



Government Gazette

OF

WESTERN AUSTRALIA

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No. 40]

PERTH : WEDNESDAY, 26th MAY

[1971

LEGAL CONTRIBUTION TRUST ACT, 1967.

Crown Law Department,
Perth, 12th May, 1971.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Legal Contribution Trust Act, 1967, has been pleased to make the rules set out in the schedule hereunder.

W. J. ROBINSON,
Under Secretary for Law.

Schedule.

LEGAL ASSISTANCE RULES, 1971.

1. These rules may be cited as the Legal Assistance Rules, Citation. 1971.

2. In these rules unless a contrary intention appears—

- “Act” means the Legal Contribution Trust Act, 1967;
 “applicant” means a person applying for a certificate;
 “appropriate committee” means a committee, appointed by the Society pursuant to section 36 of the Act, to which an application for a certificate is made, referred or transferred;
 “capital” means the amount of money and the value of property convertible into money that the person concerned has at the date of an application;
 “certificate” means a certificate or an amended or renewed certificate entitling a person to legal assistance;
 “Council” means the council of the Society;
 “income” means the aggregation of the periodical receipts and benefits (expressed in terms of money) that may reasonably be expected to accrue to the person concerned during the period of twelve months next succeeding the date of an application; but the term does not include any amount payable to the person, under an order of a court or pursuant to an instrument, for the maintenance of a child.

Inter-
pretation.

3. (1) In computing the capital and income of an applicant, the appropriate committee—

- (a) shall not take into account the value of the subject matter of any claim in respect of which the applicant is seeking legal assistance; and

Compu-
tation of
capital and
income.

(b) shall treat as resources of the applicant those of his spouse, unless—

- (i) the spouse has a contrary interest in the claim in respect of which the application is made;
- (ii) the applicant and his spouse are living separately and apart; or
- (iii) it would be inequitable or impracticable to do so, in the particular circumstances of the case.

(2) In computing the capital of an applicant, the appropriate committee may disregard the amount or value of any particular item of his resources.

(3) In computing the income of an applicant, the appropriate committee may—

- (a) in the absence of any other convenient means, take the income of the applicant as being that received during the period of twelve months, or during a financial year, immediately preceding the date of the application; and
- (b) disregard any particular item of his income.

Qualifica-
tion for
legal
assistance.

4. (1) Subject to the Act and these rules, legal assistance may be granted to an applicant whose disposable capital or disposable income does not exceed \$1,500.

(2) Where—

- (a) the disposable capital of an applicant is, or exceeds, \$200; or
- (b) the disposable income of an applicant is, or exceeds \$500,

the applicant may be required to make a contribution to the Legal Assistance Fund or a payment to the assigned practitioner, in respect of costs or of disbursements payable on the applicant's account, in such amount as the appropriate committee thinks fit.

Computa-
tion of
disposable
capital.

5. (1) In computing the disposable capital of an applicant, the appropriate committee shall not take into account—

- (a) articles of personal clothing;
- (b) household furniture, linen and effects; or
- (c) tools of trade not exceeding \$200, in value,

of or belonging to the applicant or his spouse.

(2) In computing the disposable capital of an applicant, the dwelling house occupied by him shall be taken into account to the extent, only, of one-half of the residual value of the dwelling, being the value obtained by deducting from its clear value the sum of any encumbrances and a further amount of \$6,000.

Computa-
tion of
disposable
income.

6. In computing the disposable income of an applicant, the appropriate committee shall deduct from the amount of his income computed in accordance with rule 3 of these rules—

- (a) the amount of any income tax payable by him pursuant to a law of the Commonwealth;
- (b) the sum of periodical payments to a hospital and sickness benefits fund, up to an amount of \$50;
- (c) the sum of periodical payments to a superannuation fund or of premiums paid or payable in respect to a life assurance policy or of both, up to an amount of \$50, in the aggregate;
- (d) the sum of such other periodical payments made by the applicant as should, in the opinion of the appropriate committee, be allowed;
- (e) the amount, where the capital or income of a spouse are treated as part of the applicant's resources,—
 - (i) of \$600 in respect of a spouse wholly or substantially maintained by the applicant; and

- (ii) of \$300 in respect of any child wholly or substantially maintained by him or by his spouse.

7. Every application for a certificate shall be made by way of statutory declaration in the form set out in the Schedule to these rules and the form shall be completed in accordance with the directions set out in the form. Applica-
tions, how
made.

8. (1) Where an appropriate committee determines that legal assistance should be granted to an applicant, it shall issue its certificate to the applicant, in the form set out in the Schedule to these rules, and send forward a copy of the certificate to the practitioner who is assigned to render the legal assistance to which the certificate relates. Issue of
certificates.

- (2) A certificate may be issued in respect of—
- (a) one or more steps to assert or dispute a claim; or
 - (b) the whole or part of—
 - (i) proceedings in a court of first instance; or
 - (ii) proceedings in an appellate court;

but a certificate shall not relate to proceedings (other than interlocutory appeals) both in a court of first instance and in an appellate court or to proceedings in more than one appellate court.

(3) A certificate shall not relate to more than one action, cause or matter, but it may relate—

- (a) to more than one claim, where the claims arise out of the same circumstances and, if proceedings were taken on them, they might conveniently be joined in the same action, cause or matter; or
- (b) both to a claim and proceedings where the question of taking the proceedings arises out of the same general circumstances as the claim,

and may relate to an application to enable the action that is the subject of the certificate to be brought and may include proceedings to enforce, or give effect to, any agreement made in enforcing or disputing the claim, or any order or agreement made in the proceedings to which the certificate relates.

(4) A certificate issued pursuant to this rule—

- (a) is sufficient authority to the practitioner to whom it is addressed to render the legal assistance to which it relates to the person named in the certificate; and
- (b) is evidence—
 - (i) for the purposes of Part V of the Act that the person named in the certificate is an assisted person; and
 - (ii) of the agreement (if any), made between the Society and the assisted person, regarding the terms and conditions as to contribution by the assisted person, under subsection (3) of section 39 of the Act.

9. (1) Where it appears to the appropriate committee that there has been an error in the computation of the disposable capital or disposable income of, or in determining the maximum contribution to be made by, an applicant, the committee may re-determine any of those things or, as the case may require, amend the computation and determination and, in that event, the amended computation or determination shall apply. Amendment
of computa-
tions, etc.

(2) Where it appears to the appropriate committee that the circumstances upon which it has computed the disposable capital or the disposable income of the applicant have changed to an extent that the certificate issued by it should be amended or revoked, the committee shall amend the computation of the disposable capital or disposable income and re-determine the maximum contribution or revoke the certificate, as the case may require.

Appeals
against com-
putations
and deter-
minations
of appropri-
ate commit-
tees.

10. (1) An applicant who is aggrieved by a computation or determination of the appropriate committee may, by notice in writing given within 14 days after being notified of the computation or determination or within such further period as the Council may allow, appeal to the Council against the computation, determination or both.

(2) An applicant who is aggrieved by a decision of the appropriate committee made under the provisions of subsection (2) of section 39 of the Act may appeal to the Council within the time and in the manner provided by subrule (1) of this rule.

(3) An applicant may send to the Council with his notice of appeal such further information in writing as he may be advised.

(4) The Council shall cause the appropriate committee to send forward the application and all particulars and relevant documents of the application and shall thereupon determine the appeal and may—

- (a) allow the appeal and substitute its own computation, determination or decision for that of the appropriate committee;
- (b) refer the matter back to the appropriate committee for its further determination and report; or
- (c) dismiss the appeal.

Transfer or
referrals of
applica-
tions.

11. (1) An appropriate committee may transfer or refer an application to some other committee appointed by the Society for consideration, computation of the applicant's capital and income and final determination; and the committee to which the application is so transferred or referred is, thereupon the appropriate committee as regards that application.

(2) An appropriate committee may refer to the Council any question relating to the granting, refusal, amendment or revocation of a certificate and the decision of the Council on that question is final.

Certificate
of fees.

12. (1) The appropriate committee may by way of a certificate, in the form set out in the Schedule to these rules, certify the fees that would be payable to a practitioner, in the ordinary course of practice, for services rendered by him to an assisted person; and the amount so certified, unless varied by the Council pursuant to subrule (2) of this rule, is conclusive for the purposes of section 42 of the Act.

(2) A practitioner to whom a certificate is issued pursuant to subrule (1) of this rule may apply to the Council for a variation of the amount of any fees set out in the certificate and the decision of the Council on any such application is final and conclusive for the purposes of section 42 of the Act.

13. The percentage of the fees, certified pursuant to rule 12 of these rules, that a practitioner is entitled to be paid, pursuant to section 42 of the Act, is ninety per centum.

SCHEDULE.

Western Australia.

Legal Contribution Trust Act, 1967.

CERTIFICATE FOR LEGAL ASSISTANCE.

TO: _____, Solicitor,
of _____

THIS IS TO CERTIFY THAT:

Mr. _____
Mrs. _____
Miss. _____
of _____
has been granted legal assistance to—

Total costs and disbursements not to exceed \$ _____

A contribution payable by the abovenamed assisted person and the manner of its payment has been fixed as follows:—

Maximum contribution \$:
Amount paid to date \$:
\$: payable at the rate of _____

ISSUED at _____ this _____ day of _____
_____ 19 _____

For Appropriate Committee.

Certificate No.
File No.

Western Australia.

Legal Contribution Trust Act, 1967.

CERTIFICATE OF FEES PAYABLE.
(Section 42)

I, the undersigned, acting on behalf of the Appropriate Committee in this matter, HEREBY CERTIFY that the fees that would be payable to _____

in the ordinary course of practice in the matter of _____

are \$ _____

ASSESSMENT OF AMOUNT PAYABLE.

Amount of fees as above \$:
Less 10% _____
Net fee _____
Add disbursements _____
Amount certified for payment \$:

DATED the _____ day of _____ 19 _____

Secretary.

Cert No.
File No.

RECEIVED the amount of _____
_____ (\$ _____) this _____
day of _____ 19 _____

Solicitor for Applicant.

Applicant's Solicitor

Western Australia

Date Interview Legal Assistance Office:

.....

Legal Contribution Trust Act, 1967

.....

Address.....

APPLICATION FOR LEGAL ASSISTANCE

File No.....

Phone No.....

Ref.....

STATUTORY DECLARATION

For Official Use Only.

(1) Full Name

I, (1) of (2)

(2) Residential Address

in the State of Western Australia (3)..... DO SOLEMNLY AND SINCERELY DECLARE :

(3) Description of Applicant.

(4) Insert "legal advice" or "legal aid" as the case requires.

1. I am applying for Legal Assistance by way of (4)..... in the matter of (5)

(5) Give brief particulars of matter for which aid is sought.

2. My own capital assets and their respective values (excluding articles of personal clothing, household furniture, linen and effects and tools of trade of less than \$200 dollars in value) are as follows—

Dwelling house occupied by me		\$:
Less mortgages or charges	\$:	
Less allowance under Rules	\$6,000	:	00

Other real property (houses land, less any mortgage or charge not taken into account under dwelling house) :	\$:
Cash at Bank	\$:
Cash in Hand	\$:

Carried forward : \$:

		Brought forward :	\$:
(6) Set out number of shares, name of company or holding and value in each case	Shares and stock :			
	(6)	\$:	\$
	\$:	
	\$:	
	\$:	
		<hr/>		
(7) Set out make Model and year	Motor Vehicles :		\$:
	(7)	\$:	
	\$:	
		<hr/>		
(8) Exclude motor vehicles shown above	Tools of trade exceeding \$200 (8)		\$:
(9) Give particulars of each item	Life Assurance Policies :		\$:
	(9) Company.....			
	No.....			
	Surrender Value.....			
	Other personal property :	\$:	
	(9)	\$:	
	\$:	
	\$:	
	\$:	
	\$:	
		<hr/>		
(10) Set out each item of property of wife or (where wife is applicant) husband that is personally owned by her/him. See items in para 2, above. Do not complete if spouses living apart.	3. Capital assets of my wife/husband who lives with me are :			
	(10)		\$:
		\$:
		\$:
		\$:
		\$:
		\$:
		\$:
			<hr/>	
	Total		\$:
			<hr/>	

(11) Do not take into account any deductions in this figure
 (12) Give particulars of source of income in each case

4. The respective incomes of me this deponent and of my wife/husband who lives with me are:—

	Self	Spouse
Gross weekly salary or wages : (11)	\$:	\$:
Income from other sources (weekly):(11)		
(12)	\$:	\$:
.....	\$:	\$:
.....	\$:	\$:
Total weekly income :	\$:	\$:

(13) Where husband is applicant and living with wife.
 (14) Set out names and ages, in each case and show deduction in appropriate column.

5. The respective incomes set out in paragraph 4 above are subject to the following deductions—

	Self	Spouse
Income Tax :	\$:	\$:
Hospital and sickness benefits fund (not exceeding \$50 per annum in all)	\$:	\$:
Superannuation payments and life assurance premiums (not exceeding \$50 in all	\$:	\$:
Add :		
Allowance for wife (13) \$600	\$:	
Allowance for children wholly supported (14)	\$:	
.....\$300	\$:	
.....\$300	\$:	
Total deductions :	\$:	\$:

(15) Give particulars

6. I have.....consulted a solicitor namely.....in this matter.
 7. I have.....applied previously for legal assistance in respect of (15).....

 8. I am.....an undischarged bankrupt and my spouse.....an undischarged bankrupt particulars whereof are as follows : (15)

(16) Delete where necessary

(17) Give particulars

(18) Signature of declarant

To be completed where applicant applies through a solicitor

9. No convictions/the following (16) convictions have been recorded against me : (17).....

AND I MAKE this solemn declaration under and by virtue of Section 106 of the Evidence Act, 1960.

DECLARED at _____ in the State of Western Australia this _____ day of 19 _____ :

} (18)

Before me :
.....
Justice of the Peace, Commissioner for Oaths or Commissioner for declarations

Note : Every person making a false declaration is liable to imprisonment with hard labour for three years.

I,.....CERTIFY that I am of the opinion that the Applicant has reasonable grounds for being a party in the above matter.

.....
Solicitor for the Applicant

FOR OFFICIAL USE ONLY

Disposal capital, as above	\$:
Less further allowance for.....	\$:
Computed disposal capital	\$:
Disposal income, as above	\$:
Less further allowance for.....	\$:
Computed disposable income	\$:

Contribution assessed at \$

Certificate No. issued.....19.....

.....
for Appropriate Committee.

POLICE ACT, 1892-1970.

Police Department,
Perth 13th May, 1971.

ACTING pursuant to the powers conferred by section 9 of the Police Act, 1892-1970, I have made the orders set out in the schedule hereunder.

R. T. NAPIER,
Commissioner of Police.

ACTING pursuant to the powers conferred by section 9 of the Police Act, 1892-1970, I have approved the orders set out in the schedule hereunder.

J. DOLAN,
Minister for Police.

Dated the 14th day of May, 1971.

Schedule.

POLICE STANDING ORDERS.

- | | |
|--|--|
| Principal orders. | 1. In these standing orders the Police Standing Orders, 1969, as printed in the <i>Government Gazette</i> on the 22nd July, 1968, and also published in the special <i>Police Gazette</i> on the 7th August, 1968, and thereafter amended from time to time by notices so printed and published, are referred to as the principal orders. |
| Amendment to O. 202. | 2. Suborder (1) of order 202 of the principal orders is revoked and remade as follows:—

(1) Members are vested with authority, hold responsibility, and, subject to qualifications required under the other provisions of these orders, are eligible for promotion in the order of ranks shown in order 201 and according to seniority of appointment to their respective ranks. |
| Substitution of O. 204. | 3. Order 204 of the principal orders is revoked and remade as follows:—

204. The seniority of appointment of members to a rank above the rank of constable is determined by the respective dates on which they were appointed to the rank and where two or more members are appointed to it on the same date that seniority is determined by the respective dates on which they were appointed to the substantive rank previously held by them. |
| Substitution of O. 205. | 4. Order 205 of the principal orders is revoked and remade as follows:—

205. The seniority of appointment of constables is determined by the respective dates on which they receive their register numbers and where two or more constables receive register numbers on the same date that seniority is determined by age, the oldest receiving the senior number. |
| Substitution of O. 206.
Function of command. | 5. Order 206 of the principal orders is revoked and remade as follows:—

206. Where two or more members are performing duty with any unit, the senior member present exercises command unless a member has been specially detailed for the duty in which case he exercises command. |
| Substitution of O. 1008.
Eligibility for promotion. | 6. Order 1008 of the principal orders is revoked and remade as follows:—

1008. (1) Where a member has completed five years' service in the Force and passed the Qualifying Examination he is eligible for promotion to First Class Constable.

(2) Where a member has completed ten years' service in the Force and passed the Qualifying Examination and the Promotional Examination for Appointment to Sergeant 3rd Class he is eligible for promotion to Senior Constable. |

(3) Any member who has passed the Promotional Examination for Appointment to Sergeant 3rd Class is eligible for promotion to that rank.

(4) Any member who has passed the Promotional Examination for Appointment to Sergeant 1st Class is eligible for promotion to that rank or a higher rank.

POISONS ACT, 1964-1970.

Department of Public Health,
Perth, 19th May, 1971.

P.H.D. 750/70/2; Ex. Co. 1151.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Poisons Act, 1964-1970, has been pleased to make the regulations set out in the schedule hereto.

W. S. DAVIDSON,
Commissioner of Public Health.

Schedule.

Regulations.

1. In these regulations the Poisons Act Regulations, 1965, published in the *Government Gazette* on the 29th June, 1965, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations. Principal regulations.

2. Regulation 19 of the principal regulations is revoked and the following regulation substituted:— Reg. 19 substituted.

19. (1) This regulation does not apply in respect of a vessel containing a medicine made up ready for human internal use or for animal internal use.

(2) Except as provided by these regulations, the immediate container in which any poison or hazardous substance is stored, sold, supplied or transported—

(a) shall be impervious to its contents;

(b) shall not be capable of reacting with its contents;

(c) shall be of sufficient strength and capacity to withstand the ordinary risks of breakage and expansion during storage, handling or transport without leakage; and

(d) shall be securely closed and, except where it contains a preparation packed for use on one occasion only, shall be capable of being securely reclosed.

(3) An immediate container on which the name of any poison or hazardous substance is embossed or otherwise permanently marked shall not be used except to contain that poison or hazardous substance.

(4) Subject to the provisions of subregulation (6) of this regulation, a hazardous substance shall not be sold unless the vessel immediately containing it—

(a) is embossed with or has indelibly written thereon the words "Not to be used as a food container" or the words "Not to be taken"; and

(b) is readily distinguishable from any type of container in which food, wine or other beverage is ordinarily sold.

(5) Subject to the provisions of subregulation (6) and subregulation (7) of this regulation, no hazardous substance which

is referred to in the Fifth Schedule to the Act under any of the following descriptions,

HYDROCARBONS, LIQUID
KEROSINE
METHYLATED SPIRIT
MINERAL TURPENTINE
OIL OF TURPENTINE
PETROL
WHITE SPIRIT,

shall be sold unless the vessel immediately containing it complies with the requirements of subregulation (8) or subregulation (9) of this regulation.

(6) A vessel containing a poison or hazardous substance made up as a medicament for eye, ear or nose in the form of drops or a spray and which contains fifteen millilitres or less of medicament is not required to comply with the requirements of subregulations (4), (5) or (9) of this regulation.

(7) A vessel containing a poison or hazardous substance made up as a medicament for the eye in the form of drops—

- (a) must be capable of being sterilised;
- (b) must have a locking cap secured with a screw or bayonet type fitting and adapted for the proper delivery of drops;
- (c) must comply with the requirements of paragraph (b) of subregulation (9) of this regulation where the vessel has a capacity exceeding fifteen millilitres;
- (d) is not required to be of any particular colour.

(8) A poison shall not be sold in any immediate container having a capacity exceeding two litres unless the word "POISON" appears in letters which are—

- (a) not less than half an inch in height; or
- (b) of a height which is not less than one-thirtysecond of the depth or width of the container,

whichever measure gives the greatest dimension, and is embossed, or indelibly written in colour contrast to the ground colour, on the side of that container.

(9) Subject to subregulation (6) and subregulation (7) of this regulation, a poison shall not be sold in any immediate container having a capacity of two litres or less unless that container complies with the following conditions—

- (a) A bottle or jar shall have the word "POISON" or the words "Not to be taken" appearing in raised lettering on the outer surface.
- (b) A bottle or jar shall be provided with prominent vertical ribs or grooves, or prominent points or stars, which shall be of sufficient number to render the vessel distinguishable by sight and touch—
 - (i) from bottles or jars ordinarily used as containers for any food, drink or condiment;
 - (ii) from a vessel ordinarily used as a container for medicine for internal use; and
 - (iii) as a vessel reserved to contain poison.
- (c) A bottle or jar shall be provided with a panel, or panels free from ribs, grooves, points or stars of sufficient area for the purposes of labelling.
- (d) A bottle or jar made of glass shall be colourless or brown in colour.

- (e) A bottle or jar made of plastic shall comply with the Australian Standard Specification for Plastic Containers for Poisonous Substances as published by the Standards Association of Australia.
- (10) A paper bag shall not be used as the sole container of any poison unless the bag is of a type approved by the Commissioner for that purpose.
3. The principal regulations are amended by adding after regulation 19 a new regulation as follows:—
- Reg. 19A
added.
- 19A. A person shall not sell any food, drink or condiment, or any drug or medicine for internal use, in a container—
- (a) of a description which is not readily distinguishable by sight and touch from a container in which a poison or hazardous substance intended for external use may be sold; or
- (b) of a like description to that prescribed for a container in which a poison or hazardous substance intended for external use may be sold.

HEALTH ACT, 1911-1970.

Shire of Mandurah.

P.H.D. 840/63; Ex. Co. 1152.

WHEREAS it is provided in the Health Act 1911, as amended, a local authority may, of its own motion, by resolution, adopt with or without modification the whole or any portion of by-laws caused to be prepared by the Governor under the provisions of Section 343 (1) of that Act; and whereas Model By-laws described as Series "A", prepared in accordance with those provisions and duly amended have been reprinted with amendments to and including that published in the *Government Gazette* on 17th July, 1963, and further amended, *inter alia*, by notices published in the *Government Gazettes* on 20th March, 1964, 8th January, 1965, 14th April, 1966, 12th October, 1967, 30th July, 1968, 28th November, 1968, 17th December, 1968, 7th March, 1969, and 13th August, 1969: Now, therefore the Shire of Mandurah, being a local authority within the meaning of the Act—doth hereby resolve and determine that the said Model By-laws, as so reprinted and published in the *Government Gazette* on 17th July, 1963, together with amendments published in the *Government Gazettes* on 20th March, 1964, 8th January, 1965, 13th April, 1966, 12th October, 1967, 30th July, 1968, 28th November, 1968, 17th December, 1968, 7th March, 1969 and 13th August, 1969, shall be adopted with the following modifications.

PART I.—GENERAL SANITARY PROVISIONS.

1. Insert in sequence a new by-law 1C to read as follows:—

Provision of Apparatus for the Bacteriolytic Treatment of Sewage.

1C. (1) This by-law shall apply within the whole of the district of the Municipality of Mandurah as constituted under the Local Government Act 1960, as amended.

(2) Except where by reason of the nature of the terrain, soil or other peculiar circumstances it is not reasonably practical to instal the apparatus, the owner of every house constructed after the coming into operation of this by-law shall provide on the premises an apparatus for the bacteriolytic treatment of sewage before the house is occupied or used.

2. Add in sequence to this Part a new by-law 14A to read as follows:—

Prescribed Areas under Section 112A.

14A. The areas described in the Schedule hereto are prescribed as areas within which every occupier of premises shall not, unless he is authorised by the local authority so to do, remove any house or trade refuse or other rubbish from the premises.

Schedule.

The whole of the Shire of Mandurah as declared under the provisions of the Local Government Act, 1960, as amended, excluding that portion South of Tims Thickett Road No. 5 M.S.C. L/S 33021.

Passed at a Meeting of the Mandurah Shire Council held on the 20th day of April, 1971.

J. D. IRELAND,
President.

K. DONOHOE,
Shire Clerk.

Approved in Executive Council, this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

HEALTH ACT, 1911-1970.

Shire of Roebourne.

P.H.D. 1671/56; Ex. Co. 1155.

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 Roebourne being a local authority within the meaning of the Act and having adopted the Model By-laws described as Series "A" as published in the *Government Gazette* of the 17th July, 1963, doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

PART I.—GENERAL SANITARY PROVISIONS.

1. After by-law 1B, insert a new by-law 1C to read as follows:—

1C. Provision of apparatus for the Bacteriolytic Treatment of Sewage:

- (i) This by-law shall only apply within the Townsites of the Shire of Roebourne as constituted under the Land Act, 1933.
- (ii) Except where, by reason of the nature of the terrain, soil or other peculiar circumstances, it is not reasonably practical to instal the apparatus, the owner of every house constructed after the coming into operation of this by-law and not capable of being connected to a sewage system, shall provide on the premises an apparatus for the bacteriolytic treatment of sewage before the house is occupied or let.

2. Substitute for by-law 19, new by-law 19 to read as follows:—

19. (1) (a) No person other than an authorised employee of the Council or a person authorised in writing by the Council shall enter or be on any land or premises used by the Council for the depositing of refuse, garbage or rubbish, except for the purpose of depositing of refuse, garbage or rubbish.

(b) No person shall deposit any refuse, garbage or rubbish other than at a position on the land designated by an employee of the Council or as indicated by signs.

(c) No person shall interfere with or remove any material or thing whatsoever at any time from any land used by the Council for the deposit of refuse, garbage or rubbish.

(d) No person shall light or cause to be burnt any refuse, garbage or rubbish on any land used by the Council for the deposit of refuse, garbage and rubbish except on a specified site as designated by the Council and under such conditions as the Council may impose.

(e) No person shall deposit any car body or other material not easily compressible on any land under the control of the local authority except at a place which is set aside for the purpose and in accordance with such conditions as the Council may, from time to time impose.

(2) The deposit of refuse, garbage or rubbish on land set aside by the Council for the purpose, shall be subject to payment of a fee as follows:—

Utility	.....	\$0.50
Single Rear Axle Truck	.....	\$0.20
Tandem Rear Axle Truck	.....	\$1.00

Provided that the Council may permit ratepayers to deposit rubbish without charge.

(3) A person who deposits or disposes of any refuse, garbage, rubbish or any other unwanted material at a place other than a place set aside by the Council for the purpose, commits an offence.

Passed at a meeting of the Roebourne Shire Council held on the 4th March, 1971.

W. G. KLENK,
Commissioner.
N. B. KEATING,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cockburn.

By-laws Relating to Reserves.

L.G. 26/59.

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 ninth day of February, 1971, to make and submit for confirmation by the Governor, the following amendment to this by-law:—

1. By inserting after By-law 14, a new by-law to stand as 14A, to read as follows:—

No person shall carry or use a speargun or gidgie on Coogee Beach Reserve, being Class A Reserve No. 24306.

Dated this 21st day of April, 1971.

[L.S.]

J. H. COOPER,
Mayor.
E. L. EDWARDES,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 1—Standing Orders.

L.G. 2276/52.

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 records have resolved on the twenty-eighth day of October, 1970, to make and submit for confirmation by the Governor the following amendments to the abovementioned By-law which was published in the *Government Gazette* on the 7th June, 1935.

1. Revoke clauses numbered 2, 3, 5, 6, 10, 22, 23, 63, 67, 125, 130, 135, 161, 162, 163, 164, 165, 166, 168, 171, 179, 185, 198, 218, 234 and 235.
2. Interpretations—
 - In the term "Act" delete the phrase commencing with the word "The" in line 1 and ending with the figures "1906" in line 2 and substitute "The Local Government Act, 1960-1970".
 - Immediately after the definition of the term "Act" insert a new term "Clause" shall mean a clause of this by-law."
 - In the definition of the term "Mayor" after the word "include" in line 1 insert the words "the Deputy-Mayor and"
 - In the definition of the term "Member" after the word "mean" in Line 1 insert the words "and include"
 - In the definition of the term "Town Clerk" delete all words after the word "or" in line 2 and substitute "other officer who, for the time being, in acting in that capacity."
3. In Clause 1, line 2, delete the phrase "the following Regulations" and substitute "this by-law, the clauses of" and delete the word "called" in line 3 and insert in lieu "referred to as".
4. Clause 4—delete all words in the clause and insert in lieu "When a meeting is adjourned due to the absence of a quorum the adjourned meeting shall be held within seven days from the date of the adjournment.
5. Clause 8—delete the phrase commencing with the word "where" in line 1 and ending with the word "or" in line 4.
6. In line 1 of Clause 11 insert before the word "The" at the commencement of the clause the phrase "At any meeting of the Council" and in line 2 delete the phrase commencing with the word "of" where it first appears and ending with the word "Council" where it appears for the second time.
7. Clause 12 in line 3 delete the word "special" and in lines 4 and 5—delete the phrase commencing with the word "first" and ending with the word "occasion".
8. After Clause 14 insert a new Clause with the heading "Recording and Reading of Minutes" and numbered "14A. (1) Pasting or otherwise permanently affixing the minutes to the leaves of a book shall be a sufficient recording of the minutes in the book" and
 - "(2) Reading of the minutes of a previous meeting may be dispensed with provided that a copy of those minutes has been supplied to each member at least three days prior to the date of the ordinary meeting at which they are presented for confirmation".
9. Clause 15—after the word "and" in line 6 insert the words "each page of" and in line 7 after the word "signed" insert the words "and dated" and in line 8 delete the figures "176" and insert in lieu the figures "188".
10. Clause 16—Immediately before sub-clause 1 insert a new sub-clause to be numbered "(1a) Apologies and leave of absence"; delete sub-clauses (4),

(5) and (6); delete paragraphs (a), (b) and (c) of sub-clause 7 and insert in lieu the following paragraphs:—

“(a) Beach and Works Committee, (b) Health, Building and Town Planning Committee, (c) Civic Centre Committee”, and insert three new paragraphs:— “(d) Finance Committee, (e) Policy and Administration Committee and (f) Occasional or special Committees”.

Renumber the paragraphs so that the paragraphs shown in column 1 of the schedule below shall be given the numbers shown opposite in column 2 of the schedule.

Schedule.

Column 1.	Column 2.
1 a	1
1	2
2	3
3	4
7	5
8	6
9	7
10	8
11	9
12	10
13	11
14	12
15	13

11. Clause 19—Delete the sentence commencing with the word “No” in line 3 and ending with the phrase “(Sec. 167 (3).)” in line 5.

12. Clause 20—Immediately after the heading “Members to occupy own seats” insert a new subclause—

“(1) At the first meeting attended by a Councillor after elections the Mayor shall allot to him a position at the Council table and the Councillor shall, until such time as the Mayor makes re-allotment of positions, occupy that position when present at meetings of the Council” and insert the sub-clause number “(2)” before the commencement of the existing clause.

13. Clause 24—delete the word “newspaper” appearing in line 1 and 2 and all words commencing with the word “but” in line 4 and ending with the word “meeting” in line 6.

14. 25—delete the heading and insert in lieu “Admission and Removal of the Public”; in line 1 delete the words “citizens, reporters and visitors” and insert in lieu the words “the public”

After figure “25” insert “(1)”

15. Clause 26—delete the heading “Removal of Strangers for Disorderly Conduct” and delete the figures “26” and insert in lieu the sub-clause number “(2)” making it sub-clause (2) of Clause 25.

16. Clause 28—delete the clause and insert in lieu “At an adjourned meeting no business, other than such as shall have been specified in the notice of the meeting of which it is an adjournment, and which remains undisposed of, shall be transacted.”

17. Clause 29—delete the clause and insert in lieu “When a meeting is adjourned notice of the adjourned meeting shall, if time permits, be forwarded to each member in the manner provided in Clause 3.”

18. Delete the heading “Nature of Report” to Clause 31. Add after the Clause No. 30, the subclause No. “(1)”. Delete the clause number “31” and insert in lieu the subclause number “(2)” making it subclause (2) of Clause 30.

19. Clause 32—in the heading delete the words “Notice of”, convert the word “Question” into “Questions” and after that word insert the words “of which due Notice has.”

20. In Clause 38—after the word “report” in subclause (c) insert “; or” and insert a new subclause “(d) that the petition be received and be dealt with by the full Council.”

21. In Clause 46—after the figures “46” insert the subclause number “(1)”.

22. Delete the heading to Clause 47 “Council not to delegate Power to Accept Tenders” and in Clause 47 delete the sentence commencing with the word “The” in line 1 and ending with the word “tenders” in line 3 and insert the subclause number “(2)” before the balance of the Clause and include it as subclause (2) of Clause 46. Delete the figures “47”.

23. In the heading to Clause 51 delete the words “Special or Urgent” and insert in lieu the word “Late”.

24. In Clause 53—delete the word “four” in line 6 and substitute the word “seven” and delete the sentence commencing with the word “The” in line 10 and ending with the word “least” in line 12.

25. In Clause 55—delete the word “fourth” in line 4 and substitute the word “seventh”.

26. In the heading to Clause 59 before the word “Amendments” insert the words “Order of”.

27. In Clause 60—delete the word “or” appearing in line 4 and the word “verbal” appearing in line 5.

28. In Clause 66—after subclause (b) paragraph (v) insert new paragraphs “(vi) That the Council do proceed with the next business; or” and “(vii) That the meeting be now closed.”

29. In Clause 80—After the word “member” in line 3, insert the words “or officer”.

30. In Clause 99 after the word “from” in line 5 insert the words “the voices or” and in line 8 delete the word “hereinafter” and after the word “provided” insert the phrase “for in Section 173 of the Act”.

31. In Clause 111—delete the words in paragraph (a) and insert in lieu “That the next business be proceeded with;” and after paragraph (f) insert a new paragraph “(g) That the meeting be now closed”.

32. In Clause 123 for the first word in line 4 substitute the word “Confine”.

33. In Clause 150—In line 7 substitute the word “moving” for the word “making”.

34. In Clause 151—line 3, delete the words “two thirds of”.

35. In Clause 157—after the figures “157” insert the subclause number “(1)”. Delete the clause number figures “158” and insert before the word “Upon” the subclause number “(2)” making it subclause (2) Clause 157.

36. In Clause 167—In line 1 delete the word “may” and in lieu insert the words “shall at the first meeting held after the annual election” and delete all the words in the clause appearing after the word Committees in line 2.

37. In Clause 169, line 2, delete the words “first meeting” and insert in lieu the word “appointment”.

38. After the word “Mover” in the heading to Clause 173, insert the words “of appointment”.

39. In the heading to Clause 210 delete the word “lie” and insert in lieu the word “lay”.

40. In Clause 207, line 1, delete the figures “230” and insert in lieu the figures “208”; in line 2 delete the word “election” and insert in lieu the word “appointment” and after the word “any” insert the word “classified” and delete the phrase commencing with the word “to” in line 3 and ending with the word “attached” in line 4.

41. In Clause 213 in the 3rd line of paragraph (c) delete the words "second or".
42. In Clause 215 in line 2 delete the words "two weeks" and insert in lieu "recreational" and after the word "time" in line 3 insert ", in accordance with that defined by the industrial award applicable to his particular class of work and long service leave in accordance with the provisions of the Council's By-law No. 22".
43. Clause 216—In line 2 after the word "officer's" insert the word "recreational" and in line 6 delete the words "or long service".
44. In Clause 217—in line 8 delete the word "two" and insert in lieu the word "three".
45. Clause 220—In the heading delete the words commencing with the word "Town" and ending with the word "be" and after the word "Chief" insert the words "Non-Elective". In line 1 of the Clause after the word "Chief" insert the words "Non-Elective".
46. Clause 221—Immediately after the first paragraph insert a heading reading "Ordering of Goods and Materials" and insert the clause No. "221A." before the word "All", and delete the word "keep" in line 2 of Clause 221A and insert in lieu the word "use".
47. Clause 227—Delete the heading "Inspector-Supervisor" and insert in lieu the words "Health Surveyor-Building Surveyor".
Delete the whole of the clause and insert in lieu—
- (a) the Health Surveyor-Building Surveyor shall submit, through the Town Clerk, to each ordinary meeting two reports, viz.:— one dealing with health matters and the other dealing with building and town planning.
 - (b) The Health Surveyor-Building Surveyor shall be responsible for inspections and attention to matters pertaining to health, building, town planning and all relevant by-laws and shall, as far as practicable, take appropriate action to ensure their observance. He shall, if necessary, report to the Council, through the Town Clerk, any breach of such by-laws.
48. Clause 229—After the word "part" in line 2 insert the words "on behalf of any candidate"
49. Before the word "The" at the commencement of the clause headed "Suspension of Standing Orders" insert the figures "231" and sub-clause number "(1)". Delete the heading "Motion to Suspend Standing Orders to be Seconded" and the figures "231" immediately below and insert in lieu the sub-clause number "(2)". Delete the words "pro tempore" in line 1 of this sub-clause and insert in lieu "temporarily". Delete the whole of the second sentence commencing with the word "No" and ending with the word "Council".
50. Clause 233—In line 1 delete the words "or businesses".
51. Clause 243—Insert the words "the request for" after the word "which" in line 9.
52. After the word "withdrawn" in line 4 of clause 248 insert a heading "Permission for Persons to Address the Council" and before the word "No" in line 5 insert the clause No. "248A.", and after the word "Deputations" in line 3 of the new clause insert the phrase "as provided for under clause 186"
53. Clause 249—In line 3 delete the phrase commencing with the word "and" and ending with the word "overdue".
54. Clause 251—In line 4 delete the words "Twenty pounds" and insert in lieu the words "one hundred dollars".
55. That the clauses be re-arranged so that the clauses bearing the number shown in Column 1 of the Schedule below shall be given the new numbers shown opposite in Column 2 of the said schedule.

SCHEDULE.

Column 1	Column 2	Column 1	Column 2	Column 1	Column 2
Inter-pretations	2	80	69	150	136
9	3	81	70	151	137
7	5	82	71	152	138
8	6	83	72	153	139
11	7	84	73	154	140
12	8	85	74	155	141
13	9	86	75	156	142
14	10	87	76	157/158	143
14A	11	88	77	159	144
15	12	89	78	160	145
16	13	90	79	167	146
17	14	91	80	169	147
18	15	92	81	170	148
19	16	93	82	172	149
20	17	94	83	173	150
21	18	95	84	174	151
24	19	96	85	175	152
25/26	20	97	86	176	153
27	21	98	87	177	154
29	22	99	88	178	155
28	23	100	89	180	156
30/31	24	101	90	181	157
32	25	102	91	182	158
34	26	103	92	183	159
35	27	104	93	184	160
36	28	105	94	186	161
37	29	106	95	187	162
39	30	107	96	188	163
38	31	108	97	189	164
40	32	109	98	190	165
41	33	110	99	191	166
42	34	111	100	192	167
43	35	112	101	193	168
44	36	113	102	194	169
45	37	114	103	195	170
46/47	38	115	104	196	171
48	39	116	105	197	172
49	40	117	106	199	173
50	41	118	107	200	174
51	42	119	108	201	175
52	43	120	109	202	176
53	44	121	110	203	177
54	45	122	111	204	178
55	46	123	112	205	179
56	47	124	113	206	180
57	48	126	114	231	181
58	49	127	115	232	182
59	50	128	116	233	183
60	51	129	117	244	184
61	52	131	118	245	185
62	53	132	119	246	186
64	54	133	120	247	187
65	55	134	121	248	188
66	56	136	122	248A	189
68	57	137	123	236	190
69	58	138	124	237	191
70	59	139	125	238	192
71	60	140	126	207	193
72	61	141	127	208	194
73	62	142	128	209	195
74	63	143	129	210	196
75	64	144	130	211	197
76	65	145	131	212	198
77	66	146	132	213	199
78	67	147	133	214	200
79	68	148	134	219	201
		149	135	215	202

SCHEDULE—continued.

Column 1	Column 2	Column 1	Column 2	Column 1	Column 2
216	203	226	211	239	219
217	204	227	212	240	220
220	205	228	213	241	221
221	206	229	214	242	222
222	207	230	215	250	223
223	208	243	216	251	224
224	209	221A	217	252	225
225	210	249	218		

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.
D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 5—Keeping and Depasturing of Goats.

L.G. 2276/52.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovenamed municipality hereby records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following by-law:—

1. No goat or goats shall be kept within the Municipality unless and until a license for that purpose has first been obtained.
2. No person shall keep or permit to be kept more than two goats at any one premises.
3. A license issued in accordance with clause 1 hereof shall expire on the 30th day of June next following the date on which it was issued.
4. The fee payable for a license granted under this by-law shall be one dollar (\$1.00) for each goat registered.
5. A person shall not drive or lead into or along any street, way, public place or unfenced land within the district any goat unless the goat is secured with a chain or rope sufficient to keep it under control.
6. A person shall not allow any male goat to be turned loose or tethered in any yard or other place with a female goat or goats, for the purpose of covering the same, unless such yard or other place shall be entirely screened from public view.
7. An application for a license under this by-law shall be in the form prescribed in Schedule A hereof and the license issued shall be in the form prescribed in Schedule B hereof.

8. Every person committing a breach of this by-law shall on conviction be liable to a penalty not exceeding one hundred dollars.

9. By-law No. 5—For Regulating the keeping and depasturing of goats within the Municipal District—which was published in the *Government Gazette* of the 7th June, 1935, is hereby revoked.

SCHEDULE A

I, of Street, within the Municipality of the Town of Cottesloe do hereby apply for a license to keep goat/goats at my premises, as above, which goat/goats is/are more particularly described hereunder:—

Sex	Age	Colour or distinctive markings

I, the said, declare that the particulars stated above are, to the best of my knowledge and belief, true in every way.

Dated this day of, 19.....

SCHEDULE B.

Mr. of Street, Cottesloe, is hereby licensed to keep, goat/goats more particularly described hereunder, at the premises mentioned above:—

Sex	Age	Colour or distinctive markings

This license is issued subject to the By-laws of the Town of Cottesloe and shall be in force until the 30th day of June, next, unless sooner suspended or cancelled.

Dated this day of, 19.....

.....
Issuing Officer.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.

D. G. HILL,
Town Clerk.

Recommended—

.....
C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 10—Parks and Reserves.

L.G. 2276/52.

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 28th day of October, 1970, to make and submit for confirmation by the Governor the following amendments to the abovementioned by-law which was published in the *Government Gazette* of the 7th June, 1935.

In line 2 of Clause 10—after the word “water” insert the words “except an established swimming pool”.

For Clause 19 delete the heading “Parks and Reserves” and substitute the heading “Removal of Soil”.

In line 3 of Clause 21 delete the amount “£20” and substitute the amount “\$100”.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.
D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 12—Storage of Inflammable Material.

L.G. 2276/52.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following amendments to the abovementioned by-law which was published in the *Government Gazette* of the 7th June, 1935.

In the last line of clause 2 insert the word “Uniform” immediately before the word “Building”.

In line 3 of clause 4 delete the amount “£20” and substitute the amount “\$100”.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.
D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 13—Brothels.

L.G. 2276/52.

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 28th day of October, 1970, to make and submit for confirmation by the Governor the following by-law:—

1. In the construction of this by-law the word "brothel" shall have the meaning assigned to it in section 206 of the Local Government Act, 1960-1970.
2. No person shall knowingly let or permit any premises within the Municipality of the Town of Cottesloe to be used as a brothel or house of ill-fame or house of assignation or for the purposes of habitual prostitution or knowing the premises or part of the premises are being used as such continue the tenancy.
3. No person shall, within the Municipality of the Town of Cottesloe, keep, manage or assist in the management of a brothel, house of ill-fame, house of assignation or any place used for the purpose of habitual prostitution.
4. Every person offending against any of the provisions of this by-law shall for every such offence be liable on conviction to a penalty not exceeding one hundred dollars.
5. By-law No. 13—Brothels—which was published in the *Government Gazette* of the 7th June, 1935, is hereby revoked.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.

D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 15—Tents.

L.G. 2276/52.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 28th day of October, 1970, to make and submit for confirmation of the Governor the following amendment to the abovementioned by-law which was published in the *Government Gazette* of the 7th June, 1935.

In the last line of Clause 3 delete the amount of "£20" and insert in lieu "one hundred dollars".

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.
D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 17—Drainage under Footways.

L.G. 2276/52.

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 records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following by-law:—

1. Unless permission in writing is first obtained from the Council no owner or occupier of any house or premises shall allow stormwater to be discharged into or upon any street or way or public place.
2. Provided permission is granted, as required by Clause 1 hereof, the owner or occupier of any house or premises from which stormwater is discharged shall construct and maintain a sufficient drain under the foot-path for the conveyance of such water by the shortest way to the water channel in such adjoining street or way or public place.
3. This by-law shall apply to stormwater only and under no circumstances shall any water, except stormwater drained directly from roofs or impervious pavements, be allowed to flow into any public or private street or way or place.
4. Every person offending against any of the provisions of this by-law shall for every such offence be liable to a penalty not exceeding One hundred dollars.

By-law No. 17—Drainage under Footways—which was published in the *Government Gazette* of 7th June, 1935, is hereby revoked.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.
D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

By-law No. 19—Hawkers and Stallkeepers.

L.G. 2276/52.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 28th day of October, 1970, to make and submit for confirmation by the Governor the following By-law:—

- 1. Hawking within the district of the Town of Cottesloe is prohibited absolutely.
- 2. No person shall keep or conduct any movable or temporarily fixed stall in or near any street or way for the sale of any meat, fruit, vegetables, drink, eatables or other articles of merchandise within the district unless and until he shall have applied for and obtained a license from the Council; but no license shall apply to that portion of the district west of the Eastern building line of Marine Parade and no person shall under any circumstances conduct a stall thereon.
- 3. Every licensed stallkeeper shall, whilst occupying his stall, have his name, the number of his license and the words "Licensed Stallkeeper" legibly painted on some conspicuous part of his stall.
- 4. The fee for a license, which will expire on the 30th day of June after the issue thereof, granted under this by-law shall be twenty-five dollars.
- 5. Every person offending against any of the provisions of this by-law shall for every such offence be liable to a penalty not exceeding one hundred dollars.

By-law No. 19—Hawkers and Stallkeepers—which was published in the *Government Gazette* of the 7th June, 1935, is hereby revoked.

STALLKEEPER'S LICENSE.

No.....

..... of, is hereby licensed to keep and conduct a stall during the month of, 19, to be situated subject to the provisions of the By-laws for the time being in respect of stallkeepers. This license is not transferable, and shall become void if the licensee shall cease to personally conduct the said stall.

Dated this day of 19

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY, Mayor.
D. G. HILL, Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Town of Cottesloe.

Revocation of By-laws.

L.G. 2276/52.

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 28th day of October, 1970, to revoke the By-laws listed in Schedule A hereunder and submit for confirmation by the Governor of its action.

Schedule A.

By-law No. 6—Miscellaneous—being parts of the 12th Schedule—Part 1—Section 2, Subsections 8, 9 and 10; Section 4, Subsection 24 and Section 5 and Part VI, which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 8—Re Special Roll for Loan Poll—which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 9—Betting in Streets—which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 11—Kerosene etc—which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 14—Horse and Carriage Bazaars—which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 16—Chimney Sweeps—which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 18—Shooting Galleries—which was published in the *Government Gazette* of the 7th June, 1935.

By-law No. 25—Signs, Hoardings and Billposting—which was published in the *Government Gazette* of the 10th October, 1961.

By-law No. 32—Buildings—Maximum Heights and Plot Ratios—which was published in the *Government Gazette* of the 6th February, 1964, and the amendment which was published in the *Government Gazette* of the 26th October, 1965.

Dated the 29th day of October, 1970.

The Common Seal of the Municipality of the Town of Cottesloe was hereunto affixed this 27th day of November, 1970, by the Mayor in the presence of the Town Clerk.

[L.S.]

C. L. HARVEY,
Mayor.D. G. HILL,
Town Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Canning.

Adoption of Draft Model By-laws relating to Caravan Parks and Camping Grounds No. 2.

L.G. 321/66.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 22nd day of December, 1970 to revoke the By-laws relating to Caravan Parks published in the *Government Gazette* of the 12th October, 1966 and to adopt such of the draft Model By-laws published in the *Gazette* of the 28th day of September, 1961 as amended by notice so published on the 16th day of January, 1963 with such alterations as are here set out.

Draft Model By-law No. 2—Alterations.

Delete paragraphs (c) and (d) of subclause (1) of Clause 5.
Delete the whole of subclause 2 of Clause 5.

Dated the 22nd day of December, 1970.

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

E. CLARK, J.P.
President.
NOEL DAWKINS,
Shire Clerk.

[L.S.]

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

The Municipality of the Shire of Perth.

By-laws relating to Zoning.

L.G. 34/70 "D".

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of December, 1970 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:—

Section 12 of the Fifth Schedule is altered by the addition at the end thereof of the following:—

Lawley Ward—Wiluna Street Portion of Perthshire Drive-In
Location Au and being Lot 15 on Diagram 41169. Restaurant

Dated the 15th day of December, 1970.

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

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

[L.S.]

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

Shire of Shark Bay.

By-Laws Relating to Zoning.

L.G. 98/63.

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 19th day of December, 1970, to make and submit for confirmation by the Governor, the following by-laws:—

Zoning By-laws.

1. The land shown in Schedule (1) hereunder is hereby classified zoned and set aside as an area in which buildings of a recreational and holiday facility nature may be constructed and used.

Schedule (1).

Lot 9 of North Location 58, Knight Terrace, Denham Townsite.
 Lot 10 of North Location 58, Knight Terrace, Denham Townsite.
 Lot 12 of North Location 58, Knight Terrace, Denham Townsite.

Dated this 19th day of December, 1970.

The Common Seal of the Shire of Shark Bay
 was affixed hereunto by the President in
 the presence of the Shire Clerk this 15th
 day of January, 1971.

[L.S.]

J. M. LEE STEERE,
 President.

W. JACOBS,
 Shire Clerk.

Recommended—

C. STUBBS,
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day
 of May, 1971.

W. S. LONNIE
 Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960-1970.

Municipality of the Shire of Tableland

Adoption of Draft Model By-laws relating to Caravan Parks and Camping
 Grounds No. 2.

L.G. 399/64.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 8th day of February, 1971, to revoke the By-law, Caravan Parks No. 2, published in the *Government Gazette* of the 11th August, 1964, and to adopt such of the Draft Model By-laws published in the *Government Gazette* No. 82 of the 31st August, 1970 as are here set out: Draft Model By-laws (Caravan Parks and Camping Grounds) No. 2—The whole of the By-laws.

Dated the 20th day of April, 1971.

[L.S.]

R. C. PAUST,
 Commissioner.

K. V. FOLLAND,
 Shire Clerk.

Recommended—

C. STUBBS,
 Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day
 of May, 1971.

W. S. LONNIE,
 Clerk of the Council.

CEMETERIES ACT, 1897.

The Municipality of the Shire of West Kimberley.

By-laws relating to Derby Public Cemetery—Reserve No. 1227 and Fitzroy Crossing Public Cemetery—Reserve No. 29060.

L.G. 453/53.

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 20th day of October, 1969, to make and submit for confirmation by the Governor the following by-laws:—

1. From the date of coming into operation of these by-laws, all previous by-laws relating to the Derby and Fitzroy Crossing Public Cemeteries are hereby repealed.

2. All fees and charges payable to the Trustees, as set forth in Schedule "A" shall be paid at the times and manner therein mentioned unless otherwise ordered.

3. The "Secretary" as referred to in these by-laws, means the person for the time being employed by the Trustees as the Secretary of the Cemeteries, and such person shall, subject to the Trustees, exercise a general supervision and control over all matters pertaining to the Cemeteries, and to the carrying out and enforcement of these by-laws, and the direction of such person shall in all cases and for all purposes be presumed to be and have been the direction of the Trustees.

4. A plan of the Cemeteries showing the distribution of the land compartments, sections, situation and number of graves, and a register of all certificates of Rights of Burial shall be kept at the office of the Trustees.

5. Any person desiring to inter any dead body in the Cemeteries shall make an application in the form contained in the Schedule "E" and upon payment of the appropriate fees, the Trustees may issue a form of Order of Burial, in accordance with Schedule "D".

6. All applications for interment shall be made at the office of the Trustees in such time as to allow at least twenty-four hours notice being given to the Secretary at the office prior to the fixed time for burial.

7. The Trustees shall cause all graves to be dug and vaults and brick graves to be re-opened as and when required.

8. Every coffin shall have upon the lid an approved metal plate bearing the name of the deceased, stamped or otherwise indelibly inscribed in legible characters thereon. A coffin which does not comply with this by-law shall not be admitted to or be interred in the Cemeteries.

9. Every grave shall be at least six feet deep at the first interment and no interment shall be allowed in any grave with a less depth than three feet from the top of the coffin to the original surface of the surrounding ground.

10. In the case of an application for interment in any private grave or vault to which the deceased had no claim during life, the written and verified consent of the grantee shall be handed in with the application in the form of assignment of Right of Burial, Schedule "C".

11. (i) Subject to paragraph (ii) of this by-law, a person shall not bring a dead body into the Cemeteries unless he, or his representative has first handed to the Secretary for inspection and return a medical certificate of death or a Coroner's order for burial in respect of the body.

(ii) Where an undertaker or his representative, for a valid reason, is unable to produce a medical certificate or Coroner's order for burial, as required by paragraph (i) of this by-law and he has given to the Secretary a written guarantee to produce the certificate or order within three days, he may bring the body into the Cemeteries.

(iii) A burial shall not be permitted in the Cemeteries unless the provisions of one of the foregoing paragraphs of this by-law have been complied with.

(iv) Where a representative or the undertaker himself has given written guarantee as required by paragraph (ii) of this by-law and he has failed to produce the certificate or order within three days the undertaker's license may be suspended until the certificate or order is produced.

12. No interment shall be allowed on a Sunday except when it is certified in writing by a medical officer of health that for sanitary or special religious reasons it is necessary or advisable that the burial take place on that day.

13. The hours for burial shall be as follows: Monday to Friday, 9.30 a.m. to 4.30 p.m. Saturday, 9 a.m. to 12 noon. Sunday (subject to by-law 12), from 2 p.m. to 4 p.m. and no burial shall be allowed to take place nor any coffin allowed to enter the Cemeteries at any other hour except by written permission of the Trustees. No burial shall take place on Christmas Day or Good Friday.

14. The time fixed for any burial shall be at which time the funeral is to arrive at the Cemeteries gates and if not punctually observed, the undertaker responsible shall be liable to a fine of \$2.00.

15. Every funeral shall enter by the principal entrance and no vehicle except the hearse and mourning coaches shall be permitted to enter the Cemeteries or stand opposite the entrance gates.

16. If application to the Trustees be made to exhume any corpse for the purpose of examination or identification or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased or his family, an order from the Governor or the warrant of a Coroner or a Justice of the Peace issued in accordance with the law authorising the Trustees to permit the exhumation must be attached to the application form.

17. Children under the age of 10 years entering the Cemeteries must be in the charge of some responsible person.

18. Smoking shall not be allowed in the Cemeteries nor may any fire-works be discharged therein.

19. No dogs shall be admitted into the Cemeteries and any dog found therein shall be liable to be destroyed.

20. Any person violating the rules of property and decorum, or committing a nuisance or trespass, or injuring any tree, shrub, plant or flower border, grave or any erection, or in any way infringing these by-laws shall be expelled from the Cemeteries.

21. No person shall remove any plant, tree, shrub, flower (other than withered flowers) or any article from any grave without first obtaining a permit from the Trustees or its representatives.

22. No person shall pluck any tree, shrub, plant or flower growing in any portion of the Cemeteries.

23. No person shall remove or carry out of the Cemeteries any tree, plant, flower or shrub without the written authority of the Trustees or their representatives.

24. No person shall promote or advertise or carry on within the Cemeteries any trade, business or calling, either by solicitation, distribution of circulars, by cards or otherwise or by any other system of advertising whatsoever without the written consent of the Trustees and any person infringing this by-law shall be expelled from the Cemeteries.

25. No person employed by the Trustees shall be permitted to accept any gratuity whatsoever nor shall he be pecuniarily interested in any work in the Cemeteries other than the remuneration he received from the Trustees, and any such person proved guilty of accepting any gratuity or being pecuniarily interested in such work shall be liable to summary dismissal.

26. Any person requiring a Grant of Right of Burial in any part of the Cemeteries shall apply to the Trustees in writing specifying the location of the grave. If it is proposed to inter therein the remains of any already

deceased person the name of such person must be shown in the application. If the application is approved by the Trustees a Grant of Right of Burial shall be issued in the form of Schedule "B".

27. No brick grave or vault shall be constructed in any plot in respect of which a Grant of Right of Burial has been issued without the authority of the Trustees first obtained, and subject also to specifications of the proposed work and the execution thereof.

28. Every such Grant of Burial shall be subject to the by-laws for the time being in force, and no interment in any such grave or vault shall be allowed unless upon production of the grant aforesaid, nor shall any such grave or vault be opened unless with the consent of the Trustees.

29. Every coffin placed in any such grave or vault shall be bricked in, cemented, and any space surrounding such coffin to be filled with charcoal, dry earth, or other suitable material and covered with a slab of stone, slate or iron, unless special written exemption be obtained from the Trustees.

30. In the event of such exemption being obtained from the Trustees each coffin placed in any brick grave or vault shall be properly lead-lined and hermetically sealed.

31. If application be made for an interment in any grave or vault of the remains of any person other than the person to whom the grant was issued, or his registered assign, the written and verified consent of such grantee or assignee shall be produced, together with the Grant of Right of Burial.

32. Should the grantee be unable to produce the Grant of Right of Burial through having lost same, on making application for a grave to be re-opened for the purpose of interment, the said grantee shall make a declaration to this effect, and shall pay the fee for a copy of such Grant of Right of Burial as prescribed in Schedule "A" before the interment takes place.

33. Any person desiring to place or erect, or to alter or add to any monument, tombstone, or any enclosure in any part of the Cemeteries must first obtain the written consent and approval of the Trustees and otherwise comply with section 23 of the Cemeteries Act, 1897.

34. Every tombstone, monument, or enclosure shall be placed on proper and substantial foundations, which if required by the Trustees or their officers, shall extend to the bottom of the grave.

35. The materials used in every such erection shall be subject to the approval of the Secretary or other officer appointed by the Trustees and any material rejected shall be immediately removed from the Cemeteries by the contractor for the erection. All refuse and other rubbish remaining after any work is completed shall be immediately removed from the Cemeteries by the person causing same.

36. Should any work by masons or others be not completed before a Sunday, they shall be required to leave the work in a neat and safe condition to the satisfaction of the Secretary.

37. Monumental masons and other tradesmen shall before commencing work within the Cemeteries, deposit with the Secretary or the Trustees the sum of \$2 which shall be forfeited if the provisions of either of the two preceding by-laws be not complied with to the satisfaction of the Secretary.

38. All materials required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the Cemeteries, and all materials required by tradesmen shall be admitted at the main entrance and no vehicle conveying any such materials with wheels less than four inches broad shall be permitted to enter the Cemeteries.

39. Monumental masons shall not be permitted to carry on work within the Cemeteries during other than the hours specified for the opening and closing of the gates on week days, Saturdays and Sundays excepted, when no work is to be done from noon on Saturday to the opening of the gates on the Monday morning, without the written consent of the trustees.

40. No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave or vault.

41. No trees or shrubs shall be planted on any grave except such as shall be approved by the Secretary.

42. All workmen whether employed by the Trustees or by any other person shall at all times whilst within the boundaries of the Cemeteries be subject to the supervision of the Secretary and shall obey such directions as that officer may find it necessary to give and any workmen committing any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the said Secretary, shall be removed from the Cemeteries.

43. Any person taking part in dressing or attending to any grave shall comply with the following rules:—

- (a) No rubbish, soil, sand or other material removed in dressing a grave shall be placed on any other grave and if placed on any adjoining ground shall be removed immediately the work is completed.
- (b) No sand, soil or loam shall be taken from any portion of the Cemeteries for the purpose of dressing any grave except with the permission of the Secretary.
- (c) The dressing of all graves, and the wheeling and carting of any material shall be subject to the supervision of the Secretary.
- (d) Work in all cases to be carried on with due dispatch and only during regulation hours specified within by-law 13 hereof.

44. Prior to conducting any interment within the Cemeteries or making use of the Cemeteries for any purpose connected with interments every undertaker shall pay to the Trustees an annual fee as prescribed in Schedule "A" and shall at the time of making such payment give his assent in writing to such conditions as the Trustees may deem fit to impose. Upon such assent being given and payment of the fee made he shall receive a permit to hold good during good behaviour and until the first day of July next following and unless in the possession of such permit no undertaker shall be allowed to engage in or carry out any duty or work within the Cemeteries.

45. The Trustees may decorate graves from time to time, when desired by the grantees so to do. If the grantees do not desire the Trustees to carry out this work, the grantees may either do it themselves or employ any person licensed by the Trustees for that purpose.

46. No person except the relatives of the deceased, the Trustees or those licensed by the Trustees shall be permitted to decorate any grave.

47. If for the purpose of re-opening a grave the Trustees find it necessary to remove edging tiles, plants, grass, shrubs, etc., from the grave the person so ordering the re-opening shall pay to the Trustees the charges laid down in Schedule "A".

Notwithstanding this clause, the Trustees accept no liability for any damage to edging tiles, headstones, plants, etc. arising from the re-opening of any grave.

48. Notwithstanding anything contained in the by-laws to the contrary permission may be granted to the Defence Department of the Commonwealth to erect headstones on the graves of the deceased soldiers without payment of any fee.

49. Free ground may be granted if it is proved to the satisfaction of the Trustees—

- (a) that the deceased was a returned soldier, and that he died as the result of injuries received on active service; or
- (b) that the relatives of the deceased are in necessitous circumstances.

Provided that such grant shall be made subject to the condition that only the remains of the deceased person as approved by the Trustees shall be interred in the grave.

50. A person who commits a breach of any by-laws commits an offence and shall for every such offence be liable to a penalty not exceeding Ten dollars and in any case of a continuing breach a further sum not exceeding Two dollars for every day during which such breach occurs.

51. Any person committing a breach of any by-law shall, in addition to being liable to a penalty under any by-laws, be liable to be forthwith removed from the Cemeteries by the Trustees, or the Secretary, or other employees of the Trustees or by any police constable. If such person resists removal from the Cemeteries, or if and as often as such person so removed shall, unless with the consent of the Secretary again enter the Cemeteries within 24 hours of his removal therefrom, he shall be liable to a penalty not exceeding ten dollars.

Schedule "A".

Derby and Fitzroy Crossing Public Cemeteries.

SCALE OF FEES AND CHARGES PAYABLE TO THE TRUSTEES.

1. On application for a "Form of Grant of Right of Burial" for—

(a) Land, 8 ft. x 4 ft., where directed by Trustees	\$ 6.00
Land 8 ft. x 8 ft., where directed by Trustees	12.00
Land, 8 ft. x 12 ft., where directed by Trustees	18.00
Land, 8ft. x 4 ft., selected by Applicant	8.00
Land, 8 ft. x 8 ft., selected by Applicant	16.00
Land, 8 ft. x 12 ft., selected by Applicant	24.00
(b) Sinking Fees—On application for a "Form of Order for Burial" for—	
Ordinary grave for an adult	30.00
Grave for any child under seven years of age	20.00
Grave for any stillborn child	14.00

2. If graves are required to be sunk deeper than six feet the following charges shall be payable:—

First additional foot	4.00
Second additional foot	6.00
Third additional foot	8.00
And so on in proportion for each additional foot	

3. Re-opening fees: Re-opening an ordinary grave for each interment or exhumation:—

(a) Ordinary grave for an adult	20.00
Of a child under seven years of age	15.00
Of a stillborn child	9.00
Where removal of kerbing, tiles, grass, etc. is necessary according to time required—per man hour at	2.00
(b) Any brick grave	15.00
(c) Any vault, according to work required from	15.00

4. Extra charges for—

(a) Interment without due notice under by-law 6	15.00
(b) Interment not in usual hours as prescribed by by-law 13—	
Monday to Friday	9.00
Saturdays, Sundays and public holidays	15.00
(c) Late arrival at Cemeteries gates under by-law 14	2.00
(d) Exhumations	8.00

5. Miscellaneous charges:

Permission to erect a headstone and/or kerbing	....	....	4.00
Permission to erect a monument	....	....	6.00
Permission to erect any nameplate	....	....	1.00
Registration of "Transfer of Form of Grant of Right of Burial"	....	....	.50
Copy of "Grant of Burial"	....	....	.50
Grave number plate	..	....	4.00
Undertakers' annual license fee	....	....	12.00
Undertakers' single license fee for one interment	....	....	2.00
Making a search in register	....	....	.50
Copy of By-laws	....	....	1.00

Schedule "B".

Derby and Fitzroy Crossing Public Cemeteries.

FORM OF GRANT OF RIGHT OF BURIAL.

By virtue of the Cemeteries Act, 1897-1957, we the undersigned council for the Shire of West Kimberley, being the Trustees of the Derby and Fitzroy Crossing Public Cemeteries, in consideration of dollars and cents paid to us by (1) of (2) do hereby grant to the said (1) the right of burying bodies in that piece of ground (description of ground so as to identify) and to hold the same to the said (1) for the term of 50 years from the date hereof for the purpose of burial only. This grant is issued subject to all by-laws and regulations now and hereafter in force, made or to be made under the above Act or any future Act or Acts.

Given under our hands and Common Seal this day of

Entered

(1) Name in full. (2) address and description in full.
 This grant must be produced before the grave can be re-opened.

Schedule "C".

Derby and Fitzroy Crossing Public Cemeteries.

FORM OF ASSIGNMENT OF RIGHT OF BURIAL.

I, of in consideration of dollars and cents paid to me by (1) of (2) do hereby assign unto the said (1) the right of burial in that piece of ground (description of ground so as to identify) which was granted to me (or to of deceased, of whose will I am the executor, as the case may be) for the term of 50 years by a deed of grant bearing date the day of and all my estate and interest therein, to hold the same, unto the said (1) for the remainder of the period for which the same was granted, subject to the conditions on which I hold same.

Given under my hand and seal this day of

Entered

(1) Name in full. (2) Address and description in full.

Schedule "D".

Derby and Fitzroy Crossing Public Cemeteries.
FORM OF ORDER OF BURIAL.

Date of Application.....

No. of Application.....

THE remains of late of
deceased, may be interred in grave No. compartment
section of the land appropriated to the
denomination. The time fixed for the burial is o'clock in thenoon
on the day of 19.....

I, the undersigned certify that a coffin purporting to contain the above remains
was interred in the above ground on the day of
19

Schedule "E".

Derby and Fitzroy Crossing Public Cemeteries.
FORM OF INSTRUCTION FOR GRAVES AND APPLICATION FOR
ORDER OF BURIAL.

Answers to the following questions to be supplied at the time of making
application:—

Date.....

1. Name of deceased
2. Age of deceased
3. Date of Death
4. Last residence of deceased
5. Place where death occurred
6. Date and hour of burial
7. Birthplace of deceased
8. Supposed cause of death
9. What denomination
10. Number of grave
11. Name of Minister
12. Size of grave
13. Name of Undertaker
14. Depth of Grave

Signature of person making application

Application received this day of
at o'clock/.

Secretary

No. of Order

No. of Grant

No. of Receipt

Note: If a free interment is required, specify name of magistrate signing
order and date thereof.

Dated this 29th day of April, 1971.

The Common Seal of the Shire of West Kim-
berley was affixed hereto in the presence
of—

[L.S.]

KEVIN J. KENT,
Deputy President.
R. G. TONKIN,
Shire Clerk.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th
day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

CEMETERIES ACT, 1897.

Northcliffe Public Cemetery By-laws.

L.G. 155/54.

THE by-laws made by the Trustees of the Northcliffe Cemetery Board under the provision of the Cemeteries Act, 1897, and published in the *Government Gazette* on the 16th April, 1948, and amended from time to time thereafter, are referred to in these by-laws as the principal by-laws.

The principal by-laws are amended by substituting for Schedule A the following schedule:—

Schedule A.

SCALE OF FEES AND CHARGES PAYABLE TO THE TRUSTEES.

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

(a) In private or open ground—		
		\$
For sinking grave	.....	22.00
For sinking grave if buried by Government contract	.....	22.00
For sinking grave for any child under seven years	.....	8.00
For re-opening grave	.....	22.00
For re-opening grave for any child under seven years	.....	8.00
For sinking grave beyond six feet for each additional foot	.....	3.00
(b) Ordinary land for grave 8 ft. x 4 ft. where directed		5.00
Ordinary land for grave 8 ft. x 12 ft. where directed		10.00
Special land for grave 8 ft. x 4 ft. selected by applicant in section where burials take place		9.00
Special land for grave 8 ft. x 12 ft.		18.00
(c) Miscellaneous—		
For iron number plate	.....	1.50
For interment without due notice	.....	1.50
For permission to erect any monument	.....	3.00
For permission to construct brick grave	.....	3.00
For permission to construct a vault	.....	3.00

The by-laws set out in the above schedule were made by the Trustees of the Northcliffe Cemetery Board at a duly convened meeting of the Trustees held on the 19th day of April, 1971.

J. BASHFORD,
Chairman.
G. GARDNER,
Secretary.

Recommended—

C. STUBBS,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 12th day of May, 1971.

W. S. LONNIE,
Clerk of the Council.

FACTORIES AND SHOPS ACT, 1963-1970.

Department of Labour,
Perth, 14th May, 1971.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of section 66 of the Factories and Shops Act, 1963-1970, and the requirements of that section as to certification having been complied with, has been pleased to make the regulations set forth in the Schedule hereunder.

H. A. JONES,
Secretary for Labour.

Schedule.

FACTORIES (LEAD MATERIALS) REGULATIONS, 1971.

1. These regulations may be cited as the Factories (Lead Materials) Regulations, 1971.
2. In these regulations, unless the context otherwise requires—
 - “approved” means approved by the Chief Inspector either generally or in a particular case;
 - “damp” means sufficiently moist to prevent the escape of dust;
 - “efficient exhaust draught” means localised ventilation effected by heat or mechanical means for the removal of gas, vapour, fumes or dust so as to prevent them (as far as practicable under atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on but so that no draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fumes or dust originate, and maintains the concentration of lead in the surrounding atmosphere below the threshold limit recommended in the Schedule of recommended maximum concentration of Atmospheric Contaminants for Occupational Exposure published by the National Health and Medical Research Council of Australia, 1970;
 - “lead burning” means the melting of lead by an oxy-gas flame or otherwise so as to induce metal to flow for the purpose of tacking or joining metals and includes the repair or construction of lead vats;
 - “lead material” means material containing metallic lead or a lead compound to an amount which makes the lead content in excess of 5% by weight calculated as lead on the anhydrous material;
 - “lead process” means any manufacturing process involving the use or handling of lead material, excluding the blending of motor spirit with tetra-ethyl lead, and without affecting the generality of the foregoing includes—
 - (a) manipulation, movement, or other treatment of lead material whether by means of any furnace, melting pot, retort, condensing chamber, flue, or container in which lead material has been processed or contained;
 - (b) the melting or casting of lead or a lead compound;
 - (c) the cleaning or demolition of any furnace, melting pot, retort, condensing chamber, flue, or container in which lead material has been processed or contained;
 - (d) the recovery of lead, including the breaking up of lead storage batteries; and
 - (e) lead burning.
3. (1) These regulations apply to any factory in which a lead process is carried on.
(2) These regulations apply to premises to which the operation of the Factories and Shops Act, 1963-1970, has been extended in accordance with section 6 of that Act and in which a lead process is carried on.

4. It shall be the duty of any occupier of any factory or premises to which these regulations apply to ensure that—
- (a) where a lead process is carried on so as to give rise to dust—
 - (i) the floor shall be maintained in good condition, constructed of bricks, concrete or material impervious to fluids, drained and maintained in a damp state; and
 - (ii) the floor except such portion as is permanently set apart for the deposit of lead material shall be washed down with water once a day;
 - (b) no lead material (other than metallic lead) shall be deposited or allowed to remain on any part of the floor not permanently set apart for the purpose, and no lead material (other than metallic lead) shall be handled or moved unless such lead material is—
 - (i) damp; or
 - (ii) under an efficient exhaust draught; or
 - (iii) so enclosed as to prevent the escape of dust into the air of any place where work is carried on; or
 - (iv) where none of the conditions prescribed in subparagraphs (i) (ii) or (iii) of this paragraph are practicable, lead material may be moved or handled by persons wearing suitable respiratory protection to filter out harmful dust or fumes;
 - (c) none of the following processes shall be carried on except with an efficient exhaust draught or in such a manner as to prevent the escape of gas, vapour, fumes or dust into any place where work is carried on—
 - (i) melting old or dirty scrap lead;
 - (ii) heating lead material so that vapour containing lead is given off; or
 - (iii) the assembly of lead accumulators;
 - (d) no container or sack which has contained lead material shall be cleaned and no lead material shall be broken up, crushed or ground unless such container or sack or lead material is damp, or is placed in an apparatus so enclosed as to prevent the escape of dust;
 - (e) suitable protective clothing in the form of overalls or aprons and boots and head coverings shall be provided for all persons employed in any lead process, and that the overalls or aprons and boots and head coverings shall be washed, cleaned or renewed at least once a week;
 - (f) no person under 16 years of age and no female shall be employed in a lead process;
 - (g) there shall be provided and maintained for the use of all persons employed in any lead process—
 - (i) a suitable meal room;
 - (ii) a suitable room for changing and storing clothing, of ample size and separate from any meal room;
 - (iii) a locker for the storage of street clothing;
 - (iv) a separate locker for the storage of the protective clothing and head coverings provided in accordance with paragraph (e) of this regulation, all of which shall be so located as not to be exposed to dust or fumes from any lead process carried on in the factory or premises;
 - (h) there shall be provided and maintained in good repair washing facilities under cover, with a sufficient supply of clean towels renewed daily, and of soap and nail brushes, fitted—
 - (i) either with a trough with a smooth impervious surface having a waste pipe without plug, and of such a length as to allow at least 2 ft. for every five persons or part thereof employed on the lead process at any one time and having a constant supply of hot and cold water from taps or jets above the trough at intervals of 2 ft.; or

- (ii) with at least one wash basin for every five persons or part thereof employed on the lead process at any one time, each fitted with a waste pipe and plug and having a constant supply of hot and cold water or warm water laid on to each basin; and
 - (iii) where the washing facilities provided are located some distance from the area in which a lead process is regularly carried on, an additional wash basin properly drained and with a supply of hot and cold water, in close proximity to the area in which the process is carried on; and
- (i) every person employed in a lead process shall be allowed five minutes for washing prior to partaking of food at a meal break or ceasing work on the lead process.
5. For the purpose of safeguarding health it shall be the duty of every person employed in a lead process to—
- (a) deposit in the place or places provided in accordance with paragraph (g) of regulation 4 of these regulations all clothing put off during working hours;
 - (b) wear the protective clothing provided when employed in a lead process and remove it before partaking of food or leaving the factory or premises and deposit it in the locker provided;
 - (c) use suitable respiratory protection to filter out harmful dust or fumes;
 - (d) refrain from smoking while his hands are contaminated with lead material;
 - (e) wash his face, neck, hands and arms in the wash room or facilities provided before partaking of food or ceasing work on a lead process;
 - (f) submit to an examination by the Commissioner of Public Health or a duly qualified medical practitioner appointed by him, without fee, at such intervals as the Chief Inspector directs.
6. Except where lead is melted down in a pot or similar receptacle, these regulations shall not apply to factories or parts of factories or premises wherein metallic lead or material containing lead is used in the following classes of business—
- (a) printing and type setting,
 - (b) paint shops,
 - (c) plumbing and sheet metalworks,
 - (d) potteries,
 - (e) tile works,
 - (f) engineering and electrical appliance factories.
 - (g) brass and other metal foundries,
 - (h) paint manufacturing.

FACTORIES AND SHOPS ACT, 1963-1970.

Department of Labour,
Perth, 14th May, 1971.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of section 66 of the Factories and Shops Act, 1963-1970, and the requirements of that section as to certification having been complied with, has been pleased—

- (a) to revoke the Spray Painting Regulations, 1963, and
- (b) to make the regulations set forth in the Schedule hereunder.

H. A. JONES,
Secretary for Labour.

Schedule.

SPRAY PAINTING REGULATIONS, 1971.

1. These regulations may be cited as the Spray Painting Regulations, 1971.
2. In these regulations, unless the context otherwise requires—
 - “spray painting” means the application of lead paint, silica paint, or any enamel, vitreous enamel, lacquer, epoxy resin or other material containing nitrocellulose or a flammable liquid, or both, by spraying to any vehicle or article;
 - “flammable liquid” means a liquid which gives off a flammable vapour at a temperature of less than 90 degrees Fahrenheit;
 - “lead paint” means any paint, paste, spray, stopping, filling or other material used in painting of which lead (Pb) forms more than one per cent of the non-volatile content;
 - “silica paint” means any paint, paste, spray, glaze or other material used in painting of which free silica forms more than two per cent of the dry weight.

I.—DUTIES OF OCCUPIERS.

3. (1) The occupier of every factory in which spray painting is carried on shall provide for that purpose a suitable booth or cubicle of a type approved by the Chief Inspector.
 - (2) No occupier of a factory shall install therein a paint spraying apparatus without first submitting to the Chief Inspector for approval the plans and specifications of the booth or cubicle within which is it intended to operate such apparatus.
 - (3) No booth or cubicle shall be erected or altered until the plan and specifications have been approved by the Chief Inspector.
 - (4) Every booth or cubicle shall be constructed in accordance with the plan and specifications approved.
4. Except with the written approval of the Chief Inspector and in accordance with such conditions as he may impose, no spray painting shall be carried on in any factory otherwise than in the booth or cubicle provided.
5. The booth or cubicle provided shall be of sufficient size to accommodate the vehicle or other articles to be sprayed, and to permit of the spray operator using the spray equipment with a reasonable degree of comfort and in such a manner that he shall not be exposed to spray dust and fumes.
6. The internal walls and ceilings of every booth or cubicle shall be—
 - (a) constructed of smooth impervious non-combustible and non-flammable materials;
 - (b) free of any obstruction;
 - (c) capable of being easily and effectively washed down and cleansed when required.
7. Every booth and paint shop shall be provided with a floor of hard smooth impervious material so constructed as to facilitate easy cleansing and shall be cleansed by washing, hosing down, scraping or damp sweeping upon the completion of each day's work.
8. (1) Every booth or cubicle shall be fitted with an exhaust fan or other apparatus placed in a position approved by the inspector, and which is capable of maintaining an air movement of not less than 100 linear feet per minute throughout the booth.
 - (2) An air movement throughout the booth or cubicle of not less than 100 linear feet per minute shall be maintained during the whole time in which spray painting is carried on and for five minutes afterward.

9. (1) Every booth or cubicle shall be fitted with a metal tube or duct into which all vapours, fumes or dust extracted by such fans or other apparatus shall be discharged.

(2) Every tube or duct so fitted shall be of a diameter and construction approved by the Chief Inspector as suitable and shall be—

(a) carried to the external air to a height sufficient to ensure the efficient discharge of the vapour, fumes and dust in a manner which will prevent re-entry into the factory or the contamination of adjacent premises; or

(b) otherwise provided with a discharge and collection apparatus of a type approved by the Chief Inspector.

10. (1) Where the heating or pre-heating equipment for spray painting is electrically heated, the owner or person proposing to use the equipment shall produce to the Chief Inspector a written certificate from an inspector appointed under the Electricity Act, 1945, certifying that the owner or person using the equipment has complied with the regulations made under the Electricity Act, 1945, which are applicable to the equipment.

(2) No person shall use or cause to be used heating or pre-heating equipment for spray painting unless the equipment has been first approved in writing by the Chief Inspector.

11. (1) The occupier of a factory shall provide for the use of every spray painter a suitable respirator of a type approved by the Chief Inspector.

(2) Every respirator shall be cleansed daily and maintained in a clean and efficient condition, and when not in use shall be kept under cover in a place outside the booth or cubicle.

12. The occupier of a factory shall provide overalls and head coverings for the use of every spray painter, which shall be thoroughly washed and cleansed at intervals of not less than one week, and when not in use shall be kept in a closed locker or receptacle outside the booth or paint shop.

13. The occupier of a factory shall provide suitable washing facilities and soap and clean towels for the use of operators of paint spraying apparatus.

14. The occupier of a factory in which a spray painting process is carried on shall cause a copy of these regulations to be exhibited in a conspicuous place in that factory, and to be maintained in a legible condition.

II.—DUTIES OF OPERATORS.

15. Every operator of paint spraying apparatus shall wear the overalls and head coverings and respirator provided during the whole of the time spray painting operations are carried on.

16. Every spray painter shall carefully clean and wash his hands, arms and face on ceasing work.

17. Every spray painter shall abstain from smoking, eating or drinking within ten feet of any opening into any booth wherein spray painting is carried out or within sixteen feet of any spray painting operation being carried on outside a booth.

18. Operators shall not spray paint in a booth or cubicle unless the ventilation fan or apparatus is in operation.

III.—OFFENCES.

19. Any person who contravenes or neglects, refuses or fails to comply with any provision contained in these regulations shall be guilty of an offence and liable to a penalty of one hundred dollars.

WORKERS' COMPENSATION ACT, 1912-1970.

The Workers' Compensation Board,
Perth, 12th May, 1971.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Workers' Compensation Act, 1912-1970, has been pleased to make the regulations set out in the schedule hereunder.

NEWTON W. MEWS,
Chairman, Workers' Compensation Board.

Schedule.

Regulations.

1. In these regulations the Workers' Compensation Act, 1912-1934 Regulations published in the *Government Gazette* on the 30th September, 1938 and amended from time to time thereafter by notices so published, are referred to as the principal regulations. Principal regulations.

2. The principal regulations are amended by adding after regulation 14 a heading and regulation as follows— Addition of reg. 14A.
(Chiropractors' fees.)

Chiropractors' Fees.

14A. (1) For the purposes of paragraph (cb) of subsection (1) of section 35 of the Act the fees to be paid to chiropractors shall, subject to subregulation (2) of this regulation, be in accordance with the following scale:—

Treatment Fees.

(a) Consultation, examination or treatment—	\$
(i) First	3.60
(ii) Each after the first	3.20
(b) House call, or emergency attendance between 8 p.m. on a week-day and 8 a.m. on the next following week-day or between 1 p.m. on a Saturday and 8 p.m. the next following Monday—	
(i) First	4.50
(ii) Each after the first	4.00

X-ray Fees.

(a) Cervical, lumbar, or thoracic area (A/P and lateral)	7.00
(b) Full spine (A/P and lateral)	16.00
(c) Spot films	5.00
(d) Additional spinal films	2.00

(2) Where, for an item in the scale set out in subregulation (1) of this regulation, the normal fee charged by a chiropractor to a patient other than one entitled to workers' compensation is less than the fee in that scale for that item, for the purposes of paragraph (cb) of subsection (1) of section 35 of the Act the fee to be paid to that chiropractor for that item shall be that normal fee.

CATTLE INDUSTRY COMPENSATION ACT, 1965.

Department of Agriculture,
South Perth, 18th May, 1971.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by section 46 of the Cattle Industry Compensation Act, 1965-1970, has been pleased to make the regulations set forth in the schedule hereunder.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.
Regulations.

Principal regulations. 1. In these regulations the Cattle Industry Compensation Regulations, 1966, published in the *Government Gazette* on the 14th February, 1966, and amended from time to time by notices so published, are referred to as the principal regulations.

Reg. 9 amended. 2. Regulation 9 of the principal regulations is amended by substituting for the figure "5" in line three of subregulation (1) the figure "3".

Schedule amended. 3. The schedule to the principal regulations is amended—
(a) by substituting for Form No. 3 the following form:—

AD.....
NO.....

Form No. 3.

Regulations 6 and 9.

Cattle Industry Compensation Act, 1965.

Chief Inspector of Stock
Perth.

RETURN OF THE POSITIVE REACTORS TO THE TEST AND CLAIM FOR COMPENSATION ^{*(Tuberculin)}
_(Brucellosis)

The following animals on the property of.....
of.....gave a positive reaction
to the *Tuberculin/Brucellosis Test carried out on.....

Schedule of Particulars of Cattle.

Tag No.	Sex.	Colour.	Breed.	Age.	Brands.	Valuation.
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I/we.....of
do solemnly and sincerely declare that I am/we are the owner/s
of the cattle described in the above schedule and that the informa-
tion contained therein is to the best of my/our knowledge and belief
correct in every particular and I/we make this solemn declaration
by virtue of section 106 of the Evidence Act, 1906.

And I/we the owner/s of the cattle described do hereby make
application for payment of compensation for the destruction of
such cattle, and accept the valuation as set out in the schedule.

Declared at..... in the State of
Western Australia the..... day of..... 19.....

Before me.....
(Witness)

.....
Inspector Signature of Owner/s

* Delete word not applicable. ; and
(b) by revoking Form No. 5.

ERRATUM.

LOCAL GOVERNMENT ACT, 1960-1970.

UNIFORM BUILDING BY-LAWS.

IN *Government Gazette* (No. 38) of 20th May, 1971, on pages 1719 and 1720,
the following corrections are made:—

Page 1719, Line 13, "contains", should read "contain". Page 1720, Line 58,
"11. By-law 2804 of the principal by-laws is revoked", should read
"11. By-law 2803 of the principal by-laws is revoked".

R. C. PAUST,
Secretary for Local Government.