



# Government Gazette

## OF WESTERN AUSTRALIA

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No. 64]

PERTH: WEDNESDAY, 13th JULY

[1966

### HEALTH ACT, 1911-1965.

#### Town of Narrogin.

WHEREAS under the provisions of the Health Act, 1911-1965, the Governor may make Model By-laws for all or any of the purposes for which by-laws may be made by a local authority; and whereas Model By-laws described as Series "A" made by the Governor and amended from time to time have been reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on the 17th day of July, 1963; and whereas a local authority may adopt such Model By-laws with or without modifications: Now, therefore, the Council of the Town of Narrogin, being a local authority within the meaning of the Health Act, 1911-1965, doth hereby resolve and determine that the said Model By-laws shall be adopted with the following modifications:—

#### PART I—GENERAL SANITARY PROVISIONS.

1. Amend by-law 4A by adding a further subclause (3) as follows:—

(3) Kitchen facilities as follows: At least one sink, which shall be installed in the kitchen, scullery or other room used for the purpose of washing domestic dishes and utensils, and which sink shall have the following characteristics:—

- (i) It shall be properly supported so that the height of the top of the front edge of the sink shall be between thirty-four (34) inches and thirty-nine (39) inches above floor level.
- (ii) It will be provided with a drainage board or boards integral with or affixed thereto.
- (iii) The draining board or boards shall have an impervious upper surface which shall be constructed and installed that water falling thereon shall drain into the sink.

2. After by-law 4B of Part I, add a new by-law 4C as follows:—

4C. In relation to cooking facilities to be provided in houses or public places in accordance with the provisions of section 99 of the Health Act, 1911-1965, the following provisions shall apply:—

- (i) Every house used for human habitation shall be provided with—
  - (a) a wood or solid fuel stove, which shall have hot plate surface area of at least one and one half square feet and oven space of at least one cubic foot, which shall be properly installed to provide for the escape of smoke through a properly constructed brick, iron, asbestos, cement or other approved chimney; or
  - (b) an electric cooker which shall have hot plate surface area of at least 100 square inches, and oven space of at least one cubic foot; or
  - (c) a gas or oil stove, which shall have at least two main cooking burners and oven space of at least one cubic foot.

Where, a stove operated by gas or any type of oil fuel is installed, it shall be provided with a properly constructed hood attached to a flue of at least

24 square inches in sectional area, which shall conduct the waste products of combustion to the outside air without creating a nuisance.

Where, in any house, common cooking facilities are used by more than two separate family units, a separate stove shall be provided for each two family units.

- (ii) The stove or stoves provided in accordance with paragraph (i) hereof and all brickwork, chimney or flues, recesses and other parts thereof shall at all times whilst such house is occupied or used, or available for occupation or use, be kept and maintained in good order and condition and properly repaired and fit for use.

3. After by-law 14 insert a new by-law 14A as follows:—

14A. Prescribed Area—Section 112A.—The area described in the Schedule hereto is prescribed as an area within which every occupier shall—

- (a) not, unless he is authorised by the local authority so to do, remove any house and trade refuse from the premises; and  
 (b) shall pay to the local authority or its contractor as the case may be, for the removal the prescribed charge or the charge according to the scale published in accordance with section one hundred and thirteen of the Health Act, 1911-1965.

Schedule.

The Municipal district of the Town of Narrogin as constituted under the Local Government Act, 1960, as amended.

4. After by-law 17 insert a new by-law 17A as follows:—

17A. Removal of Rubbish.—No person, unless authorised in writing by the Municipality of Narrogin, shall remove or undertake the removal of house or trade refuse or other rubbish from any premises in the Narrogin Municipal Health District.

Any person found guilty of committing a breach of this by-law shall be liable on conviction to a fine not exceeding \$40.

5. After by-law 28 insert a new by-law 28A as follows:—

28A. (1) No person shall keep any horse within the district unless holding a license therefor from the Local Authority.

- (2) Any license issued pursuant to this by-law shall—

- (a) specify the number of horses permitted to be kept at any one time.  
 (b) specify the land upon which it is permitted to keep any horse; and  
 (c) remain in force until the 30th June next after issue or until revoked.

(3) Any person who keeps any horse in excess of the number specified or on any land other than that specified in the license is guilty of an offence and may on conviction in addition to any penalty provided by these by-laws have his license revoked.

6. Amend by-law 29A by deleting subclause (b) thereof.

7. Amend by-law 29B by deleting subclause (b) thereof.

PART IX—OFFENSIVE TRADES.

1. After by-law 14 in Section A—"General" add a new by-law 14A as follows:—

14A. The occupier of every slaughterhouse within the district shall cause the premises to conform to the following conditions:—

- (a) The killing pen shall be enclosed by walls of brickwork, stonework or concrete at least nine inches thick which shall be constructed to a height of six feet above the floor.  
 (b) The internal surface of the walls of the killing pen shall be rendered with cement and trowelled to a smooth finish to a height of six feet above the floor.

- (c) The junction of the wall with the floor within the killing pen shall be coved.
- (d) The walls above the height of six feet from the level of the floor in the killing pen shall be of brickwork or such other sound building material as the local authority on application of the occupier, may permit.

2. The scale of fees as applied to Schedule D shall be as follows:—

Offensive Trade.	Per Annum.
	\$
Slaughterhouses	10
Fellmongeries	10
Chemical works	10
Cleaning establishments and dye works	10
Soap and candle works	6
Bone mills	6
Manure works	6
Wool scouring establishments	6
Fish curing establishments	6
Flock factories	6
Any other trade not specified above	2

Passed at a meeting of the Council of the Town of Narrogin, this 14th day of December, 1965.

[L.S.]

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

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

#### HEALTH ACT, 1911-1965.

##### Shire of Serpentine-Jarrahdale.

WHEREAS under the provisions of the Health Act, 1911, as amended, the Governor may cause to be prepared Model By-laws for all or any of the purposes of the said Act; and whereas Model By-laws described as Series "A", have been prepared and amended from time to time and reprinted, pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on 9th August, 1956, and further amended by notice published in the *Government Gazette* on 14th April, 1966, and whereas a local authority may adopt such Model By-laws with or without modification: Now, therefore, the Shire of Serpentine-Jarrahdale being a local authority within the meaning of the Act and, having adopted the Model By-laws, Series "A", as reprinted in the *Government Gazette* on 9th August, 1956, doth hereby resolve and determine that the said amendment published in the *Government Gazette* on 14th April, 1966, shall be adopted without modification.

Passed at a meeting of the Serpentine-Jarrahdale Shire Council held on the 16th day of May, 1966.

[L.S.]

H. C. KENTISH,  
President.  
J. E. DORRINGTON,  
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## TRAFFIC ACT, 1919-1965.

The Municipality of the Shire of Busselton.  
By-laws Relating to Parking of Vehicles.

IN pursuance of the powers conferred upon it in the abovementioned Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 13th day of October, 1965, to repeal by-laws relating to the parking of vehicles as published in the *Government Gazette* of the 23rd August, 1956, and amendments thereto, as published in the *Government Gazette* on the 8th day of December, 1960.

The Common Seal of the Shire of Busselton  
was affixed hereto this 30th day of May,  
1966, in the presence of—

[L.S.]

F. H. JOLLIFFE,  
President.  
T. McCULLOCH,  
Shire Clerk.

Recommended—

J. F. CRAIG,  
Minister for Traffic.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

City of Subiaco.

Amendment to By-law No. 6 Relating to Zoning made under the Provisions of the Second Schedule of the Town Planning Act, 1928.

L.G. 84/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the City of Subiaco hereby records having resolved on the 1st day of February, 1966, to amend and submit for confirmation by the Governor the following:—

That Zoning By-law No. 6 as published in the *Government Gazette* of the 30th September, 1958, and as amended from time to time be further amended as follows:—

- (a) By deleting clause 3 as amended by notice in the *Government Gazette* of the 12th March, 1963, and inserting in its place: "The district is divided into seven zones, numbered zones 1, 2, 3, 4, 5, 6 and 7 comprising respectively those parts of the district described in Schedules 1A, 2A, 3A, 4A, 5A, 6A and 7A hereto."
- (b) By deleting paragraph 1 of clause 4 as amended by notice in the *Government Gazette* of the 12th March, 1963, and inserting in its place: "Zones 1, 2, 3, 4, 5, 6 and 7 are respectively classified for the purpose described in Schedules 1B, 2B, 3B, 4B, 5B, 6B and 7B hereto."
- (c) By inserting 7A after 6A in Schedule 1A as amended by notice in the *Government Gazette* of the 12th March, 1963.
- (d) By inserting after Schedule 6B a new schedule as follows:—

## Schedule 7A.

Special Use Zone: Within this zone the use of any land or buildings or the construction of any buildings or works for any purpose other than the particular use as defined in Schedule 7B is hereby prohibited.

## Schedule 7B.

Description of Land and Specific Use Defined for such Land.  
 Lots 234 and Pt. 168 of Swan Location 2103, Hay Street, Subiaco.  
 Defined Use: Motor vehicles sales, assembly and repair purposes.

Dated this 23rd day of May, 1966.

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

[L.S.]

J. H. ABRAHAM, Mayor.  
 A. L. SCOTT,  
 Town Clerk.

Recommended—

L. A. LOGAN,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th  
 day of June, 1966.

W. S. LONNIE,  
 Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

## City of Subiaco.

Amendment to By-law No. 6 Relating to Zoning made under the Provisions  
 of the Second Schedule of the Town Planning Act, 1928.

L.G. 84/64.

IN pursuance of the powers conferred upon it by the abovementioned Act  
 and of all other powers enabling it, the Council of the City of Subiaco hereby  
 records having resolved on the 15th day of March, 1966, to amend and submit  
 for confirmation by the Governor the following:—

That Zoning By-law No. 6 as published in the *Government Gazette* of  
 the 30th September, 1958, and as amended from time to time be further  
 amended as follows:—

By inserting after the word "buildings" in clause (b) of Schedule  
 IB, "Uses Permitted in the Residential Zone," the following: "with  
 the exception of the area bounded by Jersey Street on the east,  
 Cardigan Terrace on the south and a prolongation of its southern  
 boundary in a westerly direction to the Municipal boundary, the  
 Municipal boundary on the west, and the Municipal boundary on  
 the north."

Dated this 22nd day of May, 1966.

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

[L.S.]

J. H. ABRAHAM, Mayor.  
 A. L. SCOTT,  
 Town Clerk.

Recommended—

L. A. LOGAN,  
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th  
 day of June, 1966.

W. S. LONNIE,  
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.  
The Municipality of the City of Subiaco.  
By-law No. 26 Relating to Amusements.

L.G. 250/66.

THE City of Subiaco under and by virtue of the powers conferred upon it in that behalf by the Local Government Act of Western Australia, 1960, and all other powers enabling it hereby records having resolved on the 17th day of May, 1966, to make and submit for confirmation by the Governor the following by-laws:—

1. The By-laws of the City of Subiaco intituled "Regulations and Conditions for the Licensing of Dancing Rooms or Saloons" published in the *Government Gazette* on the 24th March, 1899, are hereby repealed.

2. In these by-laws, unless the context otherwise provides, the following terms shall have the meanings set against them hereunder respectively.

"Amusements" means merry-go-rounds, swing-boats, shooting galleries, water shoots, and other things usually conducted for amusement at fairs, carnivals and shows whether conducted at a fair, carnival or show or elsewhere and includes dancing rooms, skating rinks and amusement parks however designated and whether conducted at a fair, carnival or show or elsewhere.

"Council" means the Council of the City of Subiaco.

"District" means the district of the City of Subiaco.

3. These by-laws shall come into force within fourteen days after their publication in the *Government Gazette*.

4. Upon and after the date these by-laws come into force no person shall provide or conduct an amusement within the district unless that person holds a licence which is in force permitting the provision or conduct of that amusement at the place designated in the licence.

5. Any person who desires to provide or conduct an amusement within the district shall make application in writing to the Council for a licence so to do stating the type of amusement for which a licence is desired and the place where it is intended to provide or conduct such amusement.

6. The Council may grant a licence to the applicant in form number 1 in the first schedule hereto, or it may refuse to grant the licence without giving any reason for such refusal and in any event shall not grant such licence unless the building or buildings within which it is intended to provide or conduct such amusement comply in all respects with the provisions of the Public Building Regulations published in the *Government Gazette* on the 25th February, 1916 and amendments thereto, or with any regulation which may from time to time be substituted therefor.

7. A licence granted by the Council shall remain in force until the 31st day of December next after the issue of the licence unless previously revoked.

8. The fees set out in the second schedule hereto shall be payable to the Council in respect of each licence.

9. The Council may at any time revoke any licence issued by it upon any grounds whatsoever and without giving any reason therefor and without limiting the generality of the foregoing, may revoke such licence if—

- (a) the licensee has committed a breach of these by-laws,
- (b) the licensee is not conducting the amusement in a respectable or sober manner,
- (c) he has assigned his licence or does not himself carry on the amusement, or
- (d) he is not regularly carrying on the amusement for which the licence is issued.

10. The premises upon which the amusement is provided or conducted must at all reasonable times be open to inspection by any one or more of the officers of the Council.

11. No dice, cards or games of chance of any description shall be played for any gain on premises upon which an amusement is provided or conducted.

12. No person shall be permitted or suffered to enter or remain upon premises where an amusement is provided or conducted who may be drunk or uses any profane, indecent or obscene language or who may in any way offend against decency as regards dress, language or conduct.

13. No person shall provide or conduct any amusement so as to create or be a nuisance to any inhabitant in the neighbourhood of the land or premises upon which such amusement is provided or conducted.

14. The Council may by its officers, workmen or agents enter upon any land for the purpose of abating any nuisance prohibited by these by-laws and may do any act or thing reasonably required to abate such nuisance.

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

- (a) a maximum penalty of \$100, and
- (b) a maximum daily penalty during the breach of \$10 per day.

First Schedule.

Amusement Licence.

THE licence of the Council of the City of Subiaco is hereby granted to .....of.....to provide or conduct an amusement of.....at.....within the district of the City of Subiaco. The licence shall expire on the 31st day of December next.

Second Schedule.

Fees.

For each licence ..... \$10

Dated this 17th day of May, 1966.

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

[L.S.]

J. H. ABRAHAM, Mayor.  
A. L. SCOTT, Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Claremont.

Adoption of Draft Model By-law, No. 10—Relating to Petrol Pumps. 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 16th day of May, 1966, to adopt, without alteration, the draft Model By-law (Petrol Pumps), No. 10, published in the *Government Gazette*, 9th March, 1966, in substitution for the by-law previously adopted by the Council on the 24th day of August, 1964, and published in the *Government Gazette* of the 29th October, 1964.

Dated this 18th day of May, 1966.

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

[L.S.]

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

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

## Town of Bunbury.

## Amendment of Draft Model By-laws Relating to Standing Orders.

L.G. 125/60.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 23rd day of May, 1966, to amend the Draft Model By-laws relating to Standing Orders, the adoption of which was advertised in the *Government Gazette* of 30th October, 1963, in the manner as set out hereunder:—

Clause 88 (1) (c).—Delete the words "General Purposes and Health" and insert in their place the words "General Purposes, Health and Town Planning".

Delete paragraph (d).

Clause 89 (1) (c).—Delete the words "General Purposes and Health Committee the oversights of—", and insert in their place the words "General Purposes, Health and Town Planning Committee the oversight of—".

Add new sub-paragraphs as follows:—

- (x) land subdivision;
- (xi) town planning schemes and zoning;
- (xii) all other matters dealing with town planning".

Delete paragraph (d).

Dated this 1st day of June, 1966.

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

[L.S.]

E. A. COOKE,  
Mayor.W. J. CARMODY,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. J. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

## The Municipality of the Shire of Perth.

## By-laws Relating to Zoning.

L.G. 400/65.

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 10th day of May, 1966, 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. Section 6 of the Fifth Schedule is altered by the addition after the words and figures "Lots 2, 3 and 9/18 inclusive on Plan 7005, Perthshire Location Au" appearing against the item "Nollamara" of the following:—

Hillsborough Drive—Portion of Perthshire Au and being lot 23 on Diagram 32801.



2. Section 12 of the Fifth Schedule is altered by the deletion of the words and figures "Hillsborough Drive, corner Sylvia Street, Perthshire Location Au, Lot 1 on Plan 7005" appearing under the sub-heading Osborne, and by the substitution in their place of the following:—

Hillsborough Drive corner of Sylvia Street—Portion of Perthshire Location Au and being lot 22 on Diagram 32801.

Dated the 10th day of May, 1966.

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

[L.S.]

M. STARKE,  
President.  
L. A. EASTON,  
Acting Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

#### LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning.

L.G. 400/65.

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 10th day of May, 1966, 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 June, 1960, are hereby amended in the following manner:—

Section 12 of the Fifth Schedule is altered by the deletion of the words and figures "Lots 153 and 154 on Plan 2175" appearing under the heading "Inglewood" and published in the *Government Gazette* of 10th January, 1966, and by the substitution in their place of the following: "Lot 1 on Diagram 32984".

Dated the 10th day of May, 1966.

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.  
L. A. EASTON,  
Acting Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.  
The Municipality of the Shire of Perth.  
By-laws Relating to Zoning.

L.G. 400/65.

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 29th day of March, 1966, to make and submit the following by-laws for confirmation by the Governor:—

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:—

Section 11 of the Fifth Schedule is altered by the addition at the end thereof of the following:—

Osborne. Portion of Perthshire Location Parking and displaying Au and being those portions for sale and selling of Lots 18 and 19 on Plan new motor vehicles. 5134 as lie within a distance of 225.8 links from the street alignment of Royal Street.

Dated this 29th day of March, 1966.

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.]

D. M. STARKE,  
President.

L. A. EASTON,  
Acting Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.  
The Municipality of the Shire of Cuballing.

Adoption of Local Government Model By-law—Petrol Pumps, No. 10.

L.G. 848/64.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 11th day of May, 1966, to substitute for the Local Government Model By-law—Petrol Pumps, No. 10, as published in the *Government Gazette* of the 16th January, 1963, and adopted by the Council by notice in the *Government Gazette* of the 8th February, 1965, the whole of the Local Government Model By-law—Petrol Pumps, No. 10, published in the *Government Gazette* of the 9th March, 1966.

Dated the 14th day of June, 1966.

[L.S.]

F. S. D. WATTS,  
President.

F. J. A. GOULD,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Meekatharra.

Adoption of Draft Model By-laws Relating to Petrol Pumps, No. 10.  
L.G. 308/64.

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 March, 1966, to adopt such of the Draft Model By-laws, published in the *Government Gazette* of the 9th March, 1966 (with such alterations) as are here set out:—

Local Government Model By-laws Petrol Pumps, No. 10.—In substitution for the Draft Model By-law adopted by the Council on the 21st day of March, 1964, and published in the *Government Gazette* of the 11th of August, 1964.

Dated this 18th day of June, 1966.

The Common Seal of the Shire of Meekatharra  
was this day affixed hereto, in the presence  
of—

[L.S.]

M. WHITE,  
President.  
R. W. ATKINSON,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th  
day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

Municipality of the Shire of Roebourne.

Local Government Model By-laws (Petrol Pumps), No. 10.

L.G. 61/64.

IN pursuance of the powers conferred upon it and by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved the 21st day of April, 1966, to—

1. Adopt without alteration the draft model by-laws published in the *Government Gazette* on the 9th March, 1966, Local Government Model By-laws (Petrol Pumps), No. 10.

2. Revoke the whole of the by-laws relating to Petrol Pumps published in the *Government Gazette* dated 28th February, 1964, page 939, which were adopted by the Council on the 19th day of December, 1963.

Dated the 21st day of June, 1966.

The Common Seal of the Shire of Roebourne  
was hereunto fixed in the presence of—

[L.S.]

J. A. FERNIHOUGH,  
President.  
R. A. SCOTT,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th  
day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.  
The Municipality of the Shire of Bassendean.  
By-laws Relating to Zoning.

L.G. 237/66.

IN pursuance of the powers conferred upon it by the abovementioned Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 13th day of April, 1966, to make and submit for confirmation by the Governor the following by-laws:—

1. After by-law 3 the following new by-laws are inserted:—

Light Industrial Area.

3A. (1) All lands within the area of the Seventh Schedule shall be available for the purposes of light industry only.

(2) For the purposes of this by-law, light industry means an industry—

- (i) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oils or otherwise; and
- (ii) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service.

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

4B. No part of a building within the industrial area or light industrial area shall be erected or constructed within 30 feet of a street alignment or if there shall be a building line within 30 feet of that building line.

4C. No part of a building within the industrial area or light industrial area shall be erected or constructed within 30 feet of any land zoned for residential use.

4D. Every site within the industrial area or light industrial area which is used for industrial or light industrial purposes shall be provided with an access way for vehicular traffic of a width of at least 12 feet so as to provide a means of access to the rear of any building erected or constructed thereon.

4E. A building of brick construction within the industrial area or light industrial area may be erected up to the boundary at the rear of the lot on which the building is erected and subject to by-laws 4C and 4D hereof may be erected up to the side boundaries of the lot.

4F. A building of steel frame or timber frame construction within the industrial area or light industrial area may be erected up to but not closer than 7 feet from the boundary at the rear of the lot on which the building is erected and subject to by-laws 4C and 4D hereof may be erected up to but not closer than 7 feet from the side boundaries of the lot.

4G. Notwithstanding the foregoing provisions of these by-laws no building shall be used in an industrial area or light industrial area for a purpose which is reasonably considered by the Council to be hazardous by reason of the risk of fire or explosion unless it is so sited on the lot upon which it is erected that no part of the building is closer to the rear boundary or to either of the side boundaries than the height of the building.

4H. No building having a site coverage in excess of 50 per centum of the site shall be erected or constructed or used for industrial or light industrial purposes within the industrial area or light industrial area provided however that the Council where it is satisfied that proper arrangements have been made for the disposal of sewage effluent and storm water may in any particular case permit a higher site coverage up to a percentage determined by the Council.

4I. No building within the industrial area or light industrial area shall be used for industrial or light industrial purposes unless car parking facilities of adequate paving or hardstanding surfaces or

garages are provided at the rate of one car parking space for every three persons employed on the site together with additional reasonable facilities for the vehicles of customers resorting to the site.

4J. No building shall be used for the industrial or light industrial purposes within the industrial zone or light industrial zone unless the lot upon which it is erected is serviced by a through access way or is provided with a satisfactory turning circle for vehicles so that no vehicle coming on to the lot will require to be reversed before leaving the lot.

4K. No building shall be erected or constructed within the industrial area or light industrial area unless it has a facade to any street either constructed of brick or of such other material and of such design as the Council may approve in writing.

4L. The area between a building in the industrial area or light industrial area and the frontage to any street or way of the lot upon which it is erected may be used for one or more of the following purposes only:—

- (a) as a means of access to the remainder of the lot;
- (b) for the parking of vehicles by persons employed on the site and customers resorting thereto;
- (c) for the loading and unloading of vehicles;
- (d) for a trade display relating to the industry conducted on the site provided however that such trade display does not cover more than one-fifth of the area and is not situated within 10 feet of any street or way;
- (e) for lawns and gardens.

4M. Notwithstanding the other provisions of these by-laws a retail or wholesale business connected with an industry may be established on the site on which that industry is carried on provided however—

- (a) that the area used for the retail or wholesale business is not more than one-half of the total area used for the industry; and
- (b) that the buildings used for the retail or wholesale business shall have a front elevation or facade to the street or streets on which the land abuts which front elevation or facade shall be of a design approved in writing by the Council.

4N. No person shall carry on the business of panel beating or car wrecking except within the area set out in the Second Schedule hereto and unless the site for that business shall first have been approved in writing by the Council.

3. The First Schedule is amended by deleting the words "or Fifth" and substituting in lieu thereof the words "Fifth, Sixth or Seventh".

4. The following schedule is added after the Sixth Schedule:—

Seventh Schedule.

Light Industrial Area.

Pearson Street—Swan Location S and being lot 601 and part of lot 602 on plan 3471 contained in Certificate of Title Volume 658 folio 164.

Dated the 27th day of April, 1966.

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

[L.S.]

A. C. FAULKNER,  
President.  
C. McCREED,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W.S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Albany.

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

L.G. 432/64.

IN pursuance of the powers conferred upon it by the Local Government Act, 1960, the Council of the abovementioned Municipality hereby records having resolved, on the 15th day of April, 1966, to revoke the adoption of the draft model By-law by the Council on the 17th day of July, 1964, and published in the *Government Gazette* of the 3rd day of September, 1964, and to adopt such of the Draft Model By-laws published in the *Government Gazette* on the 9th day of March, 1966, as are here set out:—

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

Dated this 16th day of June, 1966.

[L.S.]

B. E. LANGE,  
President.  
F. P. JAGO,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Manjimup.

Adoption of Draft Model By-laws Relating to the Control of Hawkers.

L.G. 144/59.

IN pursuance of the Powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 14th day of January, 1965, to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 23rd day of July, 1962, as are here set out:—

Local Government Model By-laws (Control of Hawkers), No. 6.—The whole.

## Alterations and Additions.

1. By-law 2.—The words "Shire" and "Manjimup" to be inserted as required after the meanings "Council" and "district". The word "Shire" to be inserted as required after the meaning "clerk".

2. By-law 9.—The word "six" to be inserted after the word than in line two. The number of licenses to read:—

	In Townsites.	No. of Licenses.
(a) Clothing, clothing materials and manchester goods	.....	2
(b) Electrical goods	.....	2
(c) Other merchandise	.....	2
	Outside Townsites.	
(a) Clothing, clothing materials and manchester goods	.....	1
(b) Electrical goods	.....	1
(c) Other merchandise	.....	1

3. By-law 11.—To insert the names of streets after the word say—in line two:—

Manjimup—Giblett Street from Rose to Ralston Street, Rose Street from Lock to Mount Street, Ipsen Street from Giblett to Bath Street, Brockman Street from Giblett to Bath Street and Mount Street from Giblett to Bath Street.

Pemberton—Brockman Street from Robinson Street to Road Number 5772, Ellis Street from Brockman to Guppy Street.

Northcliffe—Zamia Street from Wheatley Coast Road to North Street, all of the Wheatley Coast Road within the Northcliffe Townsite boundaries.

Walpole—All of the Nornalup Road within the Walpole Townsite boundaries, Vista Street from Nornalup Road to Pier Street.

4. Second Schedule—Fees to read—

Fees for Hawkers' Licenses.

Class of License.	Annually	Annually
	In Townsites.	Outside Townsites.
	\$	\$
(a) Clothing, clothing material and manchester	40	24
(b) Electrical goods	40	24
(c) Ice Cream, Ice Blocks, Ices	20	6
(d) Other merchandise	40	24

5. The by-laws for Control of Hawkers as published in the *Government Gazette* of 28th day of September, 1960, are hereby repealed.

Dated the 14th day of January, 1965.

The Common Seal of the Shire of Manjimup was affixed hereto in the presence of—

[L.S.]

M. S. MUIR,  
President.  
M. DUNN,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Kalamunda.

By-laws Relating to Nuisances.

L.G. 233/64.

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 April, 1966, to amend the by-laws passed by the Kalamunda Shire Council on the 17th day of August, 1964, and which appeared in the *Government Gazette* on the 28th day of January, 1965, by the inclusion of the words "Good Friday and Christmas Day" immediately after the word "Sunday" in the seventh line of paragraph 1 of the said by-laws.

Dated this 8th day of June, 1966.

[L.S.]

F. R. WHITE,  
President.  
P. A. MORAN,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Upper Blackwood.

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

L.G. 475/64.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 20th day of April, 1966, to adopt the Draft Model By-laws (Petrol Pumps), No. 10, published in the *Government Gazette* of the 9th March, 1966, being the whole of the by-law without amendment in substitution for the Draft Model By-law adopted by the Council on the 20th day of March, 1964, and published in the *Government Gazette* of the 3rd September, 1964.

Dated the 2nd day of June, 1966.

The Common Seal of the Shire of Upper Blackwood was affixed hereto in the presence of—

[L.S.]

H. S. ROGERS,  
President.  
L. G. AMEY,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Cunderdin.

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

L.G. 275/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 17th June, 1966, to adopt the Draft Model By-laws published in the *Government Gazette* of the 9th day of March, 1966, as here set out:—

Local Government Model By-laws (Petrol Pumps), No. 10.—The whole of the by-laws, in substitution for the Draft Model By-law adopted by the Council on the 24th day of April, 1964, and published in the *Government Gazette* of the 23rd June, 1964.

Dated this 17th day of June, 1966.

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

[L.S.]

A. J. JASPER,  
President.  
A. S. ANDREW,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.



## CEMETERIES ACT, 1897-1962.

## Fremantle Public Cemetery.

Amendment to the By-laws of the Fremantle Public Cemetery.

L.G. 287/66.

IN pursuance of the powers conferred upon them by the abovementioned Act, the City of Fremantle as the Trustees of the Fremantle Public Cemetery hereby record having resolved on the 27th day of May, 1966, to make and submit for confirmation by the Governor, the following by-laws:—

1. The by-laws of the Fremantle Public Cemetery published in the *Government Gazette* on the 24th day of January, 1930, and amended from time to time thereafter, are hereby further amended as follows:—

Clause (d) in Schedule A is amended by deleting the figures "£1 1s." as the second item of Extra Charges—namely Ministers Fees for each interment and substituting in lieu thereof the figures "\$4.00."

Passed this 27th day of May, 1966.

The Common Seal of the City of Fremantle was hereto affixed this 27th day of May, 1966, pursuant to a resolution passed the 18th day of April, 1966, in the presence of—

[L.S.]

W. FRED. SAMSON,  
Mayor.  
S. W. PARKS,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor, in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## CEMETERIES ACT, 1897.

## Geraldton General Cemetery By-laws.

L.G. 355/60.

THE Geraldton Cemetery Board, being the Trustees of the Geraldton General Cemetery, acting pursuant to the provision of the Cemeteries Act, 1897-1955, hereby amends, in the manner mentioned in the schedule hereunder, the by-laws made by the said Board under and for the purposes of the said Act, as published in the *Government Gazette* on 18th July, 1930, and amended by notices published in the *Government Gazette* from time to time thereafter.

Schedule A, Scale of Fees and Charges, payable to the Trustees, is deleted and substituted as follows:—

## SCHEDULE A.

## Geraldton General Cemetery.

Scale of Fees and Charges Payable to the Trustees.

1. On application for an Order of Burial the following fees shall be payable in advance:—

	\$
(a) In open ground—	
(i) For interment in grave 7 feet deep ... ..	12.00
(ii) For interment of any stillborn child in ground set aside for such purpose ... ..	1.50
(iii) If graves are required to be sunk deeper than 7 feet, the following additional charges shall be payable—	
For first additional foot ... ..	0.50
For second additional foot ... ..	0.75
For third additional foot ... ..	1.00
And so on in proportion for each additional foot.	

(b) In private ground: The fees payable shall be as prescribed in subparagraph (a) items (i) and (ii) and in addition the following which includes the issue of a Grant of "Right of Burial".	\$
Ordinary land for grave, 8 ft. x 4 ft., where directed	12.00
Ordinary land for grave, 8 ft. x 8 ft., where directed	20.50
Ordinary land for grave (extra), 8 ft. x 1 ft., where directed	1.12
Special land for grave, 8 ft. x 4 ft., selected by applicant, according to position	24.00
Special land for grave, 8 ft. x 8 ft., selected by applicant, according to position	36.00
Special land for grave, 8 ft. x 12 ft., selected by applicant, according to position	52.00
Special land for grave (extra), 8 ft. x 1 ft., selected by applicant, according to position	2.25
(c) Re-opening an ordinary grave—	
(d) For each interment	12.00
For each interment of a stillborn child	2.50
Extra Charges—	
For each interment on a Saturday or Public Holiday	6.30
For each interment, not in usual hours, as prescribed by by-law 15	1.05
For late arrival at Cemetery gates of funeral, as per by-law 16	1.05
For late moving off from entrance gates of funeral as per by-law 17	1.05
Minister's fee for each interment	2.00
Extra for exhumation	4.20
Re-opening grave for exhumation	2.50
Re-interment in new grave after exhumation	2.50
2. Miscellaneous:	
For permission to erect a headstone, monument, kerb or rail—10 per cent of total cost.	
For use of iron number plate or label	1.50
For Undertaker's License (per annum)	8.00
For removing and replacing edging tiles on an 8 ft. x 4 ft. grave required to be re-opened	0.25
For removal and replanting grass, shrubs, plants, etc., on an 8 ft. x 4 ft. grave required to be re-opened	0.50
For removing monument to permit of the re-opening of an ordinary grave	4.00
Copy of Grant of Right of Burial	0.25
Transfer of Grant of Right of Burial	0.25
Grave Dresser's Annual Licence	1.05
For attending to grave after planting, etc., by grantee—	
8 ft. x 4 ft. per annum	1.50
8 ft. x 8 ft. per annum	2.50
For attending to grave after planting, etc., by grantee, for a term up to 50 years—	
8 ft. x 4 ft.	30.00
8 ft. x 8 ft.	50.00
For making a search in register	0.10
For copy of by-laws and regulations	0.25
Registration fee for each interment	0.25

I hereby certify that the above resolution was duly passed at a duly convened and constituted meeting of the Geraldton Cemetery Board held at Geraldton on the 25th day of May, 1966.

C. B. PHILLIPS,  
Chairman.  
R. J. PASS,  
Secretary.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of June, 1966.

W. S. LONNIE,  
Clerk of the Council.

## FRUIT CASES ACT, 1919-1965.

Department of Agriculture,  
South Perth, 29th June, 1966.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Fruit Cases Act, 1919-1965, has been pleased to make the regulations set forth in the schedule hereunder.

T. C. DUNNE,  
Director of Agriculture.

Schedule.  
Regulations.

Principal regulations.	1. In these regulations the regulations made under the provisions of the Fruit Cases Act, 1919 (as amended), published in the <i>Government Gazette</i> on the 31st December, 1936, and reprinted pursuant to the Reprinting of Regulations Act, 1954, in the <i>Government Gazette</i> on the 9th March, 1965, are referred to as the principal regulations.		
First Appendix amended.	2. The First Appendix to the principal regulations is amended by deleting the following items:—		
	Flat bushel case	.... 26 in. long, 14½ in. deep, 6 in. wide.	Not less than one Imperial bushel or cubical content of 2,223 cubic inches.
	Flat half-bushel case	.... 26 in. long 7½ in. deep, 6 in. wide.	Not less than one-half of an Imperial bushel or cubical content of 1,111½ cubic inches.
	Tropical fruit case	.... 24¾ in. long, 12 in. deep, 12 in. wide.	Not less than a cubical content of 3,564 cubic inches.

## UNIVERSITY OF WESTERN AUSTRALIA ACT, 1911-1964.

Premier's Department,  
Perth, 29th June, 1966.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of section 33 of the University of Western Australia Act, 1911-1964, has been pleased to approve of the Statutes made by the Senate of the University of Western Australia and set out in the Schedule hereunder.

W. S. LONNIE,  
Under Secretary.

## Schedule.

## AMENDING STATUTE No. 1 OF 1966.

## I.—Amendment to Statute No. 8—The Faculties.

1. Section 4 is amended—
  - (a) as to subsection (1), by—
    - (i) substituting for the words, "Each Faculty shall each year" the words, "A Faculty may";
    - (ii) by adding, at the end of the subsection, the words, "for a specified period";
  - (b) as to subsection (2), by deleting the words, "at its June meeting in each year";
  - (c) as to subsection (3), by substituting for the words, "twelve months next following his appointment", the words, "period specified by the Faculty in its nomination"; and
  - (d) by adding, after subsection (3), the following subsection—
    - (4) Notwithstanding the foregoing provisions of this section, the Senate, on the recommendation of the Faculty of Medicine and the Professorial Board that a full-time Dean of that Faculty be appointed, may appoint a person to be Dean of that Faculty. A Dean appointed under this subsection shall hold office for such time not exceeding seven years and under such conditions as the Senate may fix at the time of his appointment but shall be eligible for re-appointment.

2. Section 16 is amended—
- (a) by adding a new paragraph to subsection (1), to stand as paragraph (a), as follows—
- (a) the Dean of the Faculty; ; and
- (b) by re-lettering the existing paragraphs “(a)” to “(g)”, inclusive, as “(b)” to “(h)”, respectively.
3. Section 18 is amended—
- (a) by substituting for paragraph (a) of subsection (1), the following paragraph—
- (a) The Advisory Board in Law shall consist of the Dean of the Faculty, a Judge of the Supreme Court nominated by the Senate, the Solicitor-General or his nominee, a member of the Barristers’ Board nominated by the Barristers’ Board, a member of the Law Society nominated by the Law Society, three other members of the Faculty (one of whom shall be a Visiting Lecturer), nominated by the Faculty, and such other persons as may from time to time be appointed by the Senate on the nomination of the foregoing and the recommendation of the Professorial Board.
- ; and
- (b) by substituting for paragraph (b) of subsection (1), the following paragraph—
- (b) The Advisory Board in Education shall consist of the Dean and members of the Faculty of Education, the Director-General of Education, the Deputy Director-General of Education, the Director of Roman Catholic Education, a representative of teachers in Roman Catholic Schools nominated by the Director of Roman Catholic Education, the Director of Teacher Training, two officers of the State Education Department nominated by the Director-General of Education, two members of the Teachers’ Union nominated by the Union, one representative of the Independent Boys’ Schools and one representative of the Independent Girls’ School both of whom shall be nominated by the Association of Independent Secondary Schools of Western Australia, the Principal of the Kindergarten Teachers’ College, and such other persons as may from time to time be appointed by the Senate on the nomination of the foregoing and the recommendation of the Professorial Board.

II.—Amendment to Statute No. 18—Conditions of Awarding Hackett Bursaries and Hackett Studentships and Scholarships.

1. Section 3 is amended—
- (a) by substituting for subsection (1), the following subsection—
- (1) Postgraduate studentships hereinafter described as Studentships are tenable at the University of Western Australia or at another Australian University or at a University outside Australia and are open to graduates of the University of Western Australia who hold at least a Second Class Honours degree or its equivalent. ;
- (b) by substituting for subsection (5), the following subsection—
- (5) The University of Western Australia will pay direct to the institution concerned, a total of up to \$700 a year for any compulsory fees for admission and tuition at the University or College at which the student is working, including registration, matriculation, lecture, research, supervision and laboratory fees, but not fees for examination of thesis or graduation.

III.—Amendment to Statute No. 22—Gledden Trust.

Section 22 is revoked and the following section substituted:—

22. Applications for the Gledden Research Fellowships which shall be open to Graduates who hold at least a Second Class Honours degree or its equivalent shall be made to the Vice-Chancellor on or before a date to be fixed by him.

The Common Seal of the University of Western Australia has been affixed in pursuance of an order of the Senate by the undersigned being legally entitled to the custody thereof as the Chancellor of the said body Corporate.

[L.S.]

ALEX. REID,  
Chancellor.

## BUILDING SOCIETIES ACT, 1920-1962.

Office of the Registrar of Building Societies,  
Perth, 1st July, 1966.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by section 8A of the Building Societies Act, 1920-1962, has been pleased to cause the preparation and publication of the model rules set forth in the schedule hereunder.

B. S. BROTHERSON,  
Registrar.

## Schedule.

*These rules may be cited as the Terminating Building Societies Model Rules.*

1. (1) In these rules, unless the contrary intention appears—

“advanced share” means a share in respect of which an advance has been made by the Society;

“member” means a person registered as the holder of an advanced or unadvanced share;

“ordinary member” means a person registered as the holder of an ordinary share;

“ordinary share” means a share issued pursuant to rule 18 not conferring any entitlement on the holder to receive an advance from the Society;

“pay” means a day fixed by the Board as a day on which subscriptions for shares are due;

“registered office” means the chief office and place of meeting of the Society;

“rule” means rule of these rules;

“secretary” means the person appointed to, or the person from time to time performing the duties of, the office of secretary to the Society;

“share” means an advanced share or an unadvanced share in the Society;

“the Act” means the Building Societies Act, 1920, as amended;

“the Board” means the Committee of Management of the Society, within the meaning of section 12A of the Act;

“the Regulations” means the regulations from time to time in force under section 52 of the Act;

“the Society” means the Building Society referred to in rule 2;

“unadvanced share” means a share entitling the holder to receive an advance, but in respect of which an advance has not been made.

(2) A reference in these rules to “the appropriate table” is a reference to the table prepared or adopted by the Board pursuant to rule 21, which table applies in respect of the share or shares to which the reference relates.

2. (1) The name of the Society shall be the Building Society.

(2) The registered office of the Society shall be at \_\_\_\_\_ and shall be kept open for business on such days and during such hours as the Board may determine.

3. The objects of the Society are—

(a) to assist members by making advances on the security of freehold or leasehold property; and

(b) generally, to carry out the purposes provided for in the Act and these rules.

4. (1) The Society may, subject to the Act and these rules, raise money on loan for carrying out the objects of the Society.

(2) Without limiting the power conferred by subrule (1) of this rule, the Society may enter into a loan agreement with the Government of the State in accordance with the provisions of the Commonwealth and State Housing Agreement Act, 1961, or any similar enactment for the time being in force.

(3) The Society may, subject to the Act and these rules, borrow from any other source upon such terms and conditions as the Board may from time to time determine.

5. (1) The device of the seal of the Society shall consist of the word, "seal" encircled by the words constituting the name of the Society.

(2) The seal of the Society shall be kept in safe custody by the Secretary, and the affixing of the seal to any document—

(a) shall be carried out only upon the authority of a resolution of the Board or a general meeting of the Society; and

(b) shall be attested by the signature of one director and of the secretary, or, in the absence of the secretary, of one other person authorised in writing by the Board for the purpose.

6. All books of account, securities, documents and papers of the Society, other than those that the Board has directed to be kept in some other manner, shall be kept at the registered office in such manner, and with such provision for security, as the Board directs.

#### *Membership and Shares.*

7. (1) Any application for membership of, or for additional shares in, the Society or any group in the Society, shall be made in writing in the form of "Form A" set out in the Schedule to these rules.

(2) The entrance fee determined by the Board at the formation of the Society or group, shall be payable on application for subscription shares, and may, at the discretion of the Board, be retained if the application is approved but the shares applied for are not taken up by the applicant.

8. (1) The Board may accept or reject an application for membership or for additional shares in the Society, or any group in the Society, and need not assign any reason for its rejection of any application.

(2) If an application for membership or additional shares is not approved, the amount lodged in respect of the application shall be returned to the applicant without interest.

9. Upon approval of an application for shares—

(a) the number of shares applied for shall be allotted to the applicant;

(b) the applicant's name shall be entered in the appropriate register;

and

(c) the applicant shall be notified of the allotment,

and shall, upon receipt of the notification of allotment, be entitled to all the privileges and liabilities of membership.

10. Every member shall pay the subscriptions due on all of his shares on each pay fixed by the directors or, if he is in default in so making any payment, be liable for fines and forfeitures in the manner hereinafter provided.

11. Where shares are held on trust for any other body or person, the trustee or trustees jointly who are registered as members of the Society shall, for the purposes of the Society, be regarded as the holders of those shares.

12. (1) When a member changes his address he shall, within seven days, send notice thereof in writing to the Society at its registered office, and the secretary shall enter the new address of that member in the register.

(2) Any member who neglects to give the notice referred to in subrule (1) of this rule may be liable to a fine not exceeding one dollar.

13. The Society shall, at the request of a member, furnish the member with one copy of these rules without demanding any payment, but may, for each further copy of these rules supplied at any time to that member, charge such a fee, not in excess of that prescribed by the Regulations, as the Board determines.

*Ceasing Membership.*

14. (1) A person ceases to be a member of the Society—
- (a) where his share is transferred in accordance with these rules and the transferee is registered as the holder of that share;
  - (b) where his share is forfeited in accordance with these rules;
  - (c) where his share is sold by the Society under the power conferred by these rules and the purchaser is registered as the holder of that share;
  - (d) where his share is purchased by the Society in accordance with the Act and these rules;
  - (e) where he becomes bankrupt and the proper officer disclaims in accordance with the provisions of the bankruptcy law;
  - (f) on death, provided that his estate shall remain liable until his nominee, executor or administrator, or some other person is registered as holder in his place, or until the Society pays out the value of his shares in accordance with the provisions of the Act and these rules;
  - (g) where the contract of membership is rescinded on the ground of misrepresentation or mistake;
  - (h) where his share is withdrawn or repaid to him in accordance with these rules.
- (2) In paragraphs (a), (b), (c), (d) and (h) of subrule (1) of this rule, "share" means—
- (a) where the member is the registered holder of one share only, that share; and
  - (b) where the member is the registered holder of more than one share, all of those shares.

*Withdrawal from Society.*

15. (1) An ordinary member may withdraw his share at any time by giving fourteen days' notice in writing to the Society, and the Society shall repay to the ordinary member the nominal value of his share.

(2) A member may withdraw any unadvanced share that has been issued for not less than twelve months by giving one month's notice in writing to the Society, and any notice so given may be withdrawn only with the consent of the Board.

(3) No subscriptions become due in respect of any pay falling after the receipt of any notice of withdrawal, and, subject to the remaining provisions of this rule, the Society shall pay to the member withdrawing the share the amount ascertained by reference to the appropriate table less—

- (a) the amount of any subscriptions in arrears, and fines payable by the member on the share being withdrawn; and
- (b) if the balance sheet prepared for the financial year preceding the withdrawal discloses that the Society has sustained a loss, the part of that loss that bears to the whole of that loss the same proportion as the number of shares being withdrawn bears to the total number of shares on issue by the Society.

(4) Where the funds on hand at any time are insufficient for the Society to comply immediately with subrule (3) of this rule, in relation to the members at that time applying to withdraw shares, payments shall be made to members in the order in which the respective notices of withdrawal were received by the Society.

16. A member may withdraw any advanced share by paying to the Society the sum of—

- (a) the amount ascertained by reference to the appropriate table that is appropriate to that share;
- (b) any arrears and fines due in relation to that share;
- (c) the amount that would be payable under paragraph (b) of subrule (3) of rule 15 as if the share being withdrawn were an unadvanced share,

and shall thereupon be entitled to have the mortgage into which he entered with the Society discharged.

*Capital and Shares.*

17. The capital of the Society shall be raised by the issue of ordinary and advanced and unadvanced shares and shall fluctuate in amount according to the nominal value of shares from time to time issued.

18. Ordinary shares—

- (a) shall be of a nominal value of two dollars payable in full on application;
- (b) may be taken up at any time;
- (c) confer on the holders thereof all the privileges and liabilities of membership, other than the right to receive an advance from the Society.

19. (1) Every member shall hold at least ten shares, but no member shall hold—

- (a) shares, the sum of the nominal value of which exceeds dollars;
  - (b) after the Society has been in existence for three months, more than one-fifth of the shares issued in the Society.
- (2) No ordinary member shall hold more than one ordinary share.

20. The shares or the ordinary shares in the Society shall not be quoted for sale or purchase on any stock exchange or in any public manner whatever.

21. (1) Upon the formation of the Society or any group within the Society, as the case may be, and before the issue of any share in the Society or that group, the Board shall—

- (a) determine in respect of each share to be issued—
  - (i) the amount of nominal value;
  - (ii) the notional period over which subscriptions are to be made by the holder of the share, and the intervals at which those subscriptions are to become due; and
  - (iii) the amount of each such periodic subscription;
- (b) prepare or adopt a table setting out in relation to each such share—
  - (i) the amounts payable by the applicant for the share in respect of a late entry into the Society;
  - (ii) the amounts to be refunded to the holder upon the withdrawal of his share before the maturity date of that share; and
  - (iii) the amount payable to the Society on the discharge of a mortgage before the advanced shares that relate to that mortgage have become fully paid up; and
- (c) deliver to the Registrar particulars of the matters determined pursuant to paragraph (a) of this subrule and a copy of the table prepared or adopted pursuant to paragraph (b) of this subrule.

(2) Subject to subrule (3) of this rule and to rule 37, the Society or the Board may not vary any amount, period or interval determined or adopted pursuant to this rule so as to increase the liability of any member to the Society, or to reduce the entitlement of any member upon the withdrawal of his shares.

(3) Nothing in this rule affects the entitlement or liability of any member to share in any surplus of, or to contribute to any deficiency or loss suffered by, the Society, in accordance with these rules.

*Subscriptions on Shares.*

22. (1) Subscriptions due on shares shall commence and be paid each month, according to the appropriate table on such days and times as the Board has determined, and the date of the first pay from which subscriptions shall be deemed to have accrued shall be fixed by the Board.

(2) A member may pay his subscription in advance at any time, but shall, unless in the case of a payment of not less than two hundred dollars, the Board otherwise determines, have no claim for interest on such payments in advance.



23. If subscriptions are not paid when due, the Board may impose upon the member concerned a fine of one cent for each share for each pay in arrear.

24. (1) A share may not be sold or transferred without the consent of the Board.

(2) The Board shall not approve any transfer of a share that it is satisfied arose from the quotation of shares contrary to rule 20.

25. An instrument of transfer of any share shall be executed by the transferor and the transferee, and the transferor shall, for the purposes of these rules, remain the holder of the share until the name of the transferee is entered in the register of members in respect of that share.

26. An instrument of transfer may be in the following form or in such other form as the Board approves—

I, A.B. of (Name of Society).....in consideration of the sum of \$.....paid to me by C.D., of.....(hereinafter called the "transferee"), do hereby transfer to the transferee .....share (or shares) registered in my name in the share register of the abovenamed society to hold unto the transferee, his executors, administrators and assigns, subject to the several conditions on which I hold the same at the time of the execution hereof, and I, the transferee, do hereby agree to take the said share (or shares) subject to the conditions aforesaid.

Dated this.....day of.....19.....

Signed by the transferor.....

In the presence of.....

Signed by the transferee.....

In the presence of.....

These shares have not been sold or purchased by me through any Stock Exchange or in any other public manner whatever within the meaning of section 117 of the Income Tax and Social Services Contribution Assessment Act 1936 as amended of the Commonwealth of Australia.

Vendor .....

Purchaser .....

27. A transfer fee of such an amount, not in excess of thirty-five cents, per share as the Board determines is payable on the transfer of any share.

28. The legal personal representatives of a deceased member, not being one of several joint holders of shares, shall be the only persons recognised by the Society as having any title to the shares registered in the name of the member.

29. (1) Where shares are registered in the names of two or more persons as joint holders, the survivor or survivors or the legal personal representatives of the last joint holder to die shall be the only persons recognised by the Society as having any title to the shares.

(2) The Board may require such evidence as it thinks fit of the death of any joint holder of shares and shall require proof that the requirements of the Administration Act, 1903, as amended, have been satisfied.

30. Any person becoming entitled to shares in consequence of the death, bankruptcy or insolvency of a member or in consequence of a member having made any arrangement or composition with his creditors or any assignment of his estate for the benefit of his creditors may, upon the production of such evidence of his title as the Board requires, elect—

(a) to be registered a member in respect of the shares if he is otherwise eligible under the Act and these rules to be so registered;

(b) to make, subject to the Act and these rules, such a transfer of the shares as he would be entitled to make if he were the registered holder of the shares; or

(c) to withdraw the shares, where no advance has been made thereon, or to discharge the liability in respect of the advance thereon, in the same manner and subject to the same conditions as if he were the registered holder of the shares.

31. (1) Any share on which, at the expiration of a period of three months from the date of its issue, the dues for less than three pays have not been paid may be forfeited.

(2) Subject to subrule (1) of this rule, where any dues payable on a share are in arrears for not less than six months, the secretary may cause a notice setting out the amount owing upon the share by way of arrears and fines and the date of the notice, to be sent by prepaid registered post to the member in whose name the share is registered at his address shown in the register, and the notice shall be so worded as to advise the member—

- (a) that unless the amounts set forth in the notice are paid within a period of three months of the date shown on the notice, the shares may be forfeited; and
- (b) whether the member is eligible to withdraw from the Society, and if so, the procedure by which this may be done.

(3) Where a member to whom a notice referred to in subrule (2) of this rule has been sent—

- (a) fails to pay the amount set forth in the notice as being due and payable on the shares as at the date set out in the notice; and
- (b) if he was eligible to withdraw from the Society, fails to apply in the manner prescribed to withdraw the shares,

the shares to which the notice related shall be forfeited to the Society.

(4) A person whose shares have been forfeited for a default in payment of subscriptions shall—

- (a) cease to be a member in respect of the forfeited shares, but shall, notwithstanding, remain liable to pay to the Society all moneys which, at the date of forfeiture, were presently payable by him to the Society in respect of the shares; and
- (b) be liable to pay a share of any deficiency or loss sustained by the Society in the same way as if he had withdrawn those shares.

(5) All moneys received by the Society in respect of shares forfeited pursuant to paragraph (a) of subrule (2) of this rule shall be added to the funds of the Society, but there shall be paid to a member whose shares are forfeited pursuant to subrule (3) of this rule the amount that would have been payable had the shares been withdrawn in the manner provided by rule 15.

(6) A statutory declaration in writing that the declarant is a director, and that a share in the Society has been duly forfeited on a date stated in the declaration, shall be conclusive evidence of the fact therein stated as against all persons claiming to be entitled to the share.

(7) Shares forfeited for default in payment of subscriptions shall be cancelled.

#### *Funds.*

32. The funds of the Society including loans shall be applied to the purposes of the Society in the following order—

- (i) in the repayment of loans raised by the Society;
- (ii) in the making of advances to members on mortgage;
- (iii) in the repayment of ordinary and unadvanced subscription shares;
- (iv) in the making of advances to other building societies subject to the prior approval of the Registrar;
- (v) in any other manner for any other purpose prescribed or permitted by the Act.

#### *Advances to Members.*

33. The directors shall determine when the Society shall commence to make advances to its members.

34. A member may receive an advance only upon unadvanced shares on which the subscriptions, fines, forfeitures, expenses and costs of any kind payable under these rules are paid up to the date of his application for an advance.

*Amount of Advance.*

35. A member may receive from the Society an advance not exceeding the nominal value of each unadvanced share held by him.

36. Subject to the Act and these rules, any advance made to the holder of an unadvanced share shall be upon such terms and conditions as the Board may think fit and subject to any provisions in that regard contained in any agreement made by the Society with any lending body or person with respect to any fund from which the advance is to be made.

37. (1) When the Board notifies a member that an advance is available to him, the member shall commence repayments at the rate ascertained by reference to the appropriate table from a date determined by the Board.

(2) Subject to subrule (3) of this rule, where the rate of interest charged to the Society on moneys borrowed by it is increased, the Board may increase the amount payable by a member after his advance has been obtained if any such increase in the amount payable by the member will not result in the interest chargeable upon the advance to that member being increased to a rate that is greater than one per centum more than the rate charged to the Society on the moneys borrowed by it.

(3) Any increase so made by the Board shall not take effect unless and until it is approved by the Registrar.

38. Where a member fails to make the repayments payable on an advance when due, the Board may impose upon that member a fine of two cents for each advanced share for each pay in arrear.

*Security for Advances.*

39. The Board may exercise its discretion in accepting any security submitted, but shall not make an advance except upon the security of freehold or leasehold property.

40. A member entitled to an advance shall furnish the Society with—  
(a) particulars of the property to be tendered as security; and  
(b) all personal and other information required by the Society in such a form as the Board directs.

41 (1) Any mortgage to secure an advance shall comply with these rules and shall contain such usual and other covenants as the Board considers proper and necessary to secure the advance in accordance with these rules.

(2) The mortgage shall secure the payment of the advance and the payment of subscriptions, fines, charges and other moneys to which a member is or may become liable under these rules.

(3) The amount due by a member in the event of the Society exercising its power of sale under the mortgage shall be that ascertained by reference to the appropriate table, and the Society may charge interest at the rate of seven per cent. per annum on the amount payable in accordance with that table from the pay to which a member has paid to the date the Society recovers the amount due to it.

(4) A member whose property is the subject of the exercise of a power of sale by the Society is liable to contribute to any general loss or deficiency of the Society in the manner set forth in paragraph (b) of subrule (3) of rule 15, as if the advanced shares on which the property was mortgaged were being withdrawn.

42. Every mortgage shall provide that a member shall be governed by any subsequent alteration of these rules affecting the mortgage, notwithstanding the provisions originally or from time to time contained in the mortgage.

43. (1) A member who applies for an advance, and who proposes to purchase land and erect buildings or to erect buildings on land owned by him and to mortgage the land to the Society as security for the advance, shall submit plans and specifications relating to those buildings to the Board, and when a mortgage to the Society has been executed, the member shall receive such amount as the valuation committee or valuer from time to time directs.

(2) Upon completion to the satisfaction of the Board of the work on the building or buildings upon land on which an advance has been made, the unpaid balance of the advance shall be paid to the member.

(3) Where a member fails to have a building or buildings, in respect of which an advance has been authorised, completed, the Board may direct the payment of an advance necessary to enable the completion of the building or buildings to be effected, or may, in lieu thereof, sell the property, and in that case the amount due by the member shall be an amount ascertained by reference to the appropriate table, together with all costs, charges and expenses properly incurred by the Society in connection therewith, but if the full amount of the advance has not been advanced on each share, the member shall be deemed to hold advanced and unadvanced shares or parts of shares in the ratio that the amount advanced bears to the amount not advanced, and the member shall be deemed to have withdrawn such shares or parts of shares in accordance with rule 16.

*Valuation of Property.*

44. (1) The Board shall arrange for the valuation of each property submitted to it as security for an advance and shall employ a properly qualified valuer appointed under the Act for the purpose.

(2) A member on whose behalf the property is submitted as security is liable for the proper fee incurred, which fee may be deducted from his advance.

*Survey of Property.*

45. (1) Where the Board considers it desirable, a survey shall be made of any property submitted to it as security for an advance.

(2) The cost of the survey shall be borne by the member on whose behalf the property is submitted as security, and if that cost is not paid within the time fixed by the Board, the cost may be deducted from the amount of the advance.

*Insurance of Mortgaged Property.*

46. (1) The Society shall, for such amount as the Board considers necessary, insure and keep insured with an insurer selected by it from loss or damage by fire and any other cause specified by the Board in the joint names of the Society and the member concerned or, at the discretion of the Board, in the joint names of the Society and the Society as trustee for the member, every dwelling-house and premises mortgaged to the Society.

(2) The amount of every premium paid for so insuring shall be repaid to the Society by the mortgagor within fourteen days after a demand therefor is made, or the amount of the premium may be deducted from any money paid by him to the Society, and if the amount of the premium is not paid within that fourteen days, the member may be fined ten cents per month until the premium is paid.

(3) The Board may require a member to pay to the Society such sum each pay as will, in its opinion, in the aggregate in each year be sufficient to pay the insurance premium on the dwelling-house and premises for the year then next ensuing.

(4) Nothing in this rule prevents the Board from, at any time or from time to time, assigning to any mortgagee of land of the Society the interest of the Society in all or any of the policies covering any buildings or premises mortgaged to the Society or in the joint names of the Society and the Society as trustee for its members.

*Solicitor.*

47. (1) The Board shall arrange with a qualified solicitor or firm of solicitors, to act for the Society.

(2) Where the solicitor retained by the Society, or where a member of the firm of solicitors so retained, submits a property to the Board for the purpose of obtaining an advance for his own use, the Board shall arrange with some other solicitor, or some other firm of solicitors, as the case requires, to act for the Society in that behalf.

48. All costs and expenses in connection with the mortgage of any property, or the variation or discharge thereof, shall be borne by the member obtaining the advance made thereon, and shall not exceed two-thirds of the costs as fixed in the conveyancing scale of costs from time to time fixed pursuant to the Legal Practitioners Act, 1893, as amended.

*Power to Sell Mortgaged Property.*

49. A member may sell property that he has mortgaged in favour of the Society, on condition that the mortgage is discharged in accordance with these rules, or that a purchaser, with the approval of the Board, takes the property subject to the mortgage and takes over the shares of the member on such other conditions as may be imposed by the Board.

*Power to Exchange Security.*

50. The Board may accept from time to time any other security by way of mortgage in exchange for any existing security, or at its discretion may release a part of the property mortgaged on being satisfied that the remainder is sufficient security for the amount of the advance then outstanding.

*General Meeting.*

51. (1) A general meeting of the Society to be known as the Annual General Meeting shall be held each year not later than three months after the end of the financial year of the Society or within such further time as may be allowed by the Registrar or prescribed by regulation, at such place as the Board shall appoint.

(2) If the Board fails in any year to convene a general meeting in the manner prescribed by subrule (1) of this rule, any five members of the Society may, without prejudice to the power of the Board to convene the meeting, convene the annual general meeting to be held within such time as the Registrar may allow.

(3) The ordinary business of the annual general meeting shall be:—

- (a) to confirm minutes of the last preceding annual general meeting and of every general meeting held since that meeting;
- (b) to receive from the Board, the auditors and officers of the Society reports upon the transactions of the Society during the financial year;
- (c) to elect, and determine the remuneration of, directors;
- (d) to elect, and determine the remuneration of, auditors.

52. The annual general meeting may transact special business of which notice has been given in accordance with these rules.

53. (1) The Board may, whenever it thinks fit, convene a special general meeting of the Society.

(2) The Board shall, on the requisition of not less than one-third of the members of the Society, each of whom is the holder of at least one share on which no subscriptions or fines are in arrears, proceed to convene a special general meeting of the Society.

(3) A requisition for a special general meeting presented pursuant to subrule (2) of this rule shall—

- (a) state the objects of the meeting;
- (b) be signed by the requisitionists; and
- (c) be deposited at the registered office of the Society,

and may consist of several documents in the like form, each signed by one or more of the requisitionists.

(4) If the Board does not proceed to cause a special general meeting to be held within twenty-one days from the date on which the requisition therefor was deposited at the registered office, the requisitionists, or any of them, may convene the meeting at any time within three months from the date of the deposit of the requisition.

54. Any special general meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which such meetings are convened by the Board, and all reasonable expenses incurred in so convening the meeting shall be refunded by the Society to the persons by whom those expenses were incurred.

*Notice of General Meetings.*

55. (1) Subject to subrule (2) of this rule, not less than seven days' notice exclusive of the day on which the notice is served or deemed to be served, but inclusive of the day for which notice is given, specifying the place, the day and the hour of meeting and in case of special business the general nature of that business, shall be given of any general meeting in manner hereinafter mentioned to such persons as are, under these rules, entitled to receive notices of general meetings from the Society, but the failure of any member to receive a notice of any general meeting required to be given under subrule (1) of this rule shall not invalidate the proceedings at that meeting.

(2) A special general meeting may be called at a shorter notice at the discretion of the Board.

56. The Board shall cause to be inserted in any notice convening a general meeting, notice of any business of which notice of his intention to move has been given by a member to the secretary of the Board not less than three days before the notice of the meeting is issued.

*Proceedings at General Meetings.*

57. (1) A general meeting shall not proceed to deal with any item of business unless a quorum of members is present at the time when the meeting is considering that item.

(2) Subject to subrule (3) of this rule, five members personally present at a general meeting of the Society constitute a quorum, and if within a quarter of an hour after the appointed time for the meeting a quorum is not present, the meeting—

(a) if convened upon the requisition of members, shall be dissolved; and

(b) if not so convened, shall stand adjourned to the same day in the next week, at the same time and place.

(3) If, at an adjourned meeting convened pursuant to paragraph (b) of subrule (2) of this rule, a quorum is not present within a quarter of an hour after the time appointed for the meeting, the members present shall constitute a quorum.

58. (1) The chairman of the Board, if one has been appointed, shall preside as chairman at every general meeting of the Society at which he is present.

(2) If there is no chairman of the Board or if at any meeting he is not present within fifteen minutes after the time appointed for holding the meeting or is unwilling to act as chairman, the members present shall choose one of their number to be chairman of that meeting.

59. (1) The chairman may, with the consent of any meeting at which a quorum is present, and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment arose.

(2) When a meeting is adjourned for fourteen days or more, the same notice of the adjourned meeting shall be given as is required in the case of an original meeting.

60. (1) At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands without any counting of the votes unless a poll is either before, or on declaration of the result of the show of hands, demanded by at least five members, and unless a poll is so demanded, a declaration by the chairman that a resolution has on a show of hands been carried, or carried unanimously or by a particular majority or lost and an entry to that effect in the book of the proceedings of the Society shall be evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

(2) If a poll is duly demanded at a meeting it shall be taken in the manner directed by the chairman and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

(3) In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the meeting at which the show of hands takes place, or at which the poll is demanded, is entitled to a second or casting vote.

61. A poll demanded on the election of a chairman or on a question of adjournment, shall be taken forthwith and a poll demanded on any other question shall be taken at such a time before the close of the meeting as the chairman of the meeting directs.

*Voting of Members.*

62. (1) Each member present in person at a meeting who holds an ordinary share or an advanced or unadvanced share is entitled to cast one vote, if all payments due to the Society on at least one of his shares are up to date.

(2) Where a share is registered in the names of two or more joint holders, the vote of the most senior holder who tenders a vote shall be accepted to the exclusion of the vote of the other joint holders, and, for this purpose, seniority shall be determined by the order in which the names of the joint holders stand in the register of members, unless all the joint holders of the share have previously, in writing, directed the Board to the contrary.

*Board of Directors.*

63. The Board shall consist of not less than five persons appointed to be directors of the Society, each of whom shall be the holder of at least one ordinary or advanced or unadvanced share.

64. (1) The first directors shall be appointed at the meeting held for the formation of the Society.

(2) At the first Annual General Meeting of the Society, all the directors appointed pursuant to subrule (1) of this rule shall retire and an election of directors to fill their places shall be held, but any director who so retires is eligible for election under this subrule.

65. (1) At the second Annual General Meeting of the Society, one-fifth of the directors shall retire and, at the Annual General Meeting in each subsequent year, one-fifth of the directors shall retire in rotation.

(2) The directors to retire in any year shall, subject to the provisions as to filling casual vacancies, be those who have been longest in office since their last election, but as between persons who became directors on the same day, those to retire shall, unless otherwise agreed among themselves, be determined by lot.

(3) A retiring director shall be eligible for re-election.

66. (1) The Society at the general meeting at which a director retires pursuant to rule 65 may fill the vacated office by electing a person thereto.

- (2) The election of directors shall be conducted in the following manner—
- (a) any nomination of a person, other than a retiring director, shall be signed by two or more members, be accompanied by a notice in writing under the candidate's hand signifying his candidature for office, and be lodged at the registered office at least three clear days before the meeting;
  - (b) a retiring director is to be deemed to have been nominated unless he has otherwise advised the secretary;
  - (c) the ballot for the election of directors shall be conducted at the meeting in such proper manner as the Board directs.

67. (1) If at any general meeting at which the election of a director ought to have taken place, the place of a retiring director or any of them was not filled, the meeting shall stand adjourned until the same day in the next week, at the same time and place, and that adjourned meeting may receive nominations and elect a person to the vacant position.

(2) If at the adjourned meeting the place or places of a retiring director or directors is or are not filled, that retiring director or those directors shall unless they otherwise wish be deemed to have been re-elected at the adjourned meeting.

68. Subject to rule 69 any vacancy occurring in the Board other than by rotation or retirement may be filled by the Board, and the person so chosen shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected a director.

69. The Society may by resolution remove any director before the expiration of his period of office, and may by simple majority at the same, or any other meeting, appoint another person in his stead, and the person so appointed shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected a director.

*Proceedings of the Board.*

70. (1) The Board may meet for the despatch of business, adjourn and otherwise regulate its meetings as it thinks fit, but so that a meeting of the Board is held at least once every two months.

(2) Any question arising at a meeting of the Board shall be decided by a majority of votes, and in the case of an equality of votes, the chairman shall have a second or casting vote.

(3) The chairman or any two directors may, at any time, and the secretary on the requisition of the chairman or any two directors, shall at any time, summon a meeting of the Board.

71. (1) The quorum of any meeting of the Board shall be not less than half the number of directors, but shall not in any event be less than three.

(2) The Board may act notwithstanding any vacancy in its body, unless its number is reduced below the number fixed by or pursuant to these rules as the necessary quorum for any meeting of the Board, in which event the Board may act only for the purpose of increasing its number to that number, or of summoning a general meeting of the Society, but for no other purpose.

72. The Board shall elect a chairman for its meetings at the first meeting of the Board after each Annual General Meeting of the Society, but if a chairman is not so elected or if at any meeting the chairman is not present within fifteen minutes after the time appointed for holding that meeting, the directors present may choose one of their number to be chairman of that meeting.

73. The Board may delegate any of its powers to committees consisting of such members of the Society as it thinks fit, and any committee so constituted shall, in the exercise of the powers so delegated to it, comply with any valid directions given to it by the Board.

74. A committee may elect a chairman of its meetings and if a chairman is not so elected or if at any meeting the chairman is not present within fifteen minutes after the time appointed for holding the meeting, the committee may choose one of its number to be chairman of that meeting.

75. (1) A committee may meet and adjourn as it thinks proper.

(2) Questions arising at any meeting of a committee shall be determined by a majority of votes of the members present, and in cases of any equality of votes, the chairman of that meeting shall have a second or casting vote.

*Duties and Powers of the Board.*

76. The business and operations of the Society shall be managed and controlled by the Board, and for that purpose the Board, subject to the Act and these rules, shall have and may exercise the powers of the Society as if those powers had been expressly conferred on the Board by a general meeting of the Society.

77. Every director acting in the business or operations of the Society in pursuance of a resolution duly passed by the Board shall be deemed to be the authorised agent of the Society for all purposes within the objects of the Society.

78. The directors shall be entitled to receive—

- (a) such remuneration, for their services, not exceeding an amount prescribed from time to time by Regulations made under the Act, as the Society at the Annual General Meeting from time to time approves; and
- (b) a refund of all necessary expenses incurred by them in the business of the Society.



79. The Board shall cause minutes of all the proceedings at general and Board meetings to be made in books to be kept for that purpose and shall include in those minutes details of—

- (a) all appointments of officers and employees made by the Board; and
- (b) of the names of the directors present at each meeting of the Board and of any committee of the Board.

80. The Board shall cause to be kept at the registered office of the Society and made available at all reasonable times to inspection by any member or creditor without fee—

- (a) a copy of the Act and the Regulations;
- (b) a copy of these rules;
- (c) a copy of the last balance sheet and profit and loss account for the time being together with the auditor's report;
- (d) a register of directors, members and shares;
- (e) a register of loans raised and securities given by the Society.

81. The Board shall ensure that a copy of each annual return prepared, attested and countersigned pursuant to section 34 of the Act be held available at the registered office of the Society for the perusal of members for a period of not less than fourteen days before the date of the Annual General Meeting next convened after the preparation of that return and may send a copy of that return to each member with the notice of that meeting, but in any event shall make a copy of the return available to any member free of charge on request.

*Appointment and Removal of Officers.*

82. Without prejudice to the general powers conferred on the Board by the Act or by these rules the Board may appoint, remove or suspend officers and fix the powers, duties and remuneration of those officers and may delegate to one or more of its number the powers conferred on it by this rule.

*Audit.*

83. (1) The auditor of the Society shall, subject to subrules (2) and (3) of this rule, be appointed at each Annual General Meeting to hold office until the next Annual General Meeting.

(2) The first auditor of the Society may be appointed by the Board before the first Annual General Meeting, and if so appointed, shall hold office until the first Annual General Meeting unless previously removed by a resolution of the members at a general meeting, in which case the members at that meeting may appoint an auditor to act until the first Annual General Meeting.

(3) If an appointment of an auditor is not made at any Annual General Meeting, the Board shall appoint an auditor of the Society for the next year.

(4) An officer of the Society may not be appointed auditor of the Society.

84. (1) A person, other than a retiring auditor, shall not be capable of being appointed auditor at an Annual General Meeting unless notice of an intention to nominate that person to the office of auditor has been given by a member of the Society not less than fourteen days before the Annual General Meeting.

(2) The secretary shall send a copy of any notice referred to in subrule (1) of this rule to the retiring auditor.

(3) The Board may fill any casual vacancy in the office of auditor but while any such vacancy continues, the serving or continuing auditor or auditors, if any, may act.

85. (1) The remuneration of the auditors of the Society, other than of an auditor appointed by the Board, shall be fixed by the Society in general meeting.

(2) The remuneration of any auditors appointed by the Board may be fixed by the Board, if the Society in general meeting fails to fix the remuneration of any auditor so appointed.

86. The Board shall cause the auditors to have access to all books, accounts, vouchers, securities and documents of the Society and to be furnished with such information and explanation by the directors and other officers as may be necessary for the performance of their duties as auditors.

87. The books of the Society shall be audited as early as possible after the close of each financial year.

*Settlement of Disputes.*

88. (1) Subject to subrule (2) of this rule, every dispute between a member and the Society shall be settled by reference to arbitration in accordance with the provisions of the Arbitration Act, 1895, as amended.

(2) Nothing in this rule extends to any dispute as to the construction or effect of any mortgage or of any contract contained in any document other than the Rules of the Society.

*Security by Officers.*

89. Every officer of the Society having the receipt or charge of any money belonging to the Society shall give security in the form of a Bond in such amount as the Board determines, being an amount not less than one-half per centum of the amount originally borrowed by the Society, for rendering a just and true account of all moneys received and paid by him on account of the Society and for payment of all sums of money due by him to the Society at such times as is required by these rules or as the Board requires.

*Banking.*

90. (1) The Board shall cause to be opened a banking account in the name of the Society, into which all moneys received shall be paid as soon as possible after receipt.

(2) All cheques drawn on the banking account of the Society, and all drafts, bills of exchange, promissory notes, and other negotiable instruments for and on behalf of the Society, shall be signed by any one director, and countersigned by the secretary or other person authorised by the Board in writing for the purpose.

*Management.*

91. (1) Every member shall pay, in addition to all other amounts payable under these rules, such amount per share per month, not exceeding four and three-eighths cents, calculated from the first pay as the Board shall from time to time determine, which amount shall be applied towards the management expenses of the Society, and a separate account of the moneys received and expended on account of those expenses shall be kept.

(2) A member joining after the first pay of the Society or his group shall forthwith pay the charges for management expenses for the elapsed period together with the further sum calculated in respect of subscriptions for that period ascertained in accordance with the appropriate table and if all such payments are not so made the member shall be fined one cent per day per advanced or unadvanced share until the date of payment unless, at the same time as payment of the whole of the arrears is effected, the member pays in advance as many payments as there were, at that time, in arrears.

*Charge on Shares.*

92. The Society shall have a charge upon the share or interest in the capital and on the credit balance of a member or past member in respect of any debt due from the member or past member to the Society, and may set off any sum credited or payable to such member or part member in or towards payment of the debt.

*Alteration of Rules.*

93. The making of a new rule or the alteration of an existing rule shall be effected by a resolution passed by a majority of not less than three-fourths of the members entitled to vote, present in person at a general meeting of which notice specifying the intention to propose the resolution has been given.

*Death of Member.*

94. (1) On the death of a member, the Board may transfer his share or interest in the Society to—

- (a) the executor or administrator of the member; or
- (b) a person specified by the executor or administrator in an application made to the Society within three months after the death of the member,

if the proposed transferee is qualified to be a member of the Society and if the transfer would not increase his holding in the Society beyond the proportion or value allowed by these rules.

(2) If—

- (a) there is no transferee willing to have the shares or interest of a deceased member transferred to him; or
- (b) there is no transferee capable of having the share or interest transferred to him,

the Board may purchase the shares and pay the amount of the purchase moneys to the executor or administrator, but the Board is not bound to make any payment until all moneys due from the deceased member or his estate have been paid to the Society.

95. Subject to section 32 of the Act, no transfer or payment referred to in rule 94 shall be made unless a certificate of the Commissioner of Probate Duties has been produced to the Society.

96. Any person who becomes entitled to a share by reason of the death or bankruptcy of the holder is entitled to the same advantages to which he would be entitled if he were the registered holder of the share, except that he shall not, before being registered as a member in respect of the share, be entitled in respect of it to exercise any right conferred by membership in relation to meetings of the Society.

*Notices.*

97. (1) A notice may be given by the Society to any member either personally or by sending it by post to him to his registered address, or if he has no registered address in this State, to the address, if any, within the State supplied by him to the Society for the giving of notices to him.

(2) Where a notice is sent by post, service of the notice may be effected by properly addressing, prepaying and posting a letter containing the notice and, unless the contrary is proved, service of the notice is presumed to have been effected at the time at which the letter would be delivered in the ordinary course of the post.

(3) If a member has no registered address in this State and has not supplied to the Society an address within the State for the giving of notices to him, a notice addressed to him and advertised in a newspaper circulating in the neighbourhood of the registered office of the Society shall be deemed to be duly given to him on the date on which the advertisement appears.

(4) A notice may be given by the Society to the joint holders of a share by giving the notice to the joint holder named first in the register in respect of the share.

(5) A notice may be given by the Society to the persons entitled to a share in consequence of the death or bankruptcy of a member by sending it through the post in a prepaid letter addressed to them by name, or by the title representative of the deceased or trustees of the bankrupt or by any like description at the address if any in this State supplied to the Society for the purpose by the persons claiming to be so entitled or, if such an address has not been so supplied, by giving the notice in any manner in which the notice might have been given if the death or bankruptcy had not occurred.

98. Notice of every general meeting shall be given to—

- (a) every member of the Society except those members who have no registered address within the State for the giving of notices to them; and
- (b) every person entitled to a share in consequence of the death or bankruptcy of a member, who but for his death or bankruptcy would be entitled to receive notice of the meeting.

*Winding Up.*

99. (1) At any time after a loan has been made on each share in the Society or where groups have been established within the Society, in any particular group, as the case requires, the Board may fix a pay to which subscriptions and loan payments shall accrue, which pay shall be fixed at the earliest date on which it appears that all outside liabilities will be discharged, and upon the happening of those events the Society or the particular group within the Society as the case requires, shall terminate.

(2) Where groups have been established within the Society, the Society shall terminate upon the termination of the last group remaining.

(3) Subject to rule 100, subscriptions and loan payments shall not accrue after the pay fixed pursuant to subrule (1) of this rule, but members shall be liable for any other sums payable by them under these rules.

100. Where a deficiency exists at the winding up of the Society or group, the deficiency shall be borne by members in proportion to the number of shares held by each member in the Society or group, as the case requires.

101. Upon the commencement of the winding up of the Society or any group therein, the subscriptions of members shall be credited to their loan accounts, and any surplus shall be distributed to members in proportion to the number of shares held by each member in the Society or group.

Form A.

APPLICATION FOR SHARES.

To: The ..... Building Society,  
.....

I hereby apply for ..... unadvanced subscription share(s) in  
this Society, and I agree to accept the same or any less number, subject  
to the Rules of the Society. The entrance fee of ..... per share,  
namely ..... is forwarded herewith.

Full name.....  
Signature .....  
Address .....  
.....  
Description .....  
Marital Status .....  
Date.....