



Government Gazette

OF

WESTERN AUSTRALIA.

[Published by Authority at 3.30 p.m.]

[REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER.]

No. 52.]

PERTH : TUESDAY, NOVEMBER 1.

[1938.

NATIVE ADMINISTRATION ACT, 1905-1936.

Chief Secretary's Department,
Perth, 28th October, 1938.

HIS Excellency the Lieutenant-Governor in Council has been pleased to rescind and cancel the regulations under the Native Administration Act, 1905-1936, as approved in Executive Council on the 14th April, 1938, and published in the *Government Gazette* of the 29th April, 1938, and, in lieu thereof, to make the following regulations.

A. O. NEVILLE,
Acting Under Secretary.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

1. These regulations may be cited as the Native Administration Regulations, 1938.
2. All previous regulations made under the Aborigines Act, 1905, as amended by No. 42 of 1911, and the Native Administration Act, 1905-1936, are repealed as from the date of publication in the *Government Gazette* of these regulations.
3. In these regulations—
“Ward” means all native children of whom the Commissioner of Native Affairs is the guardian in accordance with section 8 of the Act.
“Hospital” means any hospital throughout the State open to receive native patients.
4. Any person who commits by act or omission a breach of these regulations commits an offence against these regulations and shall be liable—
 - (a) for a first offence to a penalty not exceeding £20 or imprisonment for any period not exceeding three months, or both;
 - (b) for a second offence to a penalty not exceeding £50 or imprisonment for a period not exceeding six months, or both;
 - (c) for a third or subsequent offence to a penalty not exceeding £100 or imprisonment for 12 months, or both.

Section 3.

Subsection (1) Paragraph (a).

Declaring a Quadroon to be Classed as a Native.

5. Every application for an order declaring a quadroon over 21 years of age to be a native shall be in writing and be signed by the Commissioner or the Deputy Commissioner. A form of application is set out (No. 1) in the Schedule.

6. (a) The application shall be lodged with the Magistrate to whom it is desired to apply for the order, and the Magistrate shall thereupon fix a date for the hearing of the application which shall not be less than five days after the day when notice is served on the native as hereinafter prescribed.

(b) If for any reason the notice has not been served so as to allow the necessary time stipulated in the preceding paragraph the Commissioner shall obtain a fresh date of hearing and effect service conformably with the preceding paragraph.

(c) Service shall be effected by delivering the notice personally to the person concerned.

(d) If the quadroon fails to appear the Magistrate may on proof of service proceed to determine the matter in his absence.

7. The proceedings before the Magistrate shall be conducted as nearly as may be in accordance with the practice regulating the procedure before Justices on complaints for simple offences, but the Magistrate may, instead of hearing the matter in open Court, conduct the hearing in chambers.

8. Every order under these regulations shall be reduced to writing and signed by the Magistrate. A form of order is set out (No. 2) in the Schedule.

Section 8.

Delegation of Guardianship.

9. The Commissioner may board out any ward under 16 years of age to an approved person who is prepared to feed, clothe, educate and generally care for such ward in all respects as though the ward were his own child. A form of application in such case is set out in form No. 3 in the Schedule and the form of permission to be issued by the Commissioner is set out in form No. 4 in the Schedule.

10. Notwithstanding any agreement entered into in this regard, the Commissioner shall at all times be granted access to such ward, and if considered advisable by him remove with or without notice the said ward from the custody of the person with whom such ward is placed, and such person shall have no recourse against the Department for any action taken by the Commissioner in respect thereto.

Section 9.

Removals.

11. (a) The form of recognisance to be entered into is set out in No. 5 in the Schedule.

(b) Before any authority in this regard is given to any person by a protector, such person must be in possession of a permit to employ the natives covered by the recognisance.

(c) The surety prescribed in the recognisance shall be of such amount as the protector may deem sufficient in the circumstances.

12. Any native in respect to whom authority to remove has been given by a protector may be required by the protector to be medically examined prior to departure at the expense of the employer, and the written certificate of the examining medical officer shall be handed to the protector concerned before the execution of the recognisance.

13. Immediately upon arrival at the destination mentioned in the recognisance the employer shall report to the protector for the district, presenting to him for his inspection the native or natives named in the recognisance.

14. In any case the Commissioner may require a protector to inform him of the circumstances surrounding the application of any person in this regard before permission to proceed is given.

15. Any person to whom permission to remove a native has been given shall upon expiry of the period covered by the recognisance notify the protector granting permission to proceed in the first place of the return of the native to the place whence he was taken.

16. The period covered by a recognisance shall not exceed six months, but application by the person to whom permission to remove was granted may be made to the issuing protector or to the Commissioner for an extension of the period and such extension, if approved, may be granted under such conditions as may be imposed.

Section 12.

Removal under Warrant.

17. (a) At any time after the Minister has decided pursuant to section 12 of the Act to cause any native to be removed to and kept within the boundaries of a reserve, district, institution or hospital, or to be removed from one reserve, district, institution or hospital to another reserve, district, institution or hospital and kept therein, he may issue his warrant according to the form 6 in the Schedule hereto, directed to all or any officers of the Police of the State directing them to remove such native and convey him within the boundaries of the reserve, district, institution or hospital or from one reserve, district, institution or hospital to and within another and him safely to keep during the Minister's pleasure within the reserve, district, institution or hospital to and within which he shall be conveyed pursuant to the warrant.

(b) Any Minister charged for the time being with administration of the said Act may at any time issue any warrant in aid of or substitution for the original warrant in order to carry into effect the purposes thereof.

(c) Any warrant issued hereunder shall have effect according to its tenor.

18. (a) When the Minister has directed a native to be removed to a reserve, district, institution or hospital, and such native has been so removed, such native shall not leave the reserve, district, institution or hospital without permission of the Minister.

(b) Provided that any such native whose conduct, after admission, is unsatisfactory to the relative superintendent or manager and is likely to disturb discipline and good order, as a last resort may be required by the superintendent or manager to leave a reserve, district, institution or hospital, and if he remains on the reserve, district, institution or hospital after having been required so to leave, or having left returns to the reserve, district, institution or hospital without the permission of the superintendent or manager, he shall commit a breach of these regulations.

(c) Provided further that where such inmate has been ejected from a reserve, district, institution or hospital under these regulations, a report of the circumstances shall be immediately supplied to the Commissioner, and the Commissioner may refer the matter to the Minister, who may decide to confirm the expulsion of the inmate, or order his return thereto.

Sections 14, 15 and 68.

Admission to Institutions and Reserves.

19. Every native while within an institution or reserve shall be deemed an inmate of such institution or reserve and shall obey all reasonable instructions and commands of the superintendent or manager.

20. Managers and superintendents of institutions or reserves may admit natives thereto and discharge them therefrom upon their own authority, provided such natives are not wards, or under warrant of removal under section 12, except as provided in regulation 17.

21. Any native other than a ward who is desirous of entering an institution within a reserve must apply for admission to the superintendent or manager, who shall satisfy himself that the case is a proper one for admission, but any native who has been removed from any other institution for misconduct or other similar cause shall not be admitted without the authority of the Commissioner.

22. In the absence of the authority of the Commissioner a ward shall not leave an institution unless the circumstances are exceptional, when the permission of the superintendent or manager shall suffice, providing that a full statement of the circumstances shall be immediately forwarded to the Commissioner. A ward leaving an institution without permission commits a breach of these regulations.

23. Any native who has been expelled from any institution or reserve who is found entering or remaining upon any institution or reserve without the permission of the Commissioner commits a breach of these regulations.

24. Whenever any person other than a native for any stated reason desires to enter a reserve, the Commissioner may require such person to enter into a bond in respect to any sum which may be named therein, or to deposit with him a like sum guaranteeing the observance during occupation of the reserve of such conditions as may be required to be included in an authority to enter. When such bond or deposit has been supplied to the satisfaction of the Commissioner he may recommend the Minister to grant an authority to enter accordingly, and the Minister may in his discretion cause the same to be issued. Any authority so issued shall stipulate a time limit agreed upon. The bond shall be according to Form No. 7 and the authority to enter shall be according to Form No. 8 of the Schedule.

Institutions and Reserves.

Conduct upon and Management of.

25. No person shall bring intoxicating liquor or opium into an institution or within a reserve for natives.

26. Any person found under the influence of intoxicating liquor within an institution or reserve for natives commits a breach of these regulations.

27. No person shall damage, destroy or interfere with houses, buildings, fences, or other property within an institution or reserve for natives.

28. Any person charged with insubordination, indecent or unseemly behaviour, disorderly or immoral conduct, or the use of abusive, threatening or obscene language within an institution or reserve for natives or being in possession of firearms or poison shall be liable to a penalty in accordance with these regulations.

29. Gambling within institutions and reserves is strictly prohibited. Any person found persistently gambling may be expelled from an institution or reserve, have all or any privileges curtailed and be denied sustenance, and also be charged with a breach of these regulations.

30. No live stock belonging to any inmate shall remain within any institution or reserve without the authority of the superintendent or manager. Such stock shall be removed when directed or may be turned off the reserve or destroyed.

31. (a) No person shall take or attempt to take photographs of any kind whatsoever upon or within any institution or reserve for natives without the permit of the Minister.

(b) The Minister may grant a permit in such form as he may think fit to any person desiring to take photographs upon or within an institution or reserve for natives upon and subject to such conditions and restrictions as he may think fit to impose and shall specify in such permit.

(c) Every person who has obtained a permit as provided in these regulations shall in every respect strictly observe, perform, and comply with all the conditions and stipulations specified in such permit.

(d) If any person upon or within an institution or reserve for natives, whether with lawful authority or not, shall be found taking or attempting to take any photograph without the permit of the Minister, or contravening or attempting to contravene

any condition or stipulation specified in the permit granted to him, such person upon being requested so to do by the superintendent or manager of the institution or reserve shall deliver to the superintendent or manager the film or plate of every photograph taken by such person upon or within an institution or reserve, and leave the institution or reserve forthwith.

32. (a) No person shall, either within or without the boundaries of any institution or reserve for natives, contract or negotiate with any native whilst he is residing in such institution or reserve for the manufacture for such person, or purchase, or attempt to purchase or negotiate for the purchase from such native of or obtain or attempt to obtain by gift or otherwise from any such native any weapon, implement, utensil, or other object of native manufacture or construction, including wearing apparel of any sort, ceremonial ornaments or accessories, or any material possession whatever without the permission in writing of the Commissioner.

(b) The Commissioner may grant any permission required under this regulation subject to any conditions which he may think fit to impose, and the Commissioner may at any time by writing under his hand revoke any permission previously given by him under this regulation.

(c) For the purposes of this regulation, the nouns "sale" and "purchase" include barter and exchange, and the verbs "to sell" and "to purchase" have corresponding connotations.

33. The superintendent or manager of an institution or reserve shall, subject to any higher authority, be responsible for its welfare, administration and control.

34. (a) The superintendent or manager of every native institution shall keep card indices of every native admitted to the institution or born therein. The information required to be entered upon the indices shall include as may be the previous history of the inmate if known, the native name and alias of the inmate at the time of initial admission, baptismal name, the names of the parents, apparent age, particulars of the wives and families, records of punishment, and any subsequent disposition. Such indices shall be available for inspection by any authorised official of the department at all times when required.

(b) Any child, being a member of a family residing at an institution, shall upon attaining the age of twelve years be allotted a separate history card, but children under such age may be recorded with their parents residing at the institution. Where a child of any age has no parents residing at an institution such child shall be allotted a separate history card.

35. The inmates of all native institutions shall be supplied with ample plain wholesome food and water daily to the satisfaction of the Commissioner.

36. Every inmate shall have a separate bed, complete with necessary bedding as may be required by the Commissioner.

37. All inmates under fourteen years of age must attend school, if so required by the superintendent or manager, and the standard of education imparted shall be as far as practicable in conformity with the curriculum of the State Education Department.

38. In the event of any inmate of an institution or reserve becoming seriously ill, dying, absconding, or meeting with an accident, information shall at once be given by the superintendent or manager to the Commissioner or District Protector, and in the event of any ward absconding information shall also be at once given to the nearest Police Officer, so that immediate steps may be taken for the recovery and return of such inmate.

39. All letters to and from the inmates of an institution shall pass through the hands of the superintendent or manager, who may in his discretion withhold them from transmission or return them to the writers.

40. No ward shall be maintained in any institution other than a native institution without the consent and under such terms as may be approved by the Commissioner.

41. No subsidy shall be granted to any native institution unless the controlling body agrees to comply with any instruction of the Commissioner in respect to—

- (a) the standard of education of the inmates;
- (b) the measures taken for the treatment of sickness and the control of communicable diseases;
- (c) the diet of inmates maintained at the institution;
- (d) the measures taken to regulate the hygienic housing of the inmates;
- (e) the maintenance of the institution in a sanitary condition.

42. Every superintendent or manager of a native institution shall furnish to the Commissioner when required to do so such information as he may desire to have in respect to the issue of relief, clothing, medicines or medical necessities for any given period, and he shall at the end of each financial year if required by the Commissioner supply a statement showing what has been done in this respect during the year and the cost thereof. Further, when required to do so by the Commissioner, he shall supply full particulars of all natives under his charge.

43. Immediately after the close of each financial year the superintendent or manager of a native institution shall supply to the Commissioner a report with respect to the working of the institution during the preceding year, which shall include all relevant particulars and indicate the progress made. It shall also refer to any disabilities from which the institution appears to suffer.

44. The superintendent or manager of a native institution shall at all times give reasonable access to all inmates and buildings under his charge, as he may be required to do by the Commissioner or officers authorised by the Commissioner, and shall likewise disclose all records pertaining to inmates, trading, or accounts in connection therewith between the institution or inmates in his possession.

45. The governing authority of any mission shall at the request of the Commissioner supply him with any relevant information respecting any institution or mission conducted under its authority, including the inmates thereof, as he may from time to time require.

46. The discipline enforced within an institution or reserve shall be mild and firm. All degrading and injurious punishments shall be avoided, such as the "boxing" of children's ears. Girls' heads shall not be shorn as a punishment, neither are they to be deprived of their clothes and dressed in such a way as to hold them up to ridicule.

47. (a) A protector may inflict summary punishment by way of confinement for not exceeding fourteen days upon an inmate of an institution within a reserve guilty of serious misconduct, neglect of duty, insubordination, or persistent breaches of the regulations, but during such confinement there shall be no reduction in the normal diet scale. Where possible breaches of the regulations shall be reported to the nearest Police Officer for such action as he may deem necessary.

(b) Corporal punishment may as a last resort be inflicted in the presence of a witness by the superintendent or manager or by the schoolmaster or schoolmistress by the direction and upon the responsibility of the superintendent or manager, but in no case must be inflicted upon inmates 18 years of age or over. Where the punishment of a female is necessary, such must be inflicted in the presence of the matron or some responsible female officer of the institution.

(c) Corporal punishment may be inflicted for offences against morality, gross impertinence, or for persistent disobedience, but not for trivial breaches of discipline or dullness in learning.

(d) For the purposes of these regulations "corporal punishment" means punishment by means of strokes of a cane inflicted on the hands in the case of females, but in the case of males may include the buttocks.

48. Every case of punishment must be recorded in a punishment book immediately after the infliction thereof, giving date, details of the offence, what form of punishment inflicted, and signature of superintendent or manager and witness. A copy of the entry in every case shall immediately thereafter be supplied to the Commissioner.

49. Inmates may be specially appointed by the superintendent or manager as orderlies to assist in maintaining order and discipline.

50. Inmates of any institution or reserve according to their ability may be called upon to work during such reasonable hours as the superintendent or manager may direct, and must perform the duties allotted to them. If any inmate persistently refuses to work as aforesaid when required so to do by the superintendent or manager, privileges may be withheld until such inmate resumes work, or the inmate and his family may be removed from the station or reserve.

51. (a) Industrial training shall be carried on for not more than six nor less than four hours daily, with at least one hour for mid-day meal, and shall cease at noon on Saturdays. Only unavoidable duty shall be performed upon Sundays and holidays.

(b) Industrial training for boys shall be in farm, stock and garden work and any handiercraft that can be conveniently practised, special attention being paid to milking, the handling of horses and farm machinery and stock, and the elements of carpentry and blacksmithing and saddlery.

(c) Industrial training for girls shall include needlework, washing, ironing, housework, cooking, gardening, and, where cows are kept, dairying, but no female shall be called upon to perform work of a laborious or objectionable character.

52. Every inmate shall reside or take meals and sleep in any building set apart for such purpose, as may be required by the superintendent or manager.

53. Any native who has obtained employment outside an institution or reserve, and whose dependants within an institution or reserve are being maintained at the cost of the Department, shall during his absence in employment be liable to pay such weekly sum towards the support of his dependants as may be considered equitable by the Commissioner.

Wards at Institutions.

54. (a) The superintendent or manager of every institution which has been declared a native institution and which is in receipt of a subsidy from the Government, or which is wholly or partly supported by the Government, shall admit to the institution when required by the Commissioner to do so any ward and shall maintain such ward so long as may be required by the Commissioner.

(b) The superintendent or manager of every institution which has been declared a native institution and which is in receipt of a subsidy from the Government or which is wholly or partly supported by the Government shall discharge any ward when required to do so by the Commissioner.

(c) Any institution which has been declared a native institution but which is not subsidised by the Government may admit to the institution a ward if requested to do so by the Commissioner, but if for any reason the Commissioner desires the discharge therefrom of the said ward, then the ward shall be discharged accordingly.

55. (a) No ward of the Commissioner shall be admitted to any native institution without the consent of the Commissioner.

(b) In cases of emergency temporary admission may be granted by the district protector and a statement of the circumstances be subsequently supplied to the Commissioner, with a recommendation as to admission.

56. No ward under fourteen years of age shall be allowed or compelled to work or be placed out at employment except with the consent of the Commissioner.

57. Wherever a ward has been placed in employment from an institution an exact account of the terms of such employment shall be supplied to the Commissioner thereafter by the most expeditious means available or by telegram. Thereafter the Commissioner shall take charge of the matter.

Section 16.

Medical Examination of Natives.

58. No authority granted by the Commissioner under section 16 of the Act shall authorise—

- (a) a female native to be examined by any male person other than a medical practitioner, but a person authorised under section 16 may enlist the services of some competent white woman to do so when examination is imperative and a medical practitioner is not available;
- (b) a male native over the age of twelve years to be examined by any female other than a medical practitioner or a member of the nursing staff of any recognised hospital.

Section 18, et seq.

Employment of Natives.

Permits, Agreements, Contracts, and Conditions.

59. Every application for a permit shall be in writing signed by the applicant, and shall be made to the Police Officer in charge of the nearest Police Station. An application for a general permit to employ natives shall be in the Form No. 9 in the Schedule. An application for a permit to employ a native on land shall be in the Form No. 10 in the Schedule. An application for a permit to employ a male native over the age of 16 years on a ship or boat shall be in the Form No. 11 in the Schedule.

60. (a) On receipt of an application the Police Officer shall indorse thereon his report as to the desirability or otherwise of granting it, and forward the application to the nearest protector. If the protector grants the application he shall return a permit in the Form No. 12, 13, 14 or 15 in the Schedule, as the case may be, to the Police Officer, who shall deliver it to the applicant. The duplicate of the permit shall be retained by the protector, and a copy shall be forthwith forwarded by him to the Commissioner.

(b) A Police Officer who is a protector authorised to issue documents under the Act may himself receive the application and issue the permit.

61. A protector who is the superintendent or manager of an institution or reserve or depot controlled by the Department of Native Affairs may receive an application for a permit and dispense with the report of a Police Officer, and may if authorised by the Commissioner to do so issue the permit direct to the applicant.

62. Permits for employment on land shall expire on the thirtieth day of June in each year.

63. Permits to employ on any ship or boat shall not be granted for a period exceeding eight months, and shall expire upon the last day of the calendar month named in the permit.

64. Permits to employ must state where the natives covered by the permit are intended to be employed. Natives in respect to whom a permit or permits to employ on land have been issued must not serve any person other than the employer named in the permit during the period covered by the permit, but may work under the immediate direction of a competent employee other than a native, in the service of the said employer. If any employer lends his natives to work for any other employer who is not authorised under these regulations to work the natives concerned, he commits a breach of these regulations.

65. Natives employed by contract drovers, well sinkers, or other persons engaged under contract with any particular employer, and natives worked by employees of any person, company, or station, not engaged within thirty miles of their customary headquarters must be covered by separate permit to be taken out by the person in charge as may be required by the protector. Any branch of any pastoral station or agricultural undertaking which is under separate management or oversight shall be regarded as a separate property for the purposes of this regulation.

66. No permit shall be granted to an Asiatic. For the purpose of this regulation "Asiatic" means—Any person in fact or apparently belonging to the extent of not less than the half-blood to one of the native races of Asia or of any Asiatic island or of any island of the Indian Ocean or of the Malayan Archipelago, but does not include a person of the Jewish race. A person born in Australia of Asiatic parents may be granted a permit.

67. No native under 21 years of age shall be employed on board any vessel under an Asiatic master. Unmarried male natives over 21 years of age may be employed on board a vessel under an Asiatic master approved by an Inspector or Resident Magistrate provided they are engaged under permit or permit and agreement in accordance with these regulations and such other conditions governing same as may be required by a protector.

68. No permit shall be granted for the employment of any male native under the age of 21 years, or of any female native, or (except with the previous written permission of the Commissioner) of any male native of or over the age of 21 years, on any premises licensed for the sale of intoxicating liquor.

69. (a) A permit to employ a native on land issued in respect to the native first named therein may in the event of such native leaving his employment for any cause be transferred to cover the employment of another native secondly named therein and in like manner may be transferred to a native thirdly named therein, provided that the transfers are effected with the consent of a protector during the period of the permit and before the date of its expiry.

(b) Where an employer has paid the required contribution to the Natives' Medical Fund in respect of the native first named in the permit, he shall not be liable for a contribution in respect of any other native employed under the same permit, but such natives shall also be entitled to the benefits of the Natives' Medical Fund during the period of employment under the permit.

70. (a) The casual employment of a native is permitted providing such employment does not exceed two weeks for the same native within three consecutive months, and further that the employer shall so soon as he is able after engaging such native inform the nearest protector of the fact and take out the required permit for which there shall be no charge.

(b) Employers of casual labour under this regulation may pay a contribution of 5s. to the Natives' Medical Fund for every native casually employed to insure that such native shall be entitled to the benefits conferred by the Fund while so employed.

71. Any employer failing within a reasonable time and in any case before the thirtieth day of June next following to notify the protector for the district within which he resides that he has employed or is employing casual native labour commits an offence against these regulations.

72. A native or natives engaged under a contract to perform work or services, notwithstanding that the relationship is not that of master and servant, must be so engaged under permit or permit and agreement.

73. (a) Wherever a contract is entered into between any person and a native, subject to a permit having been taken out a protector may require an agreement to be entered into in accordance with the Act and these regulations, or he may substitute therefor a contract agreement to be signed by both parties in accordance with Form No. 16 in the Schedule.

(b) A duplicate of every contract agreement shall be filed in the office of the protector, and a copy thereof shall be immediately forwarded to the Commissioner.

74. Before employing another native or natives a native must apply to the nearest protector for permission to do so, and if such permission is accorded may proceed to take out the required permit or permits and agreements as the case may be.

75. A native who employs other natives to work for him in any capacity must comply with the provisions of the Act and regulations made thereunder relating to employment, agreements, and contracts.

76. In the event of a person who is not a native seeking a permit to engage a native or natives to perform work for him under contract, such permit may be refused unless the applicant produces a written agreement between the employer and the native or natives concerned which contains an express prohibition against the native contractor engaging other natives for the purpose of the contract, or an express condition that the native contractor will not engage another native or natives unless and until he has obtained a permit to do so under section 18 of the Act.

77. An agreement for employment on land shall expire on the thirtieth day of June in each year, and for employment on a ship or boat the period covered by agreement shall not exceed the period covered by the corresponding permit. A duplicate of every agreement shall be filed in the office of the protector, and a copy thereof shall be immediately forwarded to the Commissioner. No agreement issued pursuant to a permit shall extend to any period not covered by the permit. Every agreement on land shall be in or to the effect of the Form No. 17 in the Schedule, and every agreement in connection with a ship or boat shall be in or to the effect of the Form No. 18 in the Schedule.

78. The fees payable in respect to the issue of permits, except permits issued in conformity with regulation 70 (a), shall be as follows:—

Permit to employ a native 5s. for each permit.

General permit to employ natives £2 for each permit.

Provided that the Minister may waive the fee in any special case where he deems it desirable to do so.

79. Every protector shall transmit to the Commissioner on the first day of July in each year a return in writing giving particulars of all permits granted, renewed, or cancelled, of all agreements or contract agreements entered into and the parties thereto, and of all authorities issued under section 9 (with particulars of recognisances entered into) during the previous twelve months. If during such period the protector has not granted, renewed or cancelled any permits, or if no agreement has been entered into before him, he shall make a return accordingly.

80. On the refusal by a protector to grant any permit, the name of the applicant, together with the reason for the refusal, shall be supplied to the Commissioner and to all protectors in the districts adjoining that in which the applicant resides, and it shall be unlawful for any protector thereafter to grant a permit to such applicant without the authority of the Commissioner.

81. (a) Employers of native labour must provide accommodation to the satisfaction of the Commissioner for their native employees, upon or within such distance of their own premises as the Commissioner may require. Where it is inconvenient to accommodate natives near the employer's premises, and other suitable arrangements can be made, representations may be made to the Commissioner through the local protector for approval accordingly.

(b) In all cases bedding, and mosquito nets and ground sheets as required, shall be provided to the satisfaction of the Commissioner.

(c) Suitable sanitary conveniences shall be provided where necessary or as required by the Commissioner.

(d) Every employer of native labour shall, if so required, supply his native employees with suitable, substantial and sufficient food and drinking and bathing water to the satisfaction of the Commissioner. Saccharine shall not be substituted for sugar without the consent of the Commissioner.

82. When an employer is required to supply his native employee with blankets and clothing and boots in lieu of or in part payment of wages, such clothing shall be of good quality and in such quantity as may be approved by the Commissioner.

83. Wherever a general permit to employ natives is held by an employer, such employer shall keep and make available a sufficient supply of first-aid and medical necessities to the satisfaction of the Commissioner, and where the number of natives

employed or resident on the premises in any case exceeds six in number, the following equipment, medicines and drugs shall be maintained and supplied free of charge to native employees whenever necessary:—

- 1 dozen 2-inch bandages.
- 1 dozen 1-inch bandages.
- 1 roll of cotton wool.
- 1 roll boracic lint.
- 1 roll plain lint.
- 2 slings for support of an arm.
- 1 bottle tincture of iodine.
- 1 bottle lysol.
- $\frac{1}{2}$ lb. permanganate of potash (Condy's crystals).
- 1 small bottle mercurochrome sol. 2 per cent. or flavine 1 in 500.
- 4 oz. picric acid in crystals with directions how to make up liquid.
- 3 male glass syringes.
- Bates' salve for boils.
- 1 bottle turpentine liniment for sprains.
- Simple cough mixture.
- 1 lb. white precipitate ointment or zinc ointment made with vaseline for the North.
- 4 ounce bottle argyrol 10 per cent.
- 3 eye droppers.
- 2 pairs dark glasses.
- 4 ounce pot Golden Eye Ointment.
- Small instrument cabinet containing:
 - Scalpel (knife).
 - Scissors.
 - Dressing forceps.
 - Catgut and needles.
 - Hypodermic syringe with hypodermic tablets, *e.g.* morphia gr. $\frac{1}{4}$, strychnine gr. $\frac{1}{10}$ th.
- Epsom salts.

84. Any goods sold by an employer of native labour to his native employees shall be sold at a rate not exceeding the rate charged in respect to white employees, or at the current market value.

85. The Commissioner may direct that the wages or part of the wages of any native shall be paid to him in trust for such native, in any manner he may think fit, and the wages shall be paid by the employer accordingly.

86. (a) A female native who is not the consort according to native custom or legal wife according to the laws of the State of a male native or whose consort according to native custom or husband according to the laws of the State is absent shall not be engaged as a house worker at any place where a white woman is not resident and in control of the domestic staff.

(b) Wherever a native woman is required to work as a house worker where no white woman is resident and in control of such staff, such native woman shall not be parted from her native husband according to the laws of the State or consort according to native custom, and shall be provided with living accommodation for both together.

87. No child under fourteen shall work or be hired for labour under any conditions without the consent of the Commissioner.

88. Whenever required by the Commissioner, an employer to whom a native is being sent as employee shall pay in advance all costs of the employee's conveyance from an institution or any place within a radius of twenty miles of the General Post Office, Perth, to the place of residence of the employer or where the native is required to work.

89. A native proceeding to employment from any place within a radius of twenty miles of the General Post Office, Perth, or an institution may be supplied by the Commissioner with a second-class single railway ticket to his destination, the cost of which shall be a charge against the employer who shall make payment to the Commissioner so soon as he is advised of the cost.

90. The costs of proceeding to any employment advanced by the Commissioner to a native may by arrangement with the employer be made a charge against the wages of the native to be paid to him by the employer.

91. An employer shall be entitled to recover from moneys, if any, standing to the credit of an employee with the Commissioner a refund of costs of transport to the place of employment—

- (a) where the journey to the employer's residence does not occupy more than one day's travelling and the employee either leaves voluntarily or absconds within three months;
- (b) where the journey to the employer's residence occupies more than one day's travelling and the employee either leaves voluntarily or absconds within six months.

92. A native shall in all cases pay his own fare on returning from employment, and an employer shall not make any advance for same out of any moneys due to the Commissioner on the native's behalf.

93. No debts shall be recognised which are contracted by an employee with an employer in excess of an amount equal to the wages payable for one month, without the authority of the Commissioner.

94. Whenever required by the Commissioner, the employer shall provide a pocket money book in which shall be entered the amount of wage payable direct to the employee weekly, and wherein the receipt of such wage shall be acknowledged in writing by the employee, and a note made of any legitimate deduction made by the employer.

95. When desirous of terminating an engagement a week's notice shall be given by the employee to the employer, and failure to do so shall entitle the employer to retain a week's wages. Should an employer dispense with an employee's services without giving a week's notice an additional week's wages shall be paid to the employee in the existing proportions governing the engagement.

96. The employer shall furnish the employee with an invoice or detailed record docket covering any deduction made from his wages for purchases from the station or any other store, and the employer shall obtain the receipt of the employee for any stores or other goods whatsoever disposed of by him to the employee.

97. An employer shall grant an employee paid holidays at convenient periods which shall be equivalent to not less than one day for each month of service, provided that where practicable an employee shall be granted the leave upon the completion of each twelve months of continuous service.

98. In the event of a ward absconding from service or an employer discharging him for any misdemeanour the Commissioner shall be immediately informed of the fact by the employer, but alternatively notice may be given to the nearest protector of natives who shall notify the Commissioner.

99. An employer shall not sell to or purchase for any ward any land, building, livestock, bicycle, vehicle or musical instrument at a cost exceeding £1 without the consent of the Commissioner. For the purposes of this regulation musical instrument shall include gramophone or radio set.

Section 19—Fifth proviso.

Appeal against cancellation of or refusal to grant a Permit.

100. (a) Upon a protector refusing to issue a permit to, or cancelling a permit already issued to, any person, such person upon being so advised may within one month of receipt of such advice appeal in writing to the Magistrate having jurisdiction over the Magisterial District within which he resides. Such appeal shall contain the grounds of the complaint, and bear the signature and address of the appellant and the date of the appeal.

(b) A copy of the appeal shall be simultaneously supplied by the appellant to the protector who has refused to issue or has cancelled the permit which is the subject of the appeal.

(c) The protector with whom an appeal has been lodged shall immediately notify the Commissioner of the fact, stating the grounds of such appeal.

101. The Magistrate with whom an appeal has been lodged shall fix a date and time for the hearing of the appeal, providing such hearing shall not take place until the expiration of at least one month from the date of the appeal having been received by him, and that appellant and the protector concerned shall be entitled to receive one month's notice of the date and time of the hearing of the appeal.

102. The proceedings before the Magistrate shall be conducted as nearly as may be in accordance with the practice regulating the procedure before Justices on complaints for simple offences, but the Magistrate may, instead of hearing the matter in open Court, conduct the hearing in chambers.

103. At the hearing of an appeal by the Magistrate, the appellant may appear in person or he may be assisted by his agent and the Commissioner shall be represented by the protector concerned or by a travelling inspector. No legal practitioner shall be engaged by either side. Nothing in the foregoing shall prevent the Commissioner from himself appearing and opposing any appeal.

104. Witnesses may be produced by either side and may be examined and cross-examined by the appellant, his agent, or the representative of the Department. The appellant may be called upon to give evidence and be subject to cross-examination.

105. A copy of the Magistrate's decision in the hearing shall be conveyed to the appellant and the Commissioner simultaneously by the Clerk of the Court.

Section 35.

Estates of Deceased Natives.

106. (1) When a native has died intestate leaving any estate, and—

- (a) in accordance with the provisions of section 35 of the Act such estate is vested in the Commissioner; and
- (b) after payment of the just debts of the deceased native there is an unexpended balance of the said estate remaining in the hands of the Commissioner; and
- (c) the deceased native had not married in accordance with the laws of the State relating to marriage

the persons who, within the meaning and for the purposes of subsection (2) of section 35 of the Act shall be entitled to succeed to the said balance of the said estate, and the order in which they shall be so entitled shall be as follows:—

- (i) Where the deceased native was a male and has left him surviving any female native or female natives who according to the social structure of the tribe to which he belonged was his wife or were his wives, and has also left him surviving a child or children born of the union of such deceased native with such wife or wives, the said wife or wives, and the said child or children, shall all be entitled to the said balance of the estate in equal shares;
- (ii) Where the deceased native was a female, and has left her surviving a male native who, according to the social structure of the tribe to which she belonged, was her husband, whether she has also left her surviving any child or children born of the union of such deceased native with such husband, such husband shall be entitled to the whole of the said balance of the estate;

- (iii) Where the deceased native was a male, and has not left him surviving any female native, who, according to the social structure of the tribe to which he belonged, was his wife, but has left him surviving a child or children born of the union of the said deceased native with any female native or female native who, according to the social structure of the tribe to which he belonged, was his wife or were his wives, such child (if there be only one) shall be entitled to the whole of the said balance of the estate, and such children (if there be more than one such child) shall be entitled to the said balance of the estate in equal shares;
- (iv) Where the deceased native was a female and has not left her surviving any male native who, according to the social structure of the tribe to which she belonged, was her husband, but has left her surviving a child or children born of the union of the deceased native with a male native who, according to the social structure of the tribe to which she belonged, was her husband, such child (if there be only one) shall be entitled to the whole of the said balance of the estate, and such children (if there be more than one such child) shall be entitled to the said balance of the estate in equal shares;
- (v) Where the deceased native (whether a male or a female) has not left him or her surviving any of the persons mentioned in any of the next preceding subparagraphs (i), (ii), (iii) or (iv), but has left him or her surviving a male native who according to the social structure of the tribe to which he or she belonged was his or her father by reason of a tribal marriage, such father shall be entitled to the whole of the said balance of the estate.
- (vi) Where the deceased native (whether a male or a female) has not left him or her surviving any of the persons mentioned in any of the next preceding subparagraphs (i), (ii), (iii), (iv) or (v), but has left him or her surviving a female native who, according to the social structure of the tribe to which he or she belonged, was his or her mother by reason of a tribal marriage, such mother shall be entitled to the whole of the said balance of the estate.
- (vii) Save and except as provided in the next preceding subparagraphs (i), (ii), (iii), (iv), (v) and (vi) no person claiming to be a relation of the deceased native (whether a male or a female) to which this regulation applies shall have any right to or interest whatsoever in the estate of such deceased native.

(2) Where, under the provisions of paragraph (1) of this regulation, any native (whether male or female) is entitled to the estate or to a share in the estate of a deceased native, then notwithstanding any tribal law or custom to the contrary, such first-mentioned native shall be entitled to the enjoyment for his or her own separate and personal use of the estate or the share of the estate to which he or she is entitled as aforesaid, and the Commissioner shall, as far as lies in his power, within the provisions of the Act, manage, control and administer the said estate or the share of the said estate for the personal benefit and advancement of the native entitled thereto as aforesaid.

(3) The Commissioner shall as soon as reasonably may be after the death of a native to which this regulation applies, cause all reasonable inquiries to be made to ascertain and satisfy himself whether or not there is or are any native or natives surviving the deceased native who is or are entitled to succeed to the estate or to a share of the estate of the deceased native in accordance with the provisions of paragraph (1) of this regulation, and, if after such inquiries, the Commissioner is satisfied that there is or are any such native or natives aforesaid, he shall, by a certificate in writing signed by him, certify accordingly and shall state in such certificate such particulars as may be necessary to identify such native or natives and his or her or their place or places of abode.

(4) If, after making inquiries as provided for in paragraph (3) of this regulation the Commissioner either—

- (a) has been unable to ascertain; or
- (b) is not satisfied

that there is or are any native or natives entitled to succeed to the estate or to a share of the estate of the deceased native in accordance with the provisions of paragraph (1) of this regulation, the Commissioner shall, by a certificate in writing signed by him certify accordingly and shall state in such certificate the nature of the inquiries made by him as aforesaid, the result thereof, and the grounds upon which he has disallowed the claim (if any) under this regulation of any native to succeed to the estate or to a share of the estate of the deceased native.

Section 40.

Camping of Natives.

107. (a) When the protector of a district reports to the Commissioner that any settlement of natives in any particular locality of his district is objectionable for any reason, which shall be fully stated in his report, it shall be lawful for the Commissioner to declare that such settlement, provided it is situated on Crown land or a reserve, is a "forbidden settlement," and that it shall be within a time to be specified by him removed, abandoned or pulled down and that the natives of such settlement shall remove to such other place as he shall direct.

(b) Any native inhabiting except for purposes of temporary shelter any place which has been declared a "forbidden settlement" under this regulation after having been directed to remove elsewhere as aforesaid, commits a breach of this regulation.

108. A protector may cause any deserted or abandoned native dwelling which is situated on Crown land or a reserve to be pulled down and destroyed. If a protector finds that a native's dwelling which is erected on Crown land or any reserve requires repairing he may order the occupier to repair it and if such occupier shall wilfully neglect or refuse after reasonable time to do so he shall be guilty of a breach of these regulations and may be proceeded against accordingly.

Section 45.

Marriages.

Notice of intention to Marry.

109. The persons desiring to be married or who are married in accordance with this section shall be known as the contracting parties.

110. (a) Every notice of marriage on behalf of the contracting parties shall be in writing addressed to the Commissioner and shall have clearly shown thereon the full names of the contracting parties including native names if any, their place of residence, their respective apparent ages, nationality and/or caste, particulars regarding any previous marriage legally contracted or union sanctioned by tribal custom, the names, ages, nationality and/or caste of any children born to such unions. There shall also be entered thereon an address to which an acknowledgment of the receipt of the notice may be sent by the Commissioner.

(b) Upon the receipt of a notice of marriage the Commissioner shall immediately cause an acknowledgment to be sent to the person from whom the notice has been received to the address given upon the notice.

111. A marriage in respect to which notice has been given to the Commissioner shall not take place until the expiration of one month from the date of the receipt by the applicant of the acknowledgment from the Commissioner, but upon the Commissioner sooner advising the contracting parties that he does not intend to object to the marriage such marriage may proceed accordingly.

112. If no objection is raised to a marriage between the contracting parties within one month from the receipt of the acknowledgment from the Commissioner of notice of marriage, it can be assumed that the Commissioner does not object to such marriage taking place.

113. Whenever a marriage takes place the person celebrating such marriage shall by writing under his hand notify the Commissioner of the celebration of such marriage, and of the place where and of the date when such marriage was celebrated.

Section 45 (2) Proviso.

Marriages.

Appeal against withholding of Consent.

114. Whenever the Commissioner has objected to a marriage taking place and it is desired to lodge an appeal against his decision, notice of such appeal shall be given by either of the contracting parties who is a native to the Magistrate of the district in which he or she resides, and a copy of such notice of appeal shall be lodged simultaneously with the protector for the district in which either of the contracting parties, either of whom is a native, resides.

115. The Magistrate with whom an appeal has been lodged shall fix a date and time for the hearing of the appeal providing such hearing shall not take place until the expiration of at least one month from the date of the appeal having been received by him, and the appellant and the protector concerned shall be entitled to receive from the Magistrate one month's notice of the date and time of the hearing of the appeal.

116. The proceedings before the Magistrate shall be conducted as nearly as may be in accordance with the practice of regulating the procedure before justices on complaints for simple offences, but the Magistrate may, instead of hearing the matter in open Court, conduct the hearing in Chambers.

117. In the hearing of all appeals the contracting parties themselves must appear but they may be assisted by an agent who may be a legal practitioner, providing that the names of the parties appearing to assist the appellant shall be supplied to the protector concerned at the time of making the application to appeal.

118. The protector with whom a copy of a notice of appeal has been lodged shall immediately on its receipt notify the Commissioner of the receipt of such notice together with the names of the parties who are to appear before the Magistrate in support of the appeal.

119. At the hearing of any appeal before a Magistrate, the Commissioner may be represented by any person who may be a legal practitioner appointed by him whether he be present or otherwise, but nothing in the foregoing shall prevent the Commissioner from himself appearing and opposing the appeal.

120. A copy of the Magistrate's decision in the hearing shall be conveyed to the appellant and the Commissioner simultaneously by the Clerk of the Court.

Section 63 (2).

Courts of Native Affairs.

Constitution of Members.

121. The form of commission constituting the members of a Court of Native Affairs under paragraph (a) of subsection (2) of section 63 of the Act shall be in accordance with Form 19 in the Schedule, or as near thereto as the circumstances of the case may require.

122. The form of nomination of the Commissioner under paragraph (b) of subsection (2) of section 63 of the Act shall be in accordance with Form No. 20 in the Schedule, or as near thereto as the circumstances of the case may require.

Section 63 (5).

Courts of Native Affairs.

Procedure.

123. Every trial of a native conducted by a Court of Native Affairs shall be held in the presence of the native.

124. Any Court constituted by the Governor under the Act may sit at any time and from time to time at any place or places within the district for which the Court is appointed, as may appear to the Court to be necessary.

125. Subject to the preceding regulations 123 and 124 the procedure at the trial shall be as nearly as practicable the same as that adopted in proceedings before Justices on a trial of an offender for a simple offence.

126. The Court shall have all the powers and authorities of Justices sitting in Petty Sessions to compel the attendance of witnesses, to administer oaths, and to issue process for the enforcement of its decisions and judgments.

127. In the case of a division of opinion between the Special Magistrate appointed by the Governor's Commission and the Commissioner, or the protector nominated by the Commissioner under the Act, then the opinion of the Special Magistrate shall prevail.

128. The result of every trial, and the sentence imposed, if any, on the accused native shall be transmitted in writing by the Court to the Governor, and in transmitting such report the Court shall state whether it has had the assistance of a head man of the tribe to which the accused native belongs, the name of such head man, and, if the Court thinks necessary, the Court may make a general commentary on the circumstances of the case.

Section 66.

Tribal Practices.

129. Whenever it is deemed expedient by the Minister upon the recommendation of the Commissioner to instruct that any tribal practice considered injurious to the natives shall be discontinued in any district, he shall cause notices to be posted throughout the district accordingly and it shall be the duty of protectors for such district to instruct natives accordingly, and take action against any native persistently disobeying such instruction.

Section 68 (a).

Duties of Protectors.

130. It shall be the duty of a protector:—

- to make himself thoroughly acquainted with the Native Administration Act, 1905-1936, and regulations made thereunder;
- to take a friendly and, as far as practicable, a personal interest in the natives throughout his district and make himself known to them;
- to report to the nearest Police Officer or senior protector of his district any sudden illness of, accident to or emergency affecting a native demanding immediate attention;
- to report to the Commissioner on all matters as required by the Act and regulations;
- to report promptly to the Commissioner or any inspector any matter in which he considers legal or other special action of a like nature desirable or which in his opinion may require reference to the Courts;
- to appear in Court in defence or to assist in the defence of natives on trial or to watch the interests of aggrieved natives or represent the Commissioner in any legal action as may be directed by the Commissioner;
- to issue as may be required by the Commissioner such documents as are necessary under the Act and regulations;
- to issue relief, clothing, blankets and medicines to aged, indigent and destitute natives, report any cases requiring prolonged assistance as may be required by the Commissioner, and cause the sick to be supplied with medical attendance;
- to insure that all working natives or natives under contract are employed in accordance with the Act and regulations, having special regard to the position of wards;
- to take special interest in all native children and the rescue of females from immoral and vicious surroundings, including widows and orphans, and any who may be destitute;
- generally to exercise benevolent supervision and interest in and over all matters affecting the interests and welfare of natives and to protect them from injustice, imposition and fraud.

131. (a) Whenever there is more than one protector in a district, the order of seniority shall be as follows:—

- A Travelling Inspector;
- The Resident Magistrate;
- The Inspector of Police;
- A public servant other than the foregoing;
- A minister of religion;
- A layman.

(b) Whenever there is more than one protector in a district, documents under the Act and regulations shall be issued by the protector appointed by the Commissioner to do so.

132. Any protector in the execution of his duty may enter any house, building, camp or place where he has reason to believe immoral or dissolute conduct is proceeding or customary, with a view to investigating the position.

133. Any person who obstructs a protector in the execution of his duty as aforesaid commits a breach of these regulations.

Section 68 (c).

Establishment of Mission Stations and the issue of Permits to Mission Workers.

134. No Mission for the evangelisation of the natives or for other kindred purpose shall be established or attempted to be established until the governing authority, church, society, or individual concerned is first in possession of the authority of the Minister to establish such mission. Such authority shall be in Form No. 21 in the Schedule, and notification of its issue and tenor shall be published in the *Government Gazette*.

135. Whenever a mission has been declared by the Governor to be a native institution within the meaning of section 2 of the Act and a manager or superintendent is to be appointed thereto, the governing body or church shall supply to the Commissioner the name of the person desired to be appointed in the capacity of manager or superintendent. If upon receiving a recommendation from the Commissioner the Minister is satisfied that the person so appointed is suitable, he shall issue to him a permit in the Form No. 22 in the Schedule accordingly, applicable only to the institution concerned and covering such period as shall be named therein, and notification of its issue and tenor shall be published in the *Government Gazette*.

136. No worker other than a native, but including native missionaries, appointed by any governing body or church authority, superintendent, manager or missionary, to work in any mission, itinerant or otherwise, shall enter upon his duties unless he has been granted in like manner a permit, in the Form No. 23 in the Schedule. For the purposes of this regulation worker shall include any person in charge of any authorised mission which has not been declared an institution under the Act.

137. (a) Wherever a permit in accordance with regulations Nos. 134, 135 and 136 has been issued and the Minister desires for any reason to revoke such permit before its date of expiry as indicated thereon, due notice thereof shall be given to the authorities or persons concerned and the permit shall be thereupon withdrawn and the fact of its revocation published in the *Government Gazette*.

(b) When a permit as aforesaid has been revoked it shall be returned immediately to the Commissioner.

138. Any person other than a native working at any mission without being in possession of any permit aforesaid commits a breach of these regulations. Permits issued in respect to superintendents, managers, or workers are not transferable.

139. No person not being a mission worker shall establish, attempt to establish or conduct a school for natives without the consent of the Minister. Wherever consent has been given under this regulation it may be withdrawn at any time by the Minister.

139A. Where any person has been refused a permit as a superintendent or manager of a mission or mission worker, or, being the holder of a permit as a superintendent or manager of a mission or mission worker, has received notification of the revocation of such permit, then, notwithstanding anything to the contrary contained in Regulations 135 to 138 both inclusive of these regulations, such person, shall, subject to this regulation, have a right of appeal to a Board of Reference against such refusal or revocation and the following provisions shall apply:—

- (a) The person desiring to appeal shall within one month after the refusal of the permit or after the receipt by him of the notification of the revocation of his permit, as the case may be, serve upon the Commissioner in writing under his hand notice of appeal stating therein the grounds of such appeal.
- (b) Upon receipt of such notice of appeal, the Commissioner shall forthwith inform the Minister thereof, and the Minister shall as soon as reasonably may be cause a Board of Reference to be constituted to hear and determine such appeal.
- (c) A Board of Reference for the purposes of this regulation shall consist of five persons namely—
 - (i) The Commissioner of Native Affairs or his deputy;
 - (ii) One person nominated by the governing body of the Church of England in Perth;
 - (iii) One person nominated by the governing body of the Roman Catholic Church in Perth;
 - (iv) One person nominated by the governing body of the Presbyterian Church in Perth; and
 - (v) One person nominated by the governing bodies of all the undenominational churches in Perth acting together as one body for the purposes of making such nomination.
- (d) The method of making the nomination of persons to be members of the Board of Reference shall in every case be left to the determination of the governing bodies authorised by this regulation to make such nominations respectively.
- (e) As and when persons are nominated as members of the Board of Reference, the names and addresses of such persons shall be communicated to the Commissioner.
- (f) When by nomination of members as aforesaid the Board of Reference has been constituted, the Commissioner shall appoint a date, being not less than 14 days and not more than one month after the constitution of the Board of Reference, and a place and a time for the hearing by such Board of the appeal for the hearing and determination of which it has been constituted, and shall cause not less than seven days' notice of such date, place and time to be served in writing upon the appellant and each member of the Board of Reference.
- (g) The Board of Reference shall meet on the date and at the place and time appointed as aforesaid, and then and there proceed to hear and determine the appeal.
- (h) The appellant shall attend and conduct his appeal in person, and shall not be entitled to be represented by any solicitor or counsel.
- (i) If the appellant fails, without reasonable excuse, to attend before the Board of Reference at the time appointed for the hearing of the appeal, such appeal shall be forthwith dismissed; but if the Board of Reference is satisfied that the failure of the applicant to attend at the time appointed for the hearing of the appeal is excusable, the Board may adjourn the hearing of the appeal as it may think fit.

- (j) The Board of Reference may—
 - (i) appoint any one of its members to be chairman;
 - (ii) make its own rules for the conduct of its business; and
 - (iii) determine the manner in which and the procedure by which the appeal shall be heard and determined.
- (k) On the hearing of the appeal the Board of Reference may either allow or dismiss the appeal, and in every case the decision of the Board shall be final and binding upon the appellant and the Minister.
- (l) Where the Board of Reference allows an appeal the Minister shall forthwith give effect to the decision of the Board in accordance with the terms thereof; and where the Board of Reference has dismissed an appeal against the revocation of a permit, the Minister shall forthwith thereafter publish notification of such revocation in the *Government Gazette* as required by regulation 137.

Section 71.

Certificates of Exemption—Issue of.

140. (a) An application for a Certificate of Exemption must be addressed to the Commissioner and be in the applicant's own handwriting, and be signed by him in the presence of a responsible witness. If the applicant is unable to write he may procure someone else to prepare the application for him, but must himself affix his mark to such application in the presence of a responsible witness.

(b) Every application for a Certificate of Exemption must be accompanied by two recent written references certifying as to the good character of the applicant from persons acceptable to the Commissioner.

141. A Certificate of Exemption will not be issued in favour of any native who lives with or associates with natives who are not exempted.

142. A Certificate of Exemption will not be issued to a native living in conjugal relationship with another native of the opposite sex to whom such native is not legally married.

143. A Certificate of Exemption granted to a native who is living with another native as husband or wife, being legally married to such native, may include the wife, husband or children under 14 years of age.

144. In the event of husband and wife who are exempted ceasing to live together permanently, the Certificate may be cancelled but may be subject to re-issue to either party.

145. Children over 14 years of age, whether living with parents or otherwise, may be specifically exempted in their own names, and cannot be otherwise exempted.

Section 71 (proviso).

Certificates of Exemption.

Appeal against refusal to grant or revocation of.

146. Whenever a Certificate of Exemption held by a native is revoked by the Minister, the native shall be so advised by the Commissioner, who at his discretion may or may not indicate the reason for such revocation.

147. Every Certificate of Exemption of which notice of revocation by the Minister has been given shall be given up upon demand to the officer authorised by the Commissioner to obtain it, and such officer shall thereupon despatch the certificate to the Commissioner, who shall cancel it.

148. (a) Within one month of a native being advised by the Commissioner that the Minister has refused to grant him a Certificate of Exemption or has revoked a Certificate of Exemption previously issued in his favour, he may appeal in writing to the Magistrate of the Magisterial District in which he resides. Such appeal shall clearly set out the name, alias, and address of the appellant, and shall be signed by him or bear his mark witnessed by a responsible person.

(b) A copy of the appeal shall be simultaneously supplied to the Commissioner by the appellant.

149. The Magistrate with whom an appeal has been lodged shall fix a date and time for the hearing of the appeal providing such hearing shall not take place until the expiration of at least one month from the date of the appeal having been received by him, and the appellant and the Commissioner shall be entitled to receive one month's notice from the Magistrate of the date and time of the hearing of the appeal.

150. The proceedings before the Magistrate shall be conducted as nearly as may be in accordance with the practice regulating the procedure before Justices on complaints for simple offences, but the Magistrate may, instead of hearing the matter in open Court, conduct the hearing in Chambers.

151. (a) At any hearing of any appeal the appellant is required to be present in person, and the Commissioner may be represented by a protector or an inspector. No legal practitioner shall be engaged by either side, but the appellant may be assisted by an agent who is not a legal practitioner. Nothing in the foregoing shall prevent the Commissioner from himself appearing and opposing any appeal.

(b) Witnesses may be produced by either side and may be examined and cross-examined by the appellant, his agent, or the representatives of the Department. The appellant may be called upon to give evidence and be subject to examination and cross-examination likewise.

152. A copy of the Magistrate's decision in the hearing shall be conveyed to the appellant and the Commissioner simultaneously by the Clerk of the Court.

General.

153. No person shall, without first obtaining the permission of the Commissioner, induce any native to take part in the representation of any scene or incident which is being photographed for the purpose of being or which when photographed is capable of being reproduced in moving pictures or in still pictures of a dramatic character.
154. Every native under the age of 14 years shall, when so required by a protector, attend the nearest school to which natives are admitted.
155. The teacher in charge of every school for natives shall if required by him furnish at the end of each quarter a report to the Commissioner. Such report shall contain the name, sex and age of each child, and briefly indicate whether such child attends regularly and the progress being made, and may contain such general remarks regarding the school building, facilities, furnishings, and any other relevant matter as may be desired.
156. Teachers of schools for natives are required to do all in their power to secure the good behaviour of their pupils. Habits of cleanliness should be enforced, and pupils should be taught to be honest, truthful, obedient, and considerate of the property and feelings of others.

The Schedule.
Form No. 1.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Application for an Order classing a Quadroon over 21 years of age as a Native.
(Section 3 (1) (a).)

To.....Esq.
.....Magistrate at.....
I,, of....., Commissioner of Native Affairs, hereby apply for an order declaring that..... be classed as a native under the abovementioned Act.
The said.....customarily lives at..... and his age is aboutyears. (Here state circumstances under which the quadroon lives and short particulars showing the reason for the application.)
Dated the.....day of.....193...
.....
Commissioner.

I,, Magistrate, do hereby require you the above-mentioned.....to appear before me on..... theday of....., 193..., at the hour of..... in the.....noon, at the Court of Petty Sessions,and then and there answer the application to be made to me by the above named..... and take notice that if you fail to attend in accordance with the requirements of this summons I may proceed to determine the matter in your absence.
Dated this.....day of.....19...
.....
Magistrate.

Form No. 2.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Order classing a Quadroon over 21 years of age as a Native under the Act.

Application having been made to me the undersigned..... of..... a Magistrate for the Magisterial District ofsitting at the Petty Sessional Court House at..... for an order that.....of.....quadroon over 21 years of age should be classed as a native and it being proved to my satisfaction that such quadroon was personally served with notice of such application as required under the rules made in that behalf and having heard the Commissioner (or having heard.....a protector appointed by the Commissioner to appear on his behalf) and also the said..... (or the said.....not appearing), I hereby order that the said.....be classed as a native within the meaning of the said Act.
As witness my hand this.....day of.....19...
.....
Magistrate.

Form No. 3.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 8.

The Commissioner of Native Affairs,
Perth.
I,of.....hereby request that you will place in my care your ward known as..... now said to be.....years of age, the child of the native woman..... In the event of this permission being granted, I undertake to feed, clothe, educate, and generally care for.....in all respects as though.....were my own child, until.....reaches the age of 16 years, and I also undertake to provide.....with medical and hospital attendance and medicines as may be necessary.

I also declare that I have my husband's consent to my taking charge of the child,
 and that he ^{his} ~~she~~ ^{her} has signified ~~his~~ ^{her} assent by signing this document.

Should you at any time desire to remove this ward from my care and custody, I agree, on the presentation of a written order signed by you, to deliver.....up immediately to you or your agent, and I understand that I shall have no claim whatever against the Department at any time in respect to.....maintenance.

I also agree not to leave the State, or change my abode, without advising you, and undertake to submit to you a report in writing in the month of January of each year, advising as to the child's well-being.

I further agree not to transfer the ward to the care of any other person or persons whatsoever without first obtaining your approval.

I understand that upon.....attaining the age of sixteen years I require to conform with the provisions of the Native Administration Act, 1905-1936, in respect to any subsequent period during which.....may be employed by me with the consent of the Commissioner of Native Affairs.

Signed at.....this.....day of.....19...

Witness.....

I consent to my husband ^{husband} ~~wife~~ accepting the care of this ward, and agree to share full responsibility in accordance with the foregoing.

Witness.....

Form No. 4.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 8.

Dear Sir,
 Madam,

In reference to your application of the.....requesting that the.....child.....the child of the native woman....., be placed in your care, I now beg to advise you that in pursuance of the powers conferred upon me by section 8 of the Native Administration Act, 1905-1936, I agree to the child.....above referred to remaining in your charge until.....attains the age of.....years, under the conditions laid down in your request to me.

Permit me to draw your particular attention to the last paragraph of your letter in respect to reporting as to the child's well-being in the month of January in each year.

Yours faithfully,

Commissioner of Native Affairs.

Perth, W.A.

Form No. 5.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 9.

RECOGNISANCE.

KNOW ALL MEN BY THESE PRESENTS that I.....of.....hereby bind myself to the Commissioner of Native Affairs for the payment to him of the sum of.....pounds.

Signed with my seal at.....this.....day of.....19 ..

WHEREAS the abovenamed.....has applied to the Commissioner of Native Affairs for authority to remove.....(a native) from.....to.....NOW the above written obligation is conditioned to be void in case the above bounden.....on or before the.....day of.....19 .., returns the said.....to the place from which ..he is to be removed and defrays the expense of such return or else to stand in full force and virtue.

Signed, sealed, and delivered by the
 abovenamed

 in the presence of

Form 6.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 12.

To.....and all Police Officers
 within the State of Western Australia.

WHEREAS it is deemed expedient by me, the undersigned, the Minister charged with the administration of the Native Administration Act, 1905-1936, that.....a native, be removed to and kept within the boundaries of the

Reserve
 District
 Institution (or be
 Hospital

removed from the.....

Reserve
District
Institution
Hospital

to the.....

Reserve
District
Institution, and kept therein):
Hospital

These are therefore to require you to forthwith arrest and apprehend the said

.....and him to remove from the.....

Reserve
District
Institution and safely convey within the boundaries of the.....
Hospital

Reserve
District
Institution and him safely to keep within such

Reserve
District
Institution during the Minister's pleasure.
Hospital.

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

Perth, Western Australia.

.....
Chief Secretary.

Form No. 7.

Admission to Reserve.

BOND.

KNOW ALL MEN BY THESE PRESENTS THAT

I.....

of.....am bound to.....

....., the Commissioner of Native Affairs in the State of Western Australia in the sum of.....hundred pounds for the due payment whereof I bind myself by these presents.

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

The conditions of the above written bond or obligation are such that if the above-bounden.....and each and every member of his party of.....persons with whom he desires to enter and remain on Native Reserve No....., in the State of Western Australia, for the purpose of....., shall at all times—

then the said bond shall be void; otherwise it shall be of full force and effect.

IT IS HEREBY AGREED AND DECLARED that any action on this bond may be brought in any court of competent jurisdiction in the State of Western Australia.

SIGNED SEALED AND DELIVERED

by the said.....

.....in the presence of:—

.....

Justice of the Peace.

I hereby certify that the names and identities of the several persons who it is intended shall enter the above Reserve as mentioned in the preceding bond are:—

.....

.....

.....

.....

.....

.....

Witness.....

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

Form No. 8.

Authority to enter a Reserve.

To all Protectors of Natives and Police Officers in the State of Western Australia.

Exercising the authority contained in section 14 of the Native Administration Act, 1905-1936, and in pursuance of the regulations issued under that Act, and after the acceptance by me of bonds for the due observance of this authority, I hereby grant—

permission to enter and remain on Native Reserve No....., in the State of Western Australia, provided that the persons named herein shall at all times—

This permit expires on the.....day of....., 19 .

Chief Secretary.

Countersigned:

.....
Commissioner of Native Affairs,
Perth, W.A.

Form No. 9.

NATIVE ADMINISTRATION ACT, 1905-1936.

Application for Permit.

(General.)

To the Police Officer in Charge of the Police Station at

I,.....of.....
hereby apply for a General Permit to employ.....natives on land (or on
(number)
board of or in connection with a ship or boat), and I hereby undertake to comply
with any conditions governing the employment of the natives which may be entered
upon the Permit or any other relevant conditions as prescribed by the Act and regu-
lations. The natives are to be employed upon my property at.....
or on my ship.....

I deposit herewith the prescribed Permit Fee of £2.

I desire to contribute to the Natives' Medical Fund in respect to these employees
and enclose herewith the amount required to meet the contribution, viz., £.....

Dated the.....day of....., 19 .

Signature.....

Report of Police Officer.

To.....
Protector of Natives.

Form No. 10.

NATIVE ADMINISTRATION ACT, 1905-1936.

Application for Permit for Employment on Land.

To the Police Officer in Charge of the Police Station at

I,.....of.....
hereby apply for a Permit to employ a native on land upon my premises at.....
within the.....Native District.

THE NAME OF THE NATIVE TO BE EMPLOYED IS.....
I hereby undertake to comply with the provisions of the Native Administration Act,
1905-1936, together with the regulations made thereunder; I will also observe any
other conditions laid down by the Protector of Natives at the time of issue and as
indorsed on such permit.

I deposit herewith the prescribed Permit Fee of 5s.

I desire to contribute to the Natives' Medical Fund, and enclose fee of £.....
accordingly.

Dated the.....day of....., 19 .

Signature.....

Report of Police Officer.

To.....
Protector of Natives.

Form No 11.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Application for Permit to Employ a Native on a Ship or Boat.

To the Police Officer in Charge of the Police Station
at.....

I,.....of.....hereby apply for a Permit to employ
.....a native, whose age is apparently.....and who is
.....(here state whether native is married or single) on board the
.....(here state type or class of vessel), the Master of which
is.....(here state whether the Master is European, Asiatic
or otherwise).

I deposit the prescribed Permit Fee of 5s.
I desire to contribute to the Natives' Medical Fund, and enclose fee of £.....
accordingly.
Dated the.....day of.....19 .
Signature.....
Report of Police Officer.
To.....
Protector of Natives.

Form No. 12.
THE NATIVE ADMINISTRATION ACT, 1905-1936.
Section 18, *et seq.*
General Permit to Employ Natives.

PERMISSION is hereby granted to.....
of.....to employ*.....natives† on land or on
board of or in connection with a ship or boat, under and subject to the Act and regu-
lations. These natives are to be employed at.....er upon the
ship.....at sea off.....
This Permit shall continue in force until the 30th day of June, 19 , if the natives
are employed on land, or until the last day of the month of....., 19 , if
employed on board of or in connection with a ship or boat, unless it is in the meantime
cancelled, and is granted subject to the provisions of the Native Administration Act,
1905-1936, and the regulations thereunder, and on condition that the employer shall
supply to every native employed by him—
A. Medicines and medical attendance where practicable and necessary.
‡B. Substantial, good and sufficient rations, clothing and blankets if no cash
wages are paid.
‡C. Wages in cash at the rate of.....per week and food and
lodging.
‡D. Wages only at the rate of.....per week.
\$.....
Dated at.....this.....day of.....19 .
Permit Fee £2.
Medical Fund contribution paid £.....
.....
Protector of Natives.
Place of Issue.....
*Number of natives covered by this Permit to be inserted.
†Strike out the words which do not apply.
‡Strike out this condition if it does not apply.
§Here insert such other conditions as the Protector may consider fit and proper.

Form No. 13.
THE NATIVE ADMINISTRATION ACT, 1905-1936.
Section 18, *et seq.*
Permit to Employ a Native.
PERMISSION is hereby granted to.....of
.....to employ*
1.
2.
3.
on land at.....under and subject to the Act
and regulations.
This PERMIT shall continue in force until the 30th day of June, 19...., unless in
the meantime cancelled, and is granted subject to the provisions of the Native
Administration Act, 1905-1936, and the regulations thereunder and on condition that
the employer shall supply to the said
.....
.....
.....
A. Medicines and medical attendance where practicable and necessary.
‡ B. Substantial, good and sufficient rations, clothing, and blankets if no cash
wages are paid.
‡ C. Wages in cash at the rate of.....per week and food and lodging
‡ D. Wages only at the rate of.....per week.
‡.....
Dated at.....this.....day of.....19...
Permit Fee 5s.
Medical Fund contribution paid £..... Protector of Natives.
This permit may include husband or wife in special cases.
* The native and European name.
† Strike out this condition if it does not apply.
‡ Here insert such other conditions as the Protector may consider fit and proper
including manner in which wages are to be paid (if any).

Form No. 14.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 18, *et seq.*

Permit to Employ a Native on a Ship or Boat.

PERMISSION is hereby granted to.....of.....
to employ*,....., a male native over the age of sixteen
years, on board or in connection with a ship or boat†.....

This Permit must not exceed a period of eight months and shall expire on the last day of the
month of.....19....., unless in the meantime cancelled, and is granted
subject to the provisions of the Native Administration Act, 1905-1936, and the regulations made
thereunder, and on condition that the employer shall supply to the said.....
substantial, good, and sufficient rations, clothing and blankets, and also medicines and medical
attendance where practicable and necessary.

‡
.....
.....

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

Permit Fee 5/-

Medical Fund contribution paid £.....

Protector of Natives.

* The native and European name.

† Here insert name of boat.

‡ Here insert such other conditions as the protector may consider fit and proper.

Form No. 15.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 18, *et seq.*

Permit to Employ a Native.
(Casual.)

THIS AUTHORITY is granted to.....of.....
covering the employment of.....on land at.....
and is granted subject to the provisions of the Native Administration Act, 1905-1936, and the
regulations made thereunder, and to the following conditions:

.....
.....
.....

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

Protector of Natives.

Medical Fund contribution paid £.....

Form No. 16.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 18, subsection (2).

Contract Agreement.

I,.....of.....in the district of.....
.....hereby agree to employ....., a native in accordance with
the provisions of the Native Administration Act, 1905-1936, in the terms of this undertaking,
entered into on this.....day of.....19..... He shall be employed
to.....for which he shall be

(Here insert the nature of the work to be undertaken)
paid at the rate of.....per acre (or other basis). The employee named herein
may be advanced rations, necessary clothing, or any other article approved by the Protector
of Natives at a fair and reasonable cost, and the value of such issues shall be a charge against
his earnings under this contract. Before such amount is debited to the employee's account he
shall be supplied with a detailed list of the prices to be charged, and shall acknowledge receipt
thereof to the employer, and retain a list of the articles received and charged to him monthly or
at the termination of the contract, whichever first occurs. A statement of payments for labour
and debits on account of store withdrawals shall, if required, be presented to the Protector
upon the termination of the contract or while same is in progress.

It is further agreed that if the Protector is not at any time satisfied that the terms of
this contract are being given effect to, he may cause same to be amended and the parties shall
comply therewith, or he may order that the contract be terminated forthwith, and neither the
employee nor employer shall have recourse against the Commissioner on that account.

Witness.....

Protector of Natives.

Employer to sign here.....

I,.....native, of the.....district, having
read the foregoing (or having had the foregoing read to me, as the case may be) hereby agree to
the terms thereof.

Witness.....

Protector of Natives.

Native to sign here.....

Form 17.

Employment on Land.

Department of Native Affairs, Western Australia.

THE NATIVE ADMINISTRATION ACT, 1905-1936 (Section 23).

AGREEMENT.

AN AGREEMENT made the (a).....day of19.....,
BETWEEN (b)of.....
Western Australia (who is the holder of a permit authorising the employment provided for
in this Agreement and who is hereinafter called "the employer"), of the one part, and (c)
.....a native (hereinafter called "the employee"), of the other part.

WHEREBY IT IS AGREED:

1. The employee will serve the employer as (d).....
2. The term of such service shall be from the (e).....day of.....19.....
to.....day of.....19..... subject to sooner determination or can-
cellation, as provided by the Native Administration Act, 1905-1936.
3. (f) The employer shall, during the continuance of the term of service, pay to the em-
ployee wages at the rate of.....to be paid.....
4. The employer shall, during the continuance of the term, supply the employee with
substantial, good, and sufficient rations, clothing and blankets, medicines, and medical atten-
dance when necessary and practicable.
5. (g)

AS WITNESS the hands of the parties hereto at.....this.....day
of.....19.....

SIGNED by the said employer
in the presence of—.....

SIGNED by the said employee
in the presence of—.....

To be witnessed and attested by a Justice of the Peace, Protector, Police Officer or other
person authorised by the Hon. Minister controlling the Department to attest agreements under
section 23 of the Native Administration Act, 1905-1936.
All Agreements for Employment on Land then in force expire on 30th day of June in
each year.

- (a) Date to be filled in by witness.
- (b) Name of employer.
- (c) The European and native name of the native.
- (d) Nature of the service or employment.
- (e) Term of engagement not to exceed twelve months, and not in any case to exceed term
of Permit.
- (f) Strike out paragraph if it is unnecessary.
- (g) Here insert any other relevant conditions or particulars of the Permit, also any other
necessary conditions not contrary to the Act or the Permit.

[ON BACK.]

INDORSEMENT.

I,of.....
Western Australia, a*.....do hereby certify that the within
Agreement was fully explained by me to the within named.....before he
executed the same, and that he appeared fully to understand the same, and to be a free and
voluntary agent in the matter, and physically fit for the work specified.

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

*A Justice of the Peace, Protector of Natives, Police Official or person authorised under
Sections 23 and 24.

Form No. 18.

Employment in connection with a Ship or Boat.

Department of Native Affairs, Western Australia.

THE NATIVE ADMINISTRATION ACT, 1905-1936 (Section 23).

AGREEMENT.

AN AGREEMENT made the (a).....day of.....19.....,
BETWEEN (b)of.....
Western Australia (who is the holder of a permit authorising the employment provided for in
this Agreement, and who is hereinafter called "the employer"), of the one part, and
(c).....a male native over the age of sixteen years
(hereinafter called "the employee"), of the other part.

WHEREBY IT IS AGREED:

1. The employee will serve the employer as (d).....
2. The term of such service shall be from the (e).....day of.....
.....19....., to.....day of.....19.....,
subject to sooner determination or cancellation as provided by the Native Administration Act,
1905-1936.

3. (f) The employer shall during the continuance of the term of service pay to the employee wages at the rate of.....to be paid.....
4. The employer shall during the continuance of the term supply the employee with substantial, good, and sufficient rations, clothing, and blankets, medicines, and medical attendance when necessary and practicable.
5. At the expiration of this agreement or sooner mutual determination thereof, the employer shall convey the employee, or cause him to be conveyed, to the place or district to which he belongs, viz., (g).....
- 6 (h)

AS WITNESS the hands of the parties hereto at.....
this.....day of.....19.....
SIGNED by the said employer in the presence of—

.....
SIGNED by the said employee in the presence of—

-
To be witnessed and attested by a Justice of the Peace, Protector, Police Officer, or other person authorised by the Hon. Minister controlling the Department to attest agreements under section 23 of the Native Administration Act, 1905-1936.
- (a) Date to be filled in by witness.
- (b) Name of employer.
- (c) The European and native name of the native.
- (d) Nature of the service or employment.
- (e) Term of engagement not to exceed eight months and not in any case to exceed term of Permit.
- (f) Strike out paragraph if it is unnecessary.
- (g) Here insert name of place to which employee is to be returned.
- (h) Here insert any other relevant conditions or particulars of the Permit, also any other necessary conditions not contrary to the Act or the Permit.

[ON BACK.]

INDORSEMENT.

I,..... of.....
Western Australia, a *.....do hereby certify that
the within Agreement was fully explained by me to the within named.....
before he executed the same, and that he appeared fully to understand the same, and to be a
free and voluntary agent in the matter, and physically fit for the work specified.
Dated the.....day of.....19.....

* A Justice of the Peace, Protector of Natives, Police Official or person authorised under sections 23 and 24.

Form No. 19.

NATIVE ADMINISTRATION ACT, 1905-1936.

Section 63.

Commission Constituting the Members of the.....Native Court.
His Excellency....., Governor in and over the State of Western
Australia and its Dependencies, in the Commonwealth of Australia.
To....., Magistrate of....., and.....
I, the said Lieutenant-Governor, acting with the advice and consent of the Executive
Council of Western Australia, and in pursuance of the power conferred on me by subsection
(2) of section 63 of the Native Administration Act, 1905-1936, do hereby constitute you
the abovenamed.....and.....as members of.....Court of Native
Affairs, for the purpose of trying and determining a charge (or the following charges).....
against one....., a native of.....(against the following natives
.....), and I declare that you may sit on any day or days, to be ap-
pointed by you for that purpose, or at any time or times and place or places you may think
necessary, within the District for which the abovementioned Court of Native Affairs is estab-
lished, and exercise the jurisdiction and powers conferred on Courts of Native Affairs under
the abovementioned Act.

In witness whereof I have hereunto subscribed my name and have caused this Commission
to be sealed with the seal of the State this.....day of....., 19.....

Form No. 20.

NATIVE ADMINISTRATION ACT, 1905-1936.

Section 63.

Nonination of Commissioner of a Member of a Court of Native Affairs.

I,..... of....., Commissioner of Native
Affairs, do hereby nominate you.....of.....a Protector of Natives,
to be a member of the Court of Native Affairs for the.....District, on the trial
of the following native(s).....(here mention name or names of
the native or natives and specify the charges).

Dated the.....day of....., One thousand nine hundred
and.....

Commissioner of Native Affairs.

Form No. 21.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 68 (o).

Authority to Establish a Mission.

The Governing Authority of the.....
is hereby authorised by me to establish and conduct a Mission Station, to be known as
the.....Mission, situated.....

This authority is to continue in force until it is revoked by me by notice given
under my hand to the Governing Authority named herein, or the duly constituted
authority in control of such Mission.

.....
Chief Secretary, or Minister Controlling
the Department of Native Affairs.

Department of Native Affairs, Perth.

Date.....

Form No. 22.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 68 (o).

Permit to Manage or Superintend a Mission.

The.....Mission, situated.....
having been declared an Institution within the meaning of section 2 of the Native
Administration Act, 1905-1936, and.....having been
appointed by.....to be the Manager or Super-
intendent of such Institution, and the Commissioner of Native Affairs having
recommended him to be appointed, this Permit is granted by me to the said.....
.....to act as Manager or Superintendent of such Mission until
.....unless this Permit is sooner revoked by me.

.....
Chief Secretary, or Minister Controlling
the Department of Native Affairs.

Department of Native Affairs, Perth.

Date.....

This Permit is not transferable, neither does it authorise the person to whom it is
issued to manage or supervise any Institution other than that named hereon.

Form No. 23.

THE NATIVE ADMINISTRATION ACT, 1905-1936.

Section 68 (o).

Permit to Mission Worker.

Authority is hereby given to.....a duly accredited
worker to the.....Mission to continue to carry out
his duties in that capacity until.....unless this Permit is
sooner revoked by me.

.....
Chief Secretary, or Minister Controlling
the Department of Native Affairs.

Department of Native Affairs, Perth.

Date.....

This Permit is not transferable, neither does it authorise the person to whom it is
issued to work elsewhere than at the Mission named hereon.