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No. 8]

PERTH: TUESDAY, 6th FEBRUARY

[1968

AT a meeting of the Executive Council held in the Executive Council Chamber, at Perth on the 17th day of January, 1968, the following Order in Council was authorised to be issued:—

Inspection of Machinery Act, 1921-1958.

ORDER IN COUNCIL.

Mines 4386/67.

WHEREAS it is enacted by section 82 of the Inspection of Machinery Act, 1921-1958, that the Governor may from time to time, by Order in Council, make regulations for any of the matters specified in that section: Now, therefore, His Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Act hereby makes the regulations set out in the Schedule hereunder.

Schedule. Regulations.

1. In these regulations the regulations made under the provisions of the Inspection of Machinery Act, 1921, reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* of the 7th February, 1967, with all amendments up to and including the 29th April, 1964 and the amendments that pursuant to the provisions of section 8 of the Decimal Currency Act, 1965 are deemed for the purposes of that reprint to be amendments to those regulations and as subsequently amended by notice published in the *Government Gazette* on the 28th December, 1967, are referred to as the principal regulations.

Principal regulations.

2. The principal regulations under the heading "REGULATIONS RELATING TO THE CONDUCT OF EXAMINATIONS, QUALIFICATIONS OF APPLICANTS, AND THE GRANTING OF CERTIFICATES TO ENGINE DRIVERS, CRANE AND HOIST DRIVERS, AND BOILER ATTENDANTS." are amended by adding after subregulation (7) of regulation 32, a subregulation as follows:—

(8) An applicant for a restricted Crane and Hoist Drivers' Certificate, which may be granted by the Board in respect only of cantilever ship unloading cranes that are—

- (a) operated by power other than hand or animal power;
- (b) controlled by the Fremantle Port Authority; and
- (c) used for handling cargo,

shall comply with paragraphs (a), (b) and (c) of subregulation (2) of this regulation, and shall produce satisfactory evidence that he has, under the supervision of a person who is the holder of a certificate entitling that person to have charge of a cantilever ship unloading crane or an overhead electric travelling crane, assisted in driving one or both of those types of cranes for periods totalling at least 200 hours or where the applicant is the holder of a certificate under subregulation (7) of this regulation, periods totalling 100 hours.

W. S. LONNIE,
Clerk of the Council.

STAMP ACT, 1921-1967.

Office of the Commissioner of Stamps,
Perth, 17th January, 1968.

HIS Excellency the Governor in Executive Council, acting in pursuance of the provisions of section 120 of the Stamp Act, 1921-1967, has been pleased to make the regulations set forth in the Schedule hereunder.

K. J. TOWNSING,
Commissioner of Stamps.

Schedule.
Regulations.

- Principal regulations. 1. In these regulations the Stamp Act Regulations, 1966, published in the *Government Gazette* on the 9th February, 1966, as amended thereafter by notices so published, are referred to as the principal regulations.
- Reg. 42A added. 2. The principal regulations are amended by adding after regulation 42, the following heading and regulation:—
Prescribed Crown Instrumentality, Agent of the Crown or Government Authority.
- 42A. For the purposes of paragraph (20c), under the heading "Exemptions" following the heading "RECEIPT" in the Second Schedule to the Act, The State Electricity Commission of Western Australia, established under the State Electricity Commission Act, 1945, is prescribed as a Crown instrumentality to which the exemption granted by that paragraph applies.

MARRIED PERSONS AND CHILDREN (SUMMARY RELIEF) ACT,
1965-1967.

Crown Law Department,
Perth, 17th January, 1968.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Married Persons and Children (Summary Relief) Act, 1965-1967, has been pleased to make the Rules of Court set out in the Schedule hereunder.

R. C. GREEN,
Under Secretary for Law.

Schedule.
Rules.

1. In these rules the Married Persons and Children (Summary Relief) Rules, 1966, published in the *Government Gazette* on the 25th February, 1966, are referred to as the principal rules.
2. Rule 8 of the principal rules is amended—
(a) by adding, after the rule number, "8." the subrule designation, "(1)"; and
(b) by adding the following subrule:—
(2) Complaints and applications shall be made in writing and, except as otherwise provided by the Act and these rules, shall be made by way of complaint and summons or notice of application, as the case may require. .
3. The principal rules are amended by adding, after rule 12, the following rule:—
12A. A person requiring leave, or an extension of time within which, to make a complaint, as provided by the Act, shall apply for an order by *ex parte* application, supported by affidavit. .

4. Rule 21 of the principal rules is amended by adding after the word, "may", in line three of subrule (1), the passage, ", at any time prior to the day fixed for the hearing of the proceeding."

5. Rule 22 of the principal rules is amended by substituting for the word, "marriage", being the last word in the rule, the word, "complaint".

6. Rule 38 of the principal rules is amended by substituting for the word, "names", in line one of paragraph (d), the word, "means".

7. The principal rules are amended by adding, after rule 53, the following rule:—

54. (1) Subject to any express directions given by the person making the payment, moneys paid pursuant to a provision of an order are deemed to be a payment made to the person entitled to receive it, in satisfaction, to the extent of the payment, firstly, of any amounts due and unpaid under the provision (an amount due at an earlier date being satisfied before an amount due at a later date) and, secondly, of any costs payable in respect of the enforcement of the provision.

(2) Subject to any express direction given by the person making the payment, the clerk may disburse moneys paid pursuant to a provision of an order, notwithstanding that the moneys have not then become due and payable.

(3) Where a person who is obliged to make payments under two or more provisions of an order or under the provisions of two or more orders pays an amount that is less than the aggregate amount payable under those provisions, without giving any direction as to the appropriation of the moneys so paid, the clerk may, subject to the preceding provisions of this rule, appropriate the moneys so paid for or towards the satisfaction of the amounts payable, in such manner as he thinks proper.

8. The First Schedule to the principal rules is amended—

(a) by substituting for Form 19 the following form:—

Form 19.

(Heading as in Form 10.)

COLLECTOR'S CERTIFICATE IN RESPECT OF MAINTENANCE ORDER.

I, _____ of Summary Relief Court, Perth, in the State of Western Australia, certify as follows:—

1. I am the Collector of Maintenance for the State of Western Australia under the provisions of the Married Persons and Children (Summary Relief) Act, 1965.

2. Attached to this certificate are three certified copies of a maintenance order / and of an order (or orders) varying that maintenance order / particulars of which are as follows:—

3. The maintenance order, as now in operation, is presently enforceable in the Summary Relief Court at Perth pursuant to the provisions of the Married Persons and Children (Summary Relief) Act, 1965, and is not presently enforceable in any State or Territory of the Commonwealth other than the State of Western Australia.

4. The present effect of the maintenance order is to require the abovenamed defendant to pay to the sum of \$ _____ per week for the maintenance of _____ and the sum of \$ _____ per week for the maintenance of _____.

5. It has been made to appear to me that the defendant is resident in, or proceeding to _____ in the State/Territory of _____.

6. There is now remaining due and unpaid under the maintenance order—

- (a) being enforceable by imprisonment \$ c.
- (b) not being enforceable by imprisonment
- (c) amount in respect of which a court has previously on disobedience proceedings declined to order that the defendant be imprisoned by reason of—
 Arrears as at / / being
 Date last periodical payment fell due

TOTAL _____

Dated at Perth this _____ day of _____ 19 _____
Collector of Maintenance.

TO The Collector of Maintenance at _____ ; and
(b) by adding, after Form 33, the following forms:—

Form 34.

(Heading as in Form 10.)

NOTICE OF BIRTH PURSUANT TO SECTION 18A (4).

To the abovenamed Defendant,
of _____

WHEREAS an order was made against you in the Summary Relief Court sitting at _____ on the _____ day of _____ 19 _____, whereby you were directed to pay _____ for or towards the maintenance of the child of _____, then unborn: NOW TAKE NOTICE that a child named _____ (or unnamed) was born to the said _____ on the _____ day of _____ 19 _____, at _____, and that you are accordingly obliged to make the first payment directed by the said order on the _____ day of _____ 19 _____, at _____, and so on from week to week (month to month) thereafter, until further order or until the said child attains the age of sixteen years.

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

Clerk of the Summary Relief Court.

Form 35.

(Heading as in Form 10.)

NOTICE OF ELECTION NOT TO ENFORCE A PROVISION OF AN ORDER.

(Section 28 (6).)

To the Clerk of the Summary Relief Court sitting at _____
WHEREAS an order was made against the abovenamed defendant in the Summary Relief Court sitting at _____, whereby the defendant was directed to pay—

- (a) _____ for or towards the maintenance of _____ ; and
- (b) _____ for or towards the maintenance of _____ ; and
- (c) _____ for or towards the maintenance of _____ ;

NOW TAKE NOTICE that I _____, being the person entitled to enforce payments under the said order, hereby elect not to enforce the provision of the order for the payment of _____ for or towards the maintenance of _____, on and after the _____ day of _____, 19 _____.

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

Signed by the said _____ }
in the presence of: _____ }
Witness _____

Form 36.

(Heading as in Form 10.)

CERTIFICATE AS TO AN AMOUNT ORDERED TO BE PAID
AND PAYMENT MADE.

Date of Order:

Order:

Person liable to make payments under Order:

I Clerk of the Summary Relief Court
at certify that it appears from the records
of the Summary Relief Court at
that:—

(Set out particulars required in accordance with Section 97 (2).)

Dated the _____ day of _____,
19 _____

Clerk of the Summary Relief Court
at _____

HEALTH ACT, 1911-1966.

Department of Public Health,
Perth, 17th January, 1968.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Health Act, 1911-1966, has been pleased to make the regulations set forth in the Schedule hereunder.

W. S. DAVIDSON,
Commissioner of Public Health.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Meat Inspection and Branding Regulations, made under the provisions of the Health Act, 1911 (as amended), published in the *Government Gazette* on the 1st December, 1950 and reprinted pursuant to the Reprinting of Regulations Act, 1954 in the *Government Gazette* on the 28th April, 1965, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

Reg. 3 substituted.

2. Regulation 3 of the principal regulations is revoked and the following regulation substituted:—

3. (1) No person shall, within any of the health districts or areas specified in Schedule B of these regulations,—

(a) sell, offer to sell or expose for sale; or

(b) purchase for resale, or otherwise acquire for resale, any carcase or portion of a carcase that does not bear a mark or brand indicating that it has been passed as wholesome in accordance with regulation 2 of these regulations.

(2) No person shall, within any of the health districts or areas specified in Schedule B of these regulations,—

(a) sell, offer to sell or expose for sale; or

(b) purchase for resale, or otherwise acquire for resale, any piece meat or comminuted meat unless that meat is accompanied by a certificate signed by an inspector or veterinary officer indicating that the meat has been inspected and passed as wholesome.

Reg. 4 revoked.

3. Regulation 4 of the principal regulations is revoked.

Reg. 4A amended.

4. Regulation 4A of the principal regulations is amended by adding after the word, "carcase" last appearing in line five, the words, "or any other meat".

HEALTH ACT, 1911-1966.

Notice.

Department of Public Health,
Perth, 24th January, 1968.

P.H.D. 1156/62.

WHEREAS it is enacted, *inter alia*, by section 134 of the Health Act, 1911-1966, that a local authority may, and when the Commissioner so requires shall, make by-laws for any other purpose which the Governor deems necessary and notifies in the *Government Gazette* as calculated to safeguard the public health: Now, therefore, His Excellency the Governor in Executive Council deems the following to be a purpose for which by-laws may be made as calculated to safeguard the public health, namely:—

Regulating or prohibiting the erection of buildings containing more than two dwelling units on land within the Metropolitan Water Supply, Sewerage, and Drainage Area as constituted under the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909, where there is no sewer vested in the Metropolitan Water Supply, Sewerage, and Drainage Board into which the land can be drained.

Approved by His Excellency the Governor in Executive Council this 17th day of January, 1968.

W. S. LONNIE,
Clerk of the Council.

HEALTH ACT, 1911-1966.

Shire of Bridgetown.

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

Part 1—General Sanitary Provisions.

After by-law 14 insert a new heading and by-law 14A to read as follows:—

Prescribed Areas—Section 112A.

14A. The areas described in the Schedule hereto are prescribed as areas within which the provisions of Section 112A of the Act shall operate and have effect.

Schedule.

Within an area of the townsite of Bridgetown bounded by Allnutt Street, Nelson Street, Bunbury Street, Roe Street, Dean Street, Giblett Street, Blechyn-den Street, Davidson Street, Phillip Street, Spencer Street, Carey Street, Coronation Street, Walter Street, Hampton Street, Stewart Street, Hester Street, Henry Street, and Allnutt Street.

Passed at a meeting of the Bridgetown Shire Council this 20th day of October, 1967.

[L.S.]

W. S. BAGSHAW,
President.
E. C. MOLYNEUX,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 17th day of January, 1968.

W. S. LONNIE,
Clerk of the Council.

HEALTH ACT, 1911-1966.

Shire of Esperance.

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

PART 1—GENERAL SANITARY PROVISIONS.

Amend by-law 3 by adding after the word "condition" where it appears in line three of paragraph (2), the following words:—

" , except in the case of multiple shops or offices, under which circumstances the owner of such premises shall carry out the requirements, as stipulated."

Passed at a meeting of the Esperance Shire Council held on the 28th day of November, 1967.

[L.S.]

ORLANDO STUART,
President.
J. F. CAMERON,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 17th day of January, 1968.

W. S. LONNIE,
Clerk of the Council.

TRAFFIC ACT, 1919-1967.

Police Department,
Perth, 17th January, 1968.

Police 65/2066.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1967, has been pleased to make the regulations set out in the schedule hereunder.

The notice amending regulation 1610 of the Road Traffic Code, 1965, appearing in the *Government Gazette*, on the 28th December, 1967, at page 3572, was published in error and is of no effect.

R. T. NAPIER,
Commissioner of Police.

Schedule.

Regulations.

- Principal regulations. 1. In these regulations the Road Traffic Code, 1965, published in the *Government Gazette* on the 30th December, 1965, and amended by regulations so published on the 20th January, 1966, the 31st May, 1966, the 7th September, 1966, the 30th September, 1966, the 16th August, 1967, and the 12th October, 1967, are referred to as the principal regulations.
- Reg. 1610 amended. 2. Regulation 1610 of the principal regulations is amended—
- (a) by substituting for subregulation (5) the following subregulation—
 - (5) A person shall not drive a vehicle towing a trailer, while a person is in or upon the trailer. ;
 - (b) by substituting for the words, "a caravan", in paragraph (a) of subregulation (6), the passage, "or upon a trailer."

TRAFFIC ACT, 1919-1967.

Police Department,
Perth, 17th January, 1968.

Police 65/2066.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1967, has been pleased to make the regulations set out in the schedule hereunder.

The notice amending regulation 1210 of the Road Traffic Code, 1965, appearing in the *Government Gazette*, on the 28th December, 1967, at page 3572, was published in error and is of no effect.

R. T. NAPIER,
Commissioner of Police.

Schedule.

Regulations.

Principal regulations. 1. In these regulations the Road Traffic Code, 1965, published in the *Government Gazette* on the 30th December, 1965, and amended by regulations so published on the 20th January, 1966, the 31st May, 1966, the 7th September, 1966, the 30th September, 1966, the 16th August, 1967, and the 12th October, 1967, are referred to as the principal regulations.

Reg. 1210 amended. 2. Regulation 1210 of the principal regulations is amended by substituting for paragraph (b) of subregulation (1), the following paragraph:—

- (b) the use of a lamp or lamps displaying intermittent amber flashes, upon—
- (i) an emergency vehicle conveying a traffic inspector;
 - (ii) a special purpose vehicle occupying a hazardous position on a road, while stationary or manoeuvring at a speed not exceeding five miles per hour; and
 - (iii) a disabled motor vehicle (not being a motor cycle) that is stationary on the main travelled portion of the carriageway and is displaying the flashes from both sides of the front and of the rear of the vehicle by means of a flashing lamp turn signalling device fitted in compliance of the Vehicle Standards Regulations, 1965.

TRAFFIC ACT, 1919-1967.

Police Department,
Perth, 17th January, 1968.

Police 65/2066.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1967, has been pleased to make the regulations set out in the schedule hereunder.

R. T. NAPIER,
Commissioner of Police.

Schedule.

Regulations.

Principal regulations. 1. In these regulations the Road Traffic Code, 1965, published in the *Government Gazette* on the 30th December, 1965, and amended by regulations so published on the 20th January, 1966, the 31st May, 1966, the 7th September, 1966, the 30th September, 1966, the 16th August, 1967, and the 12th October, 1967, are referred to as the principal regulations.

Reg. 1004
amended.

2. Regulation 1004 of the principal regulations is amended—
- (a) by adding after the word, "cycle"—
 - (i) in line one of paragraph (a);
 - (ii) in line one of paragraph (b); and
 - (iii) in line nine, of the regulation, the words, "or a three wheeled vehicle", in every case; and
 - (b) by substituting for the passage, "at a distance of 160 feet," at the end of the regulation, the passage,
 - (c) where the engine capacity does not exceed 100 c.c. at a distance of 75 feet; and
 - (d) where the engine capacity exceeds 100 c.c. but does not exceed 200 c.c. at a distance of 120 feet."

(This notice supersedes that published on page 132 of *Government Gazette* (No. 5) of 23rd January, 1968.)

GOVERNMENT RAILWAYS ACT, 1904-1965.

Railways Department,
Perth, 23rd January, 1967.

THE Western Australian Government Railways Commission, in exercise of the powers conferred on it by section 23 of the Government Railways Act, 1904-1965, doth hereby make the by-laws set out in the schedule hereunder.

J. B. HARRIGAN,
Commissioner of Railways.

Schedule.

By-laws.

1. In these by-laws, by-law number 66A, "Western Australian Government Railways Cadet By-law" published in the *Government Gazette* on the 17th April, 1953, as amended thereafter from time to time by notices so published, is referred to as the principal by-law.

2. The principal by-law is revoked and the following by-law is substituted:—
BY-LAW No. 66A.

1. This by-law may be cited as the "Western Australian Government Railways Cadet By-law".

2. This by-law governs the appointment of Engineering Cadets, Chemistry Cadets and Junior Draftsmen in the Western Australian Government Railways and the conditions of their service after appointment.

3. In this by-law, unless the contrary intention appears—

"Chief Civil Engineer" means the Chief Civil Engineer of the Commission;
"Chief Mechanical Engineer" means the Chief Mechanical Engineer of the Commission;

"clause" means a clause in this by-law;

"Institute" means the Western Australian Institute of Technology;

"Leaving" means Leaving Certificate examination of the Public Examinations Board of Western Australia or an equivalent examination;

"University" means the University of Western Australia.

PART ONE—GOVERNING THE APPOINTMENT OF CIVIL, MECHANICAL OR ELECTRICAL ENGINEERING CADETS ATTENDING FULL TIME COURSES AT THE UNIVERSITY AND THE CONDITIONS OF THEIR SERVICE AFTER APPOINTMENT.

4. In this Part unless the contrary intention appears—

"cadet" means a cadet under this Part and "cadetship" has a corresponding meaning.

5. Applications for appointment as a cadet shall be invited by public advertisement by the Chief Civil Engineer or the Chief Mechanical Engineer, as the case requires.
6. An applicant for appointment as a cadet shall—
- (a) have matriculated in the University Faculty of Engineering, but subject to the Commission giving preference in appointment to applicants who have passed the Leaving in English, Mathematics A, Mathematics B, Physics and Chemistry;
 - (b) produce to the Commission—
 - (i) evidence of the matriculation required under subclause (a) of this clause and of the subjects passed in the Leaving;
 - (ii) evidence of his date of birth;
 - (iii) evidence as to his good character;
 - (iv) a chest x-ray examination certificate and a medical certificate from the Railways Medical Officer certifying that the applicant is in good health, of sound constitution, and not affected by any physical infirmity that would interfere with the proper exercise of his professional duties;
 - (v) a questionnaire completed by him on the form obtainable at the office of the Chief Civil Engineer or the Chief Mechanical Engineer.
7. (1) A cadet shall be articted to the Chief Civil Engineer or Chief Mechanical Engineer, as the case requires, for the term prescribed in clause 8, but his appointment in the first instance will be subject to a period of twelve months' probation.
- (2) Before the expiration of a cadet's period of probation the Chief Civil Engineer or the Chief Mechanical Engineer, as the case requires, shall report to the Commission on—
- (a) the manner in which the cadet has performed his duties;
 - (b) the progress the cadet has made in the course of study leading to the degree of Bachelor of Engineering; and
 - (c) his general progress and conduct,
- and upon receipt of such report the Commission shall confirm or annul the appointment.
8. (1) Subject to the provisions of clauses 9 and 10, a cadet shall serve for a term of four years, during which period he shall—
- (a) attend the University as a full-time student in the Faculty of Engineering and take the course of study leading to the degree of Bachelor of Engineering; and
 - (b) receive practical instruction and undergo courses of training as may be prescribed by the Chief Civil Engineer or the Chief Mechanical Engineer, as the case requires.
- (2) A cadet shall be granted leave without pay to attend the University as a full-time student during the official terms and the annual examination period of each academic year.
- (3) The whole of the period of cadetship not required in attendance at the University shall be spent in the service of the Commission under the direction of the Chief Civil Engineer or the Chief Mechanical Engineer, as the case requires.
9. A cadet shall be deemed not to have completed his cadetship until he has—
- (a) served the prescribed term of cadetship or any due extension thereof; and
 - (b) obtained the degree of Bachelor of Engineering of the University of Western Australia.
10. If, at the end of the prescribed term of his cadetship a cadet has not passed the qualifying examinations for the degree referred to in clauses 8 and 9, his cadetship may be extended at the discretion of the Commission for a further period not exceeding two years.
11. At any time after a cadet has completed one year of the prescribed term of cadetship, if in the opinion of the officer to whom he is articted, the cadet's progress or general conduct, or both, have not been satisfactory, his cadetship may be cancelled on the approval of the Commission.

12. A cadet, as soon as he is qualified by age, shall become a student member of either the Institution of Engineers, Australia, or the Institution of Civil, Mechanical or Electrical Engineers, London.

13. During the whole term of his cadetship and any due extension thereof, a cadet shall be subject to the Western Australian Government Railways Act, 1904-1965, and the Rules and Regulations of the Railways Commission relating to the permanent staff to the extent which those provisions are capable of being applied with or without adaptation to the cadet.

14. Annual leave shall be granted to a cadet in accordance with the provisions of the Railway Officers' Award No. 8 of 1965 as amended from time to time and the time spent in attendance at the University shall count towards qualification in any year for the computation of such leave.

15. All time actually served in the employment of the Commission during the term of cadetship shall count as service for computation of the qualifying period for entitlement to long service leave but periods of leave without pay to attend the University, or for any other reason, shall not count as service for such entitlement.

16. (1) A cadet shall be entitled to sick leave on the basis provided for in the Railway Officers' Award No. 8 of 1965, as amended from time to time, such leave to be paid at the rate of—

- (a) if the cadet is on leave attending the University at the time the sick leave is required, the sustenance allowance he is in receipt of at that time under clause 17; or
- (b) if the cadet is actually employed in the service of the Commission at the time the sick leave is required, the service rate.

(2) In calculating the sick leave entitlement under subclause (1) of this clause the time spent by the cadet in attendance at the University shall be regarded as service with the Commission.

17. (1) The remuneration of a cadet during periods of service with the Commission shall be in accordance with a scale of salaries prescribed by the Commission from time to time, and shall provide for advancement in rates for each year of the prescribed term of cadetship, but that advancement from year to year shall be subject to satisfactory progress reports from the University and to receipt by the Commission of a satisfactory report from the officer to whom the cadet is articulated as to the conduct, diligence and efficiency of the cadet.

(2) During periods of leave without pay granted to a cadet for the purpose of attending the University during the official terms and the annual examination period of each academic year, a sustenance allowance at a weekly rate, as determined by the Commission from time to time, shall be paid to the cadet, but the—

- (a) payment of the allowance may be suspended at any time by the Commission on receipt of an unsatisfactory report from the University or the officer to whom the cadet is articulated;
- (b) payment of the allowance shall not be made during any period when, with the approval of the Commission, a year of study at the University is repeated; and
- (c) payment of the allowance shall not be made for any period of leave without pay granted for purposes other than to attend the University during the official term and the annual examination period of an academic year or for any periods of absence from University classes in respect of which a cadet is unable to furnish a satisfactory explanation.

(3) The Commission shall pay on behalf of the cadet his compulsory University tuition fees (excluding Guild and Faculty Society subscriptions) but where, with the approval of the Commission, the cadet repeats a year of study, he shall defray the cost of tuition fees in that year.

18. Where a cadet is employed away from his headquarters, the Commission may approve of him being paid an allowance at such rate as the Commission determines as compensation for any extra cost of living involved or any extra cost for transport expenses necessarily incurred, or both.

19. (1) A cadet who has satisfactorily completed his cadetship shall, if he is so required, be appointed as an Assistant Engineer in a grade determined by the Commission, and serve the Commission for a period of four years following such appointment.

(2) Appointment as an Assistant Engineer shall be at the minimum salary rate for the grade to which the cadet is appointed under the Railway Professional Officers' Award, 1958, as amended from time to time.

19A. Notwithstanding the foregoing provisions of this Part, the Commission may appoint as a cadet a person who has completed not less than one year of the course in civil or electrical engineering at the University, and in any such case may vary the period and conditions of cadetship and the period of service required following completion of cadetship and appointment as an Assistant Engineer.

20. Before a person is accepted as a cadet, an agreement in the form, or to the effect of Appendix No. 1 to this Part shall be executed by the person, his legal guardian, the head of the Branch of the Western Australian Government Railways as the case requires, and one surety to be determined and approved by the head of the Branch concerned.

APPENDIX No. 1.

THIS INDENTURE made the day of
 One thousand nine hundred and between (a)
 of (b) in the State of Western
 Australia (hereinafter called "the cadet") of the first part, (c) of
 (b) in the said State (d)
 the (e) of the cadet (hereinafter with
 his executors and administrators referred to as "the guardian") of the second
 part, (f) of (b) in the said State (d)
 (hereinafter with his executors and administrators referred
 to as "the guarantor") of the third part and (g) the (h)
 of the Western Australian Government Railways (herein-
 after with his successors in office referred to as "the (i)")
 of the fourth part witnesseth that the said parties hereto do hereby mutually
 agree and declare as follows:—

1. The cadet of his own free will and accord, with the consent of the guardian, hereby places and binds himself to serve the (i) as an (j) for the term of years from the day of One thousand nine hundred and and for any additional period required to satisfactorily complete his cadetship under and subject to the by-laws governing the admission of engineering cadets, in the Western Australian Government Railways Department as approved by the Governor-in-Council and published in the *Government Gazette* of the day of 19..... and any amendments for the time being in force thereof.

2. The cadet will during the said term well and truly serve the (i) as an (j) and will in all respects and at all times observe, perform and comply with the obligations on the part of the cadet contained in the by-laws or any amendments for the time being in force thereof.

3. When the cadet shall have satisfactorily completed his cadetship and obtained his certificate of qualification, he will, if required to do so, serve the Western Australian Government Railways Commission for a period of four years in accordance with and subject to the provision contained in clause 19 of the Western Australian Government Railways Cadet By-law or any amendments for the time being in force thereof.

4. (1) That if from any cause whatsoever the cadet shall fail to satisfactorily complete his cadetship as required by these presents, or shall fail to observe, perform and comply with the obligations on the part of the cadet contained herein, and in the by-laws, or shall fail to comply with the provisions of clause 3 hereof, or shall be required to leave the course of cadetship or subsequent employment in the Western Australian Government Railways Commission during the term herein specified, by reason of misconduct, idleness, disobedience, non-attendance, irregular or unpunctual attendance, want of interest in work,

or immoral conduct, then in such cases the guardian and the guarantor, the parties of the second and third parts hereof, shall jointly and severally be liable for and forthwith on demand shall pay to the (i)..... as ascertained damages and not by way of penalty for such breach or failure a sum of money equivalent to the sum total of all sustenance allowance payments made to the cadet, and compulsory tuition fees paid on behalf of the cadet, as specified in clause 17 of the Western Australian Government Railways Cadet By-law, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause.

(2) (a) The sum total of all sustenance payments made to the cadet and compulsory tuition fees paid on behalf of the cadet pursuant to the provisions of clause 17 of the Western Australian Government Railways Cadet By-law shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.

5. (1) Where at any time during the term of the cadetship the (i)..... is of the opinion that the progress of the cadet is unsatisfactory the (i)..... may, if the Railways Commission approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance allowance payment and compulsory tuition fees are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship.

6. In consideration of the premises the (i)..... will during the said term, take and accept the cadet and employ him and instruct him or cause him to be employed and instructed as an (j)..... under and in accordance with the by-laws or any amendments for the time being in force thereof.

In witness whereof the said parties have hereunder set their hands and seals the day and year first hereinbefore written.

Signed, sealed and delivered by the said—
In the presence of—

(a).....

Signed, sealed and delivered by the said—
In the presence of—

(c).....

Signed, sealed and delivered by the said—
In the presence of—

(f).....

Signed, sealed and delivered by the said—
In the presence of—

(g).....

(a) Full name of cadet. (b) Address. (c) Full name of guardian. (d) Occupation. (e) Father, mother or guardian, as the case may be. (f) Full name of guarantor. (g) Full name of Head of Branch concerned. (h) Title and name of Department. (i) Title of Head of Branch. (j) Engineering cadet.

PART TWO—GOVERNING THE APPOINTMENT OF MECHANICAL OR ELECTRICAL ENGINEERING CADETS ATTENDING PART TIME COURSES AT THE INSTITUTE AND THE CONDITIONS OF THEIR SERVICE AFTER APPOINTMENT.

21. In this Part unless the contrary intention appears—
“cadet” means a cadet under this Part and “cadetship” has a corresponding meaning.
22. Applications for appointment as a cadet shall be invited by public advertisement by the Chief Mechanical Engineer.
23. An applicant for appointment as a cadet shall—
- (a) have matriculated in the University Faculty of Engineering or have qualified for admission to an Associateship in the Mechanical or Electrical Engineering Course at the Institute, but subject in both cases to the Commission giving preference in appointment to applicants who have passed the Leaving in English, Mathematics A, Mathematics B, Physics and one other subject, preferably Chemistry or Technical Drawing;
 - (b) be not more than twenty years of age;
 - (c) produce to the Commission—
 - (i) evidence of the qualification required under subclause (a) of this clause and of the subjects passed in the Leaving;
 - (ii) evidence of his date of birth;
 - (iii) evidence as to his good character;
 - (iv) a chest x-ray examination certificate and a medical certificate from the Railways Medical Officer certifying that the applicant is in good health, of sound constitution, and not affected by any physical infirmity that would interfere with the proper exercise of his professional duties;
 - (v) a questionnaire completed by him on the form obtainable at the office of the Chief Mechanical Engineer.
24. (1) A cadet shall be article to the Chief Mechanical Engineer for the term prescribed in clause 25 of this Part, but his appointment in the first instance will be subject to a period of twelve months' probation.
- (2) Before the expiration of a cadet's period of probation the Chief Mechanical Engineer shall report to the Commission on—
- (a) the manner in which the cadet has performed his duties;
 - (b) the progress the cadet has made in the course of study leading to an Associateship in Mechanical or Electrical Engineering; and
 - (c) his general progress and conduct,
- and upon receipt of such report the Commission shall confirm or annul the appointment.
25. (1) Subject to the provisions of clauses 26 and 27, a cadet shall serve for a term of five years, during which period he shall—
- (a) be employed on practical training duties as directed by the Chief Mechanical Engineer during the first four years of the cadetship, or any due extension thereof;
 - (b) in each of the first four years attend classes at the Institute in an Associateship course in Mechanical or Electrical Engineering for one working day in each week of the academic year;
 - (c) in each of the first four years attend such further classes at the Institute in his own time outside of working hours as will enable him, subject to paragraph (d) of this subclause, to complete an Associateship course in Mechanical or Electrical Engineering by the end of the fifth year of cadetship; and
 - (d) in the fifth year of cadetship attend the Institute as a full-time student during the academic year.
- (2) A cadet shall be granted leave with pay to attend classes at the Institute as prescribed in subclause (1) of this clause and for the annual examination period of each academic year.

(3) The whole of the period of cadetship not required in attendance at the Institute shall be spent in the service of the Commission under the direction of the Chief Mechanical Engineer, and the cadet shall attend his practical training duties during the hours normally observed by wages employees, in the various sections of the Mechanical Branch in which he may be employed, and during periods of training in offices of the Mechanical Branch the cadet shall attend at the hours normally observed by the salaried staff.

26. A cadet shall not be deemed to have completed his cadetship until he has—

- (a) served the prescribed term of cadetship or any due extension thereof; and
- (b) passed the final examination of the Western Australian Institute of Technology for an Associateship in either Mechanical or Electrical Engineering.

27. If, at the end of the prescribed term of his cadetship a cadet has not passed the examination referred to in clause 26 of this Part, his cadetship may be extended at the discretion of the Commission for a further period not exceeding two years, but any such extension of the term of cadetship required after the cadet has attended the Institute for one academic year as a full-time student shall be spent full-time in the service of the Commission at a rate of salary determined by the Commission, and leave with pay to attend classes and examinations at the Institute shall not be granted by the Commission or tuition fees paid by the Commission on behalf of the cadet.

28. At any time after a cadet has completed one year of the prescribed term of cadetship, if in the opinion of the Chief Mechanical Engineer, the cadet's progress or general conduct, or both, have not been satisfactory, his cadetship may be cancelled on the approval of the Commission.

29. A cadet, as soon as he is qualified by age, shall become a student member of either the Institution of Engineers, Australia, or the Institution of Mechanical or Electrical Engineers, London.

30. During the whole term of his cadetship and any due extension thereof, a cadet shall be subject to the Western Australian Government Railways Act, 1904-1965, and the Rules and Regulations of the Railways Commission relating to the permanent staff to the extent to which those provisions are capable of being applied with or without adaptation to the cadet.

31. Annual leave, sick leave and credit of service for computation of the qualifying period for entitlement to long service leave shall be granted to a cadet under the conditions as they are applicable and on the basis of that provided for in the Railway Officers' Award No. 8 of 1965 as amended from time to time, but the time spent in attendance at the Institute shall count as service for the computation of such leave except that the period spent in full-time attendance at the Institute during one academic year as required in clause 25 shall not count as service in the computation of the qualifying period for entitlement to long service leave.

32. (1) The remuneration of a cadet shall be in accordance with a scale of salaries prescribed by the Commission from time to time, and shall provide for advancement in rates for each year of the prescribed term of cadetship, but advancement from year to year shall be subject to satisfactory progress reports from the Institute and the receipt by the Commission of a satisfactory report from the Chief Mechanical Engineer as to the conduct, diligence and efficiency of the cadet, and where with the approval of the Commission a cadet is required to repeat a year of study or to repeat units of the course of study during the years in which studies are undertaken on a part-time basis, the term of cadetship may be required to be extended, the rate of remuneration to be paid the cadet during such period of extension shall be that determined by the Commission.

(2) Payment of salary shall not be made for any period of leave granted for purposes other than attendance at the Institute during the official term and examination period of an academic year or for any periods of absence from the Institute classes in respect of which a cadet is unable to furnish a satisfactory explanation.

(3) Subject to clause 27, the Commission shall pay on behalf of the cadet his compulsory Institute tuition fees, but where, with the approval of the Commission, the cadet repeats a year of study or units of the course of study, he shall defray the costs of tuition fees for that year or those units.

33. Where a cadet is employed away from his headquarters, the Commission may approve of him being paid an allowance at such rate as the Commission determines as compensation for any extra cost of living involved or any extra cost for transport expenses necessarily incurred, or both.

34. (1) A cadet who has satisfactorily completed his cadetship shall, if he is so required, be appointed as an Assistant Engineer in a grade determined by the Commission, and serve the Western Australian Government Railways Commission for a period of four years following such appointment.

(2) Appointment as an Assistant Engineer shall be at the minimum salary rate for the grade to which the cadet is appointed under the Railway Professional Officers' Award, 1958, as amended from time to time.

35. Before a person is accepted as a cadet, an agreement in the form, or to the effect of Appendix No. 2 to this Part shall be executed by the person, his legal guardian and the guardian's wife or husband as the case requires, and the Chief Mechanical Engineer.

36. With the approval of the Commission the conditions of this Part may apply to appointment of Electrical Engineering cadets in the Civil Engineering Branch who shall be indentured to the Chief Civil Engineer and where so approved, the conditions of this Part and the indenture thereto shall be read and given effect as applying to the Civil Engineering Branch and to the Chief Civil Engineer on behalf of the Commission.

APPENDIX No. 2.

THIS INDENTURE made the.....day of.....
One thousand nine hundred and.....between (a).....
of (b).....in the State of Western Australia (hereinafter called
"the cadet") of the first part, (c).....of (b).....
in the said State (d).....the (e).....of the
cadet (hereinafter with his executors and administrators referred to as "the
guardian") of the second part and (f).....the (g).....
of the Western Australian Government Railways (hereinafter with his successors
in office referred to as "the (h).....") of the third part
witnesseth that the said parties hereto do hereby mutually agree and declare as
follows:—

1. The cadet of his own free will and accord, with the consent of the parties of the second part, hereby places and binds himself to serve the (h).....as an (i).....for the term of.....years from the.....day of.....One thousand nine hundred and.....and for any additional period required to satisfactorily complete his cadetship.

2. The cadet will during the said term well and truly serve the (h).....as an (i).....and will in all respects and at all times, observe, perform and comply with the obligations on the part of the cadet contained herein.

3. During the five year period of cadetship the cadet shall be employed on practical training duties for the first four years thereof, and in each year shall be allowed paid leave for one day in each week of the academic year to attend classes in an Associateship course in Mechanical or Electrical Engineering at the Western Australian Institute of Technology. The cadet is required to attend such further classes in his own time outside of normal working hours as will enable him to complete an Associateship course by the end of the fifth year of cadetship. During the fifth year of cadetship the cadet shall be granted leave with pay for the academic year to undertake full-time studies. During the period of cadetship the cadet shall be paid a salary at a scale prescribed for cadets by the Commission from time to time, and shall be granted the conditions applicable to officers employed under the Railway Officers' Award, subject to being required to work the normal hours of duty applicable to the locations where he may be employed from time to time.

4. When the cadet shall have satisfactorily completed his cadetship and obtained his certificate of qualification, he will if required to do so, serve the Western Australian Government Railways Commission for a period of four years in accordance with and subject to the provision contained in clause 34 of the Western Australian Government Railways Cadet By-law or any amendments for the time being in force thereof.

5. (1) That if from any cause whatsoever the cadet shall fail to satisfactorily complete his cadetship as required by these presents, or shall fail to observe, perform and comply with the obligations on the part of the cadet contained herein, or shall fail to comply with the provisions of clause 4 hereof, or shall be required to leave the course of cadetship or subsequent employment in the Western Australian Government Railways during the term herein specified, by reason of misconduct, idleness, disobedience, non-attendance, irregular or unpunctual attendance, want of interest in work, or immoral conduct, then in such cases the parties of the second part hereof, shall jointly be liable for and forthwith on demand shall pay to the (h).....as ascertained damages and not by way of penalty for such breach or failure a sum of money equivalent to half the sum total of salary paid to the cadet for the working time spent in attendances at the Western Australian Institute of Technology and compulsory tuition fees paid on behalf of the cadet, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause.

(2) (a) The sum total of all payments made during the period of cadetship for working time spent in attending at the Western Australian Institute of Technology, and for compulsory tuition fees, shall be calculated, and one half of the amount of the said total payments shall be divided by the number of weeks that the cadet is bound to serve under clause 4 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.

6. (1) Where at any time during the term of the cadetship the (h)..... is of the opinion that the progress of the cadet is unsatisfactory the (h).....may, if the Western Australian Government Railways Commission approves, require that a year of the cadetship be repeated, and during that year no increase in salary will be granted or compulsory tuition fees paid.

(2) Where the cadetship year is so repeated, and progress in the cadetship resumed, the cadetship shall continue under and subject to this indenture, and the repeated year of cadetship shall be disregarded in calculating the term of the cadetship.

7. In consideration of the premises the (h).....will during the said term, take and accept the cadet and employ him and instruct him or cause him to be employed and instructed as an (i).....under and in accordance with this indenture.

In witness whereof the said parties have hereunder set their hands and seals the day and year first hereinbefore written.

Signed, sealed and delivered by the said—(a).....
In the presence of—
.....

Signed, sealed and delivered by the said—(c).....
In the presence of—
.....

Signed, sealed and delivered by the said—(f).....
In the presence of—
.....

(a) Full name of cadet. (b) Address. (c) Full names of parents or parent or guardian and his or her wife or husband as the case may be. (d) Occupation. (e) Parents or parent or guardian and his or her wife or husband as the case may be. (f) Full name of Head of Branch concerned. (g) Title and name of Department. (h) Title of Head of Branch. (i) Electrical or Mechanical Engineering cadet attending the Western Australian Institute of Technology.

PART THREE—GOVERNING THE APPOINTMENT OF CHEMISTRY CADETS ATTENDING FULL TIME COURSES AT THE UNIVERSITY OR THE INSTITUTE AND THE CONDITIONS OF THEIR SERVICE AFTER APPOINTMENT.

37. In this Part unless the contrary intention appears—
“cadet” means a cadet under this Part and “cadetship” has a corresponding meaning.
38. Applications for appointment as a cadet shall be invited by public advertisement by the Chief Mechanical Engineer.
39. An applicant for appointment as a cadet shall—
- (a) have matriculated in the University Faculty of Science or have qualified for admission to the Associateship in Applied Chemistry Course at the Institute, but subject to the Commission giving preference in appointment to applicants who have passed the Leaving in English, Mathematics A, Mathematics B, Physics and Chemistry;
 - (b) produce to the Commission—
 - (i) evidence of the qualification required under subclause (a) of this clause and of the subjects passed in the Leaving;
 - (ii) evidence of his date of birth;
 - (iii) evidence as to his good character;
 - (iv) a chest x-ray examination certificate and a medical certificate from the Railways Medical Officer certifying that the applicant is in good health, of sound constitution, and not affected by any physical infirmity that would interfere with the proper exercise of his professional duties;
 - (v) a questionnaire completed by him on the form obtainable at the office of the Chief Mechanical Engineer.
40. (1) Every Chemistry cadet shall be article to the Chief Mechanical Engineer for the term prescribed in clause 41 of this Part, but his appointment in the first instance will be subject to a period of twelve months' probation.
- (2) Before the expiration of the period of probation the Chief Mechanical Engineer shall report to the Commission on—
- (a) the manner in which the cadet has performed his duties;
 - (b) the progress the cadet has made in the course of study leading to the degree of Bachelor of Science or to an Associateship in Applied Chemistry, as the case requires; and
 - (c) his general progress and conduct, and upon receipt of such report the Commission shall confirm or annul the appointment.
41. (1) Subject to the provisions of clauses 42 and 43, a cadet shall serve for a term of three years, during which period he shall—
- (a) attend the University as a full-time student in the School of Chemistry in the Faculty of Science and take the course of study leading to the Degree of Bachelor of Science, or attend the Institute as a full-time student of the course leading to an Associateship in Applied Chemistry; and
 - (b) receive practical instruction in the laboratory at the Midland Workshops as may be prescribed by the Chief Mechanical Engineer.
- (2) A cadet shall be granted leave without pay to attend the University or the Institute, as the case requires, as a full-time student during the official terms and the annual examination period of each academic year.
- (3) The whole of the period of cadetship not required in attendance at the University or the Institute, as the case requires, shall be spent in the service of the Commission under the direction of the Chief Mechanical Engineer.
42. A cadet shall not be deemed to have completed his cadetship until he has—
- (a) served the prescribed term of cadetship or any due extension thereof; and
 - (b) obtained the Degree of Bachelor of Science of the University, or, where attending the Institute, passed the final examination for an Associateship in Applied Chemistry, as the case may be.

43. If, at the end of the prescribed term of his cadetship a cadet has not passed the qualifying examination for the Degree or Associateship referred to in clause 42, his cadetship may be extended at the discretion of the Commission for a further period not exceeding two years.

44. At any time after a cadet has completed one year of the prescribed term of cadetship, if in the opinion of the Chief Mechanical Engineer the cadet's progress or general conduct, or both, have not been satisfactory, his cadetship may be cancelled on the approval of the Commission.

45. A cadet, as soon as he is qualified to do so, shall become a student member of the Royal Australian Chemical Institute.

46. During the whole term of his cadetship and any due extension thereof, a cadet shall be subject to the Western Australian Government Railways Act, 1904-1965, and the Rules and Regulations of the Railways Commission relating to the permanent staff to the extent which those provisions are capable of being applied with or without adaptation to the cadet.

47. Annual leave shall be granted to a cadet in accordance with the provisions of the Railway Officers' Award No. 8 of 1965 as amended from time to time, and the time spent in attendance at the University or the Institute, as the case may be, shall count towards qualification in any year for the computation of such leave.

48. All time actually served in the employment of the Commission during the term of cadetship shall count as service for computation of the qualifying period for entitlement to long service leave, but periods of leave without pay to attend the University or Institute, as the case may be, or for any other reason, shall not count as service for such entitlement.

49. (1) A cadet shall be entitled to sick leave on the basis provided for in the Railway Officers' Award No. 8 of 1965 as may be amended from time to time, such leave to be paid at the rate of—

- (a) if the cadet is on leave attending the University or the Institute at the time the sick leave is required, the sustenance allowance he is in receipt of at that time under clause 50; or
- (b) if the cadet is actually employed in the service of the Commission at the time the sick leave is required, the service rate.

(2) In calculating the sick leave entitlement under subclause (1) of this clause, the time spent by the cadet in attendance at the University or the Institute shall be regarded as service with the Commission.

50. (1) The remuneration of a cadet during periods of service with the Commission shall be in accordance with a scale of salaries prescribed by the Commission from time to time, and shall provide for advancement in rates for each year of the prescribed term of cadetship, but that advancement from year to year shall be subject to satisfactory progress reports from the University or the Institute, as the case requires, and to receipt by the Commission of a satisfactory report from the Chief Mechanical Engineer as to the conduct, diligence and efficiency of the cadet.

(2) During periods of leave without pay granted to a cadet for the purpose of attending the University or the Institute during the official terms and the annual examination period of each academic year, a sustenance allowance at a weekly rate, as determined by the Commission from time to time, shall be paid to the cadet, but the—

- (a) payment of the allowance may be suspended at any time by the Commission on receipt of an unsatisfactory report from the University, the Institute, as the case requires, or from the Chief Mechanical Engineer; and
- (b) payment of the allowance shall not be made for any period of leave without pay granted for purposes other than to attend the University or the Institute, as the case may be, during the official term and the annual examination period of an academic year or for any periods of absence from the University or the Institute classes in respect of which a cadet is unable to furnish a satisfactory explanation.

(3) The Commission shall pay on behalf of the cadet his compulsory University tuition fees (excluding Guild and Faculty Society subscriptions) or compulsory Institute fees, as the case requires, but where, with the approval of the Commission, the cadet repeats a year of study, he shall defray the cost of tuition fees in that year.

51. Where a cadet is employed away from his headquarters, the Commission may approve of him being paid an allowance at such rate as the Commission determines as compensation for any extra cost of living involved or any extra cost for transport expenses necessarily incurred, or both.

52. (1) A cadet who has satisfactorily completed his cadetship shall, if he is so required, be appointed as an Assistant Engineer in a grade determined by the Commission, and serve the Western Australian Government Railways Commission for a period of four years following such appointment.

(2) Appointment as an Assistant Engineer shall be at the minimum salary rate for the grade to which the cadet is appointed under the Railway Professional Officers' Award, 1958, and as may be amended from time to time.

53. Before a person is accepted as a cadet, an agreement in the form, or to the effect of Appendix No. 3 to this Part shall be executed by the person, his legal guardian, the Chief Mechanical Engineer of the Western Australian Government Railways, and one surety to be determined and approved by the Chief Mechanical Engineer.

APPENDIX No. 3.

THIS INDENTURE made the.....day of.....
 One thousand nine hundred and.....between (a).....
 of (b).....in the State of Western Australia (hereinafter called
 "the cadet") of the first part, (c).....of (b).....
 in the said State (d).....the (e).....of the
 cadet (hereinafter with his executors and administrators referred to as "the
 guardian") of the second part, (f).....of (b).....
 in the said State (d).....(hereinafter with his executors and
 administrators referred to as "the guarantor") of the third part and (g).....
 the (h).....of the Western Australian Government
 Railways (hereinafter with his successors in office referred to as "the (i).....
") of the fourth part witnesseth that the said parties hereto do
 hereby mutually agree and declare as follows:—

1. The cadet of his own free will and accord, with the consent of the guardian, hereby places and binds himself to serve the (i).....as an (j).....for the term of.....years from the.....day of.....One thousand nine hundred and.....and for any additional period required to satisfactorily complete his cadetship under and subject to the by-laws governing the admission of Chemistry cadets in the Western Australian Government Railways Department as approved by the Governor-in-Council and published in the *Government Gazette* of the.....day of.....19.....and any amendments for the time being in force thereof.

2. The cadet will during the said term well and truly serve the (i).....as an (j).....and will in all respects and at all times observe, perform and comply with the obligations on the part of the cadet contained in the by-laws or any amendments for the time being in force thereof.

3. When the cadet shall have satisfactorily completed his cadetship and obtained his certificate of qualification, he will, if required to do so, serve the Western Australian Government Railways Commission for a period of four years in accordance with and subject to the provision contained in clause 52 of the Western Australian Government Railways Cadet By-law or any amendments for the time being in force thereof.

4. (1) That if from any cause whatsoever the cadet shall fail to satisfactorily complete his cadetship as required by these presents, or shall fail to observe, perform and comply with the obligations on the part of the cadet contained herein, and in the by-laws, or shall fail to comply with the provisions of clause 3 hereof, or shall be required to leave the course of cadetship or subsequent employment in the Western Australian Government Railways Commission during the term herein specified, by reason of misconduct, idleness, disobedience, non-attendance, irregular or unpunctual attendance, want of interest in work, or immoral conduct, then in such cases the guardian and the guarantor, the parties of the second and third parts hereof, shall jointly and severally be

liable for and forthwith on demand shall pay to the (i)..... as ascertained damages and not by way of penalty for such breach or failure a sum of money equivalent to the sum total of all sustenance allowance payments made to the cadet, and compulsory tuition fees paid on behalf of the cadet, as specified in clause 50 of the Western Australian Government Railways Cadet By-law, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause.

(2) (a) The sum total of all sustenance payments made to the cadet and compulsory tuition fees paid on behalf of the cadet pursuant to the provisions of clause 50 of the Western Australian Government Railways Cadet By-law shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.

5. (1) Where at any time during the term of the cadetship the (i)..... is of the opinion that the progress of the cadet is unsatisfactory the (i)..... may, if the Railways Commission approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance allowance payment and compulsory tuition fees are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship.

6. In consideration of the premises the (i)..... will during the said term, take and accept the cadet and employ him and instruct him or cause him to be employed and instructed as an (j)..... under and in accordance with the by-laws or any amendments for the time being in force thereof.

In witness whereof the said parties have hereunder set their hands and seals the day and year first hereinbefore written.
Signed, sealed and delivered by the said—

In the presence of—

.....
(a).....

Signed, sealed and delivered by the said—

In the presence of—

.....
(c).....

Signed, sealed and delivered by the said—

In the presence of—

.....
(f).....

Signed, sealed and delivered by the said—

In the presence of—

.....
(g).....

- (a) Full name of cadet. (b) Address. (c) Full name of guardian. (d) Occupation.
- (e) Father, mother or guardian, as the case may be. (f) Full name of guarantor.
- (g) Full name of Head of Branch concerned. (h) Title and name of Department.
- (i) Title of Head of Branch. (j) Chemistry cadet.

PART FOUR—GOVERNING THE APPOINTMENT OF JUNIOR DRAFTSMEN
(CIVIL ENGINEERING BRANCH) AND THE CONDITIONS OF THEIR
SERVICE AFTER APPOINTMENT.

54. Unless the contrary intention appears—

“junior draftsman” means a junior draftsman under this Part.

55. Applications for appointment as junior draftsman shall be invited by public advertisement by the Chief Civil Engineer.

56. An applicant for appointment as junior draftsman shall—

- (a) have passed the Junior Certificate examination of the Public Examinations Board of Western Australia or an equivalent examination in English, Arithmetic and Algebra, Geometry and Trigonometry, Physics or Science “B” and any two other subjects;
- (b) be not more than eighteen or less than sixteen years of age;
- (c) produce to the Commission—
 - (i) evidence of the qualification required under subclause (a) of this clause;
 - (ii) evidence of his date of birth;
 - (iii) evidence as to his good character;
 - (iv) a chest x-ray examination certificate and a medical certificate from the Railways Medical Officer certifying that he is in good health, of sound constitution, and not affected by any physical infirmity that would interfere with the proper exercise of his professional duties;
 - (v) a specimen of his plan drawing; and
 - (vi) a questionnaire completed by him on the form obtainable at the office of the Chief Civil Engineer.

57. Where the Commission receives more applications for appointment as junior draftsman than the number of vacancies, it may give preference to applicants possessing higher appropriate qualifications than that required in subclause (a) of clause 56.

58. (1) The employment of a junior draftsman shall be subject to a period of twelve months' probation.

(2) Before the expiration of a junior draftsman's period of probation the Chief Civil Engineer shall report to the Commission on—

- (a) the manner in which the junior draftsman has performed his duties;
- (b) the progress the junior draftsman has made towards gaining appropriate academic qualification; and
- (c) his general progress and conduct,

and upon receipt of such report the Commission shall confirm or annul the appointment.

59. Subject to continued satisfactory general progress and conduct a junior draftsman may be appointed at the age of 21 years to the professional staff in a grade determined by the Commission under the Railway Professional Officers' Award 1958, as amended from time to time.

60. During the term of employment every junior draftsman shall be subject to the Western Australian Government Railways Act, 1904-1965, and the Rules and Regulations of the Railways Commission relating to the permanent staff to the extent which those provisions are capable of being applied with or without adaptation to a junior draftsman.

ERRATUM.

HEALTH ACT, 1911-1966.

THE following corrections are made to the Toxic and Hazardous Substances Regulations, published in *Government Gazette* (No. 5) of 23rd January, 1967, pages 126 to 129:—

Page 127, Regulation 7 (2) (b), fourth line—“distinctive” should read “distinct”.

Page 128, Regulation 10, line 9—“with the ward” should read “with the word”.

Page 128, Regulation 12, line 2—“regulation” should read “regulations”.

Page 129, Appendix 2, line 1—“Benzine” should read “Benzene”. Line 5—“(Methyl Chloride)” should read “(Methylene Chloride)”.

Page 129, Appendix 3, line 2—“Expode” should read “Expoxide”. Line 7—“Pentachlorphenol” should read “Pentachlorophenol”.

W. S. DAVIDSON,
Commissioner for Public Health.