or the next on the notice paper or any other which may be allowed precedence has been disposed of.

77. (1) A Councillor who has spoken on the question then before the Council shall not move that the meeting be closed.

(2) A Councillor shall not at the same meeting of the Council, move or second more than one motion that the meeting be closed.

78. On a motion that the meeting be closed being carried, the debate on the question (if any) under debate when that motion was moved shall stand adjourned to its place on the notice paper for the next meeting of the Council.

79. On a motion that the meeting be closed being carried, a record shall be taken of all those who have spoken on the subject under consideration up to the closing of the meeting and they shall not be permitted to speak on any subsequent consideration of the same subject; but this clause does not deprive a mover of the right of reply.

Confidential Business.

80. Every matter dealt with by, or brought before the Council sitting otherwise than with open doors, or any Committee of the Council, shall be treated as strictly confidential, and shall not without the authority of the Council or of the Committee (as the case may be) be disclosed to any person other than the President, Councillors or servants of the Council (and in the case of servants only so far as may be necessary for the performance of their duties) prior to the discussion of that matter at a meeting of the Council held with open doors. Provided also that the Council may at its discretion receive a deputation in confidence.

Motions Affecting Expenditure.

81. Where a motion or amendment would have the effect of incurring expenditure not provided for in the estimates, that motion or amendment shall not be moved other than in the form of a reference of the question to the Finance Committee.

Rescission of Resolution.

82. A resolution of any meeting of the Council shall not be revoked, rescinded, or altered at the same time or any subsequent meeting, except in the manner provided by section 177 of the Act.

Negatived Motions.

83. A motion to the same effect as any motion which has been negatived by the Council shall not again be entertained within a period of three months, except with the consent of an absolute majority of the Council.

Suspension of Standing Orders.

84. In cases of urgent necessity, any Standing Order of the Council may be suspended on motion duly made and seconded, but that motion shall not be declared carried, unless an absolute majority of the Council, or a two-thirds majority of those present and voting on the question, whichever is the lesser number, have voted in favour of the motion.

85. Any Councillor moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take thereon.

Method of Taking Vote.

86. The President shall, in taking the vote on any motion or amendment, put the question, first in the affirmative and then in the negative, and he may do so as often as is necessary to enable him to form and declare his opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands.

87. (1) The Council shall vote on the voices, or by a show of hands as may, in each case, be directed by the President, but any Councillor may call for a division on any question.

(2) Upon a division being called for, the President may, if he thinks fit, order that the division bell be rung, and after the lapse of one half of a minute from the bell ceasing to ring a Councillor shall not be permitted to enter or leave the chamber, until after the division has been taken.

(3) Where a division is taken, the procedure laid down in subsections (11) and (12) of section 173 of the Act shall be observed.

88. (1) In addition to such occasional committees as may from time to time be appointed, there shall be Standing Committees of the Council, namely—

- (a) Finance;
- (b) Canteen; and
- (c) such other Standing Committees as may be appointed by the Council.

(2) Each Standing Committee shall comprise the President and two Councillors, and such other persons as provided in the Kwinana Canteen Agreement with the State Government.

(3) Subject to subclause (4) of this clause, the members of each Standing Committee shall be appointed for each year, at the first meeting of the Council held after the annual election, and shall hold office until the commencement of the first meeting after the annual election then next ensuing, except as provided for in the Kwinana Canteen Agreement with the State Government.

(4) The Council may, by resolution carried pursuant to a notice of motion by a simple majority, or on a motion moved without notice, by an absolute majority, change the membership of any committee or appoint substitutes for Councillors absent pursuant to leave granted by the Council except as provided for in the Kwinana Canteen Agreement with the State Government.

(5) In the event of equality of votes for two or more Councillors in an election for member of a Committee, the motion is defeated.

89. (1) Subject to any resolution of the Council passed after the coming into operation of the Standing Orders, the duties of Standing Committees shall be—

- (a) Finance Committee, the oversight of—
 - (i) finances of the Council;
 - (ii) items of expenditure recommended by any Committee;
 - (iii) estimates of receipts and expenditure for each financial year;
 - (iv) loans, and
 - (v) Council's official staff.
- (b) Canteen Committee, the oversight of the operations in general of the Kwinana Canteen in accordance with the provisions of the Kwinana Canteen Agreement with the State Government.

(2) Any Standing Committee may make a recommendation to the Finance Committee concerning an appointment to the official staff of an applicant whose principal duties pertain to matters, the oversight of which has been entrusted by the Council to the former Standing Committee, and where the Finance Committee does not accept that recommendation, it may be made to the Council.

Occasional Committees.

90. (1) The Council may appoint Occasional Committees to perform any duty which may be lawfully entrusted by it to a committee.

(2) An Occasional Committee may comprise any number of members not exceeding the largest minority of the total number of members.

(3) A Standing Committee shall not interfere in any matter which has for the time being been entrusted to an Occasional Committee.

(4) An Occasional Committee shall not be appointed except on a motion setting out—

(a) the duties proposed to be entrusted to such Committee; and

(b) either—

(i) the names of the Councillors of whom with the President, it is intended to constitute the Committee; or

(ii) the number of Councillors intended to constitute the Committee, and a provision that they be elected by a separate motion.

(5) Where the members of an Occasional Committee are elected by a motion then, in the event of an equality of votes, the motion is defeated.

Calling Committee Meetings.

91. The Clerk shall call a meeting of any committee when requested to do so by the President or the Chairman or any two members of that committee.

92. Except in so far as they limit the number of times a member may speak or require meetings to be conducted with open doors, these Standing Orders shall be observed at meetings of committees; but the chairman of a committee may have and exercise both a deliberative and, in the case of equality of votes, a casting vote.

Quorum of Committees.

93. (1) At any meeting of a committee, a quorum shall consist of not less than two members.

(2) Every meeting shall proceed to business so soon after the time stated in the summons as a quorum is constituted; but if a quorum is lacking fifteen minutes after the appointed time of the meeting, the meeting shall lapse.

Minutes of Committees.

94. (1) Each Standing Committee shall cause to be kept a minute book in which shall be entered minutes of all its proceedings and transactions.

(2) The minutes of each meeting shall be confirmed at the next meeting of the committee and shall be signed by the chairman thereof.

Representation on Public Bodies.

95. Wherever it becomes necessary to appoint a Councillor on a public body or a State instrumentality, notice of the necessity to make that appointment shall be given at the meeting of the Council immediately preceding the meeting at which it is intended to make the appointment.

Meetings of Electors.

96. (1) The Standing Orders apply, so far as is practicable, to any meeting of electors, but where there is any inconsistency between the provisions of this by-law and the provisions of section 171, of the Act, the latter prevails.

(2) A person who is not an elector is not entitled to vote at a meeting of electors, and he may not take any part in any discussions at that meeting, unless the meeting, by a motion, requests him to do so.

Meetings of Ratepayers.

97. (1) The Standing Orders apply, so far as is practicable to any meeting of ratepayers, but where there is inconsistency between the provisions of this by-law and the provisions of section 171 of the Act, the latter prevails.

(2) A person who is not a ratepayer is not entitled to vote at a meeting of ratepayers and he may not take any part in any discussion at that meeting unless the meeting, by a motion, requests him to do so.

Enforcement.

98. The President is authorised and required to enforce the Standing Orders.

Dated this 5th day of November, 1964.

The Common Seal of the Municipality of Kwinana was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

ALF. M. LYDON,
President.
F. W. MORGAN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Kwinana.

Adoption of Draft Model By-laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing, No. 14.

L.G. 191/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and of other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 25th March, 1964, to adopt the Draft Model By-law published in the *Gazette* of the 19th February, 1964, designated "Local Government Model By-laws (Safety, Decency, Convenience and Comfort of Persons in respect of Bathing) No. 14."

The whole of the by-law with the following addition:—

Add to by-law No. 2 the following: Reserves numbered 24576, 24570, 24901, 24900, 24902, 24575 and part 24307.

The adoption notice published in the *Government Gazette* of the 21st July, 1964, on page 2752, is hereby cancelled.

The Common Seal of the Shire of Kwinana was affixed in the presence of—

[L.S.]

ALF. M. LYDON,
President.
F. W. MORGAN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 25th day of November, 1964.

R. H. DOIG,
Clerk of the Council.

GOVERNMENT RAILWAYS ACT, 1904-1963.

Office of the Commissioner of Railways,
Perth, 25th November, 1964.

HIS Excellency the Governor in Executive Council has been pleased to approve of the by-law made by the Western Australian Government Railways Commission pursuant to the Government Railways Act, 1904-1963, as set forth in the Schedule hereunder.

C. G. C. WAYNE,
Commissioner.

Schedule.

By-law.

Principal
by-law.

1. By-law No. 61 made pursuant to the Government Railways Act, 1904 (as amended), and published in the *Government Gazette* on the 11th April, 1930, and amended from time to time thereafter by notices published in the *Government Gazette*, is in this by-law referred to as the principal by-law.

Rule 1
amended.

2. Rule 1 of the principal by-laws is amended by substituting for subparagraph (i) of paragraph (c), the following subparagraph—
(i) his wife, when visiting his electorate or the metropolitan area, or when travelling within his electorate, at any time; .