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[1957.

FIRE BRIGADES ACT, 1942-1951.

Chief Secretary's Department,
Perth, 31st October, 1957.

C.S.D. 279/51, Ex. Co. No. 2053.

HIS Excellency the Governor in Executive Council, under the provisions of the Fire Brigades Act, 1942-1951, has been pleased to make the regulations set out in the Schedule hereunder.

J. DEVEREUX,
Under Secretary.

Schedule.
Regulations.

1. In these regulations the Fire Brigades Act Regulations published in the *Government Gazette* on the 4th June, 1943, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

2. Regulation 60 of the principal regulations is amended by inserting before the interpretation "Board" an interpretation as follows:—

"accounting period" means—

- (a) for each year up to and including the 30th day of September, 1957, a period of 12 months expiring on the 30th day of September in each year;
- (b) for the year 1958, the period from and including the 1st day of October, 1957, to and including the 30th day of June, 1958;
- (c) for each period of 12 months expiring on the 30th day of June in any year subsequent to the 30th day of June, 1958, a period of 12 months expiring on the 30th day of June in each year.

3. Regulation 66, subregulation (2) of the principal regulations is amended by substituting for the word "year" appearing in line two and again in line five, the words "accounting period."

4. Paragraph (f) of the proviso to subregulation (1) of regulation 68 of the principal regulations is amended by substituting for the word "year" in line four the words "accounting period."

5. Subregulation (2) of regulation 68 of the principal regulations is amended by substituting for the word "year" in line two the words "accounting period."

6. Subregulation (1) of regulation 74 of the principal regulations is amended by substituting for the word "year" in line one the words "accounting period."

7. Subregulation (2) of regulation 74 of the principal regulations is amended by substituting for the word "year" in line two the words "accounting period."

8. The principal regulations are amended by substituting for regulations 221 to 225 inclusive the following regulations:—

221. Where a member of a volunteer fire brigade is appointed as fire guard pursuant to regulations made under Part VI of the Health Act, 1911, as amended, he shall carry out the duties assigned to fire guards by that Part of that Act and by those regulations.

222. The captain or other officer in charge for the time being of each volunteer fire brigade shall keep and maintain a roster of members who are available and eligible for fire guard duties.

223. For the services of a member of a volunteer fire brigade in the capacity of a fire guard a fee of twenty-five shillings shall be paid for each screening or performance occupying a period of 3½ hours or any part of such period.

224. The fee shall be paid by the owner or occupier of the theatre or cinema hall or the person who has charge or control of the theatre or cinema hall or on whose behalf a manager or other person has charge or control of the theatre or cinema hall in respect of which the fire guard is appointed and shall be paid to the fire guard at the termination of this duty unless other arrangements are mutually agreed upon.

225. In the event of failure to pay the fee due under regulation 223, such fee may be recovered by the fireman in a court of competent jurisdiction.

Approved by His Excellency the Governor in Executive Council, this 31st day of October, 1957.

(Sgd.) R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1956.

Department of Public Health,
Perth, 31st October, 1957.

P.H.D. 941/53, Ex. Co. No. 2052.

HIS Excellency the Governor in Executive Council, acting pursuant to Part VI of the Health Act, 1911-1956, has been pleased to make the regulations set out in the Schedule hereunder.

LINLEY HENZELL,
Commissioner of Public Health.

Schedule.
Regulations.

1. In these regulations, the regulations made under the provisions of the Health Act, 1911, as amended, and published in the *Government Gazette* on the 25th February, 1916, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

2. Part I of the principal regulations is amended by revoking regulations 26, 27 and 28 and regulations 34 to 44 inclusive.

3. The principal regulations are amended by inserting before the heading "Fire Isolation of Public Buildings" (G.G., 2/6/33) the heading "Part IA."

4. The principal regulations as amended by regulation 3 of these regulations are further amended by adding after regulation 2 of Part IA a Part containing headings, subheadings, regulations and Appendix A and Appendix B, as follows:—

Part IB.

Fire Precautions in Public Buildings.

Interpretation.

1. In this Part of these regulations, unless the context otherwise requires—

"theatre" means a place in which stage performances are held;
"cinema hall" means any premises in which 35 millimetre films are exhibited and includes premises where arc lights or similar lights are used for projecting cinematograph pictures or stills.

Telephone Fire Alarms.

2. (1) The owner or occupier, or the trustee or person having charge or control of a public building shall, if directed by the Commissioner, take such steps as are specified in the direction to provide the public building with direct telephonic or other communication with a fire brigade station.

(2) Where a direction of the Commissioner addressed to a person referred to in subregulation (1) of this regulation specifies the point in a public building at which an alarm is to be installed or the minimum number of alarm points to be installed in a public building, and the time within and the manner in which the direction must be complied with, the person commits an offence against these regulations as if the direction is not complied with within the time and in the manner so specified.

Fire Extinguishing Appliances, Hydrants, Etc.

3. No person shall conduct or operate a theatre unless the theatre is provided with such hydrants as are, in the opinion of the Commissioner, of an adequate number, pattern and standard.

4. The owner or occupier, or the trustees or person having charge or control of a public building shall, upon the direction of the Commissioner, take such steps to provide the public building with hydrants and other appliances for the extinction of fire as are specified in the direction.

5. On and after the coming into operation of this regulation, no person shall install or cause or permit to be installed in a public building—

(a) a hydrant which does not have—

- (i) a full waterway in the valve chamber; or
- (ii) an outlet or outlets $2\frac{1}{2}$ in. in size; or
- (iii) outlets and hose fittings conforming to the patterns and standards used by the Western Australian Fire Brigades or approved by the Commissioner; or
- (iv) in a convenient position adjacent and for connection thereto, a hose of a minimum length of 30 ft. and equipped with all necessary hose fittings;

or

(b) a hydrant, hose or hose fittings which are not enclosed in a suitable cabinet or in suitable cabinets.

6. The Commissioner may, in relation to any public building or addition to any public building, withhold the approval referred to in section 177 of the Act, if the public building or the addition—

- (a) occupies more than one storey or floor of a building; or
- (b) is located on a storey or floor which is above the ground floor of a building;

and

- (i) a hydrant or hydrants as required under the Act or these regulations is not or are not installed to the satisfaction of the Commissioner in or for the protection of the public buildings; and
- (ii) the pipe or pipes connecting the water mains to each hydrant installed in, or for the protection of, that public building is not or are not of a size determined or approved by the Commissioner; and
- (iii) the pressure at each outlet of any hydrant serving the flies or upper tiers, if any, of the public building is not at least 30 lb. to the square inch.

Chemical Fire Extinguishers.

7. The manager or person having charge or control of a public building shall provide, at such point or points in the public building as are approved by the Commissioner, chemical fire extinguishers as follows:—

- (a) One two-gallon capacity soda acid extinguisher for every 2,250 square feet of floor space or part thereof; and
- (b) such additional or other chemical fire extinguishers as directed by the Commissioner.

Fire Buckets and Hand Pumps.

8. (1) The manager or person having charge or control of a public building in which no hydrants are required to be provided, shall provide at such point or points in the public building as are approved by the Commissioner—

- (a) buckets of such a number as are required by the Commissioner; and
- (b) such hand pumps as are required by the Commissioner.

(2) The buckets referred to in subregulation (1) of this regulation must be painted red, labelled "FIRE ONLY" and kept full of water at all times and, if required by the Commissioner, left on stands of a type approved by the Commissioner.

Other Appliances in Theatres.

9. The manager or person having charge or control of a theatre shall always have in readiness for immediate use hatchets, hooks and other necessary appliances for taking down scenery and other stage properties in case of fire.

10. The manager or person having charge or control of a public building shall not cause or permit to be hung any curtains or material which are incapable of being rendered fire resistant; or which are capable of being so rendered unless they are rendered fire resistant as often as is necessary.

Maintenance of Fire Appliances.

11. The manager or person having charge or control of a public building shall—

- (a) cause to be maintained, in proper working order and in a condition ready for instant use, all telephones, fire alarms, hydrants and other appliances and equipment lawfully required to be kept in the public building for preventing and extinguishing fires;

- (b) from time to time, and as occasion requires, make such arrangements as are necessary to enable the Western Australian Fire Brigades Board, or a representative of that Board, to test the fire hoses and extinguishers required to be kept in the public building and to refill, when necessary, any chemical fire extinguishers which require to be refilled.

Fire Guards.

12. (1) The manager or person having charge or control of a theatre or cinema hall during a stage performance or exhibition of films shall—

- (a) appoint as a fire guard for the period during which the public building is open to or used by the public, a person mentioned in subregulation (2) of this regulation;
- (b) cause every member of the staff of the theatre or cinema hall to be instructed in the precautions and duties to be observed and performed and the action to be taken by that member in the event of fire or other emergency.

(2) The person referred to in paragraph (a) of subregulation (1) of this regulation—

- (a) must be an able bodied male person not under 21 years of age and not more than 60 years of age;
- (b) on being so appointed, shall be in attendance at the theatre or cinema hall, and perform the duties of a fire guard, for the period for which he is employed;
- (c) must not be a person who is also employed at the same time as a cinematograph machine operator or a lift operator;
- (d) if the theatre or cinema hall is within a locality which is served by a Volunteer Fire Brigade established under the provisions of the Fire Brigades Act, 1942, as amended, must be a member of the Volunteer Fire Brigade;
- (e) if the theatre or cinema hall is within a locality which is not served by a Volunteer Fire Brigade so established, must be a person who holds a certificate of competency in fire fighting granted and issued by the Commissioner in accordance with the provisions of subregulation (3) of this regulation.

(3) The certificate of competency referred to in paragraph (e) of subregulation (2) of this regulation—

- (a) must be issued in the form set out in Appendix B of this Part;
- (b) may be granted by the Commissioner on receipt—
 - (i) of a report from the Chief Officer of Fire Brigades that the applicant has been examined in his knowledge of fire fighting and found to be a competent person to be appointed a fire guard; or
 - (ii) of such other evidence of competency of the applicant in the duties of fire guard as the Commissioner thinks fit; and
 - (iii) of a recent medical certificate produced by the applicant certifying that the applicant is able-bodied and physically sound and is fit to perform the duties of a fire guard;
- (c) shall cease to have force or effect if any condition specified on the certificate is not complied with by the holder thereof.

13. If directed by the Commissioner in writing, the manager or person having charge or control of a public building, other than a theatre or cinema hall, shall comply with the provisions of regulation 12 of this Part, notwithstanding that the public building of which he has charge or control is not a theatre or cinema hall.

14. (1) The manager or person having charge or control of a public building at which a fire guard is employed shall take all steps necessary to ensure that the fire guard carries out the duties prescribed in subregulation (2) of this regulation.

(2) A person employed as a fire guard in any public building shall carry out the following duties:—

(a) He shall inspect the public building before the commencement of the performance, exhibition or other activity in connection with which the public building is to be opened to or used by the public and ensure—

- (i) that all fire extinguishing equipment and appliances are in position and ready for use;
- (ii) that there is no accumulation of inflammable material within or adjacent to the public building;
- (iii) that all exit doors and their fastenings are in good working order and the passages leading to or from them are unobstructed; and
- (iv) that all necessary auxiliary and external lamps are lighted.

(b) He shall bring to the notice of the manager or person in charge or control of the public building—

- (i) any faults found by him in the course of his inspection;
- (ii) any cases of overcrowding or of obstruction of aisles, gangways or exits, or of smoking in the auditorium or in any other part of the public building where smoking is prohibited by or pursuant to any Act, regulation or by-law.

(c) He shall—

- (i) open all exit doors of the public building at the conclusion of the performance, exhibition or other activity;
- (ii) during the period of his employment, patrol the public building from time to time, and, when not so patrolling, be in such a position that he could most readily observe an outbreak of fire and reach a telephonic or other fire alarm;
- (iii) in the event of an outbreak of fire, summon a fire brigade and notify the manager or person in charge or control of the public building and take such action as he considers necessary to control or extinguish the fire and to direct the public to the exits;
- (iv) enter in the log book provided by the manager or other person under regulation 15 of this Part, his name, the dates on which he was employed as a fire guard, the times of commencing and ending his duties as such each day, whether and how the duties prescribed by this subregulation were carried out by him, whether all equipment and appliances, exit doors and door fastenings were in order, or if not in order, to what extent they were not in order; and particulars of any other duties besides those of a fire guard which he was obliged to carry out during his period of duty as a fire guard.

15. (1) The manager or person in charge or control of a public building in which a fire guard is required to be, and is, employed shall keep and maintain at the public building a log book, each page of which shall be as set out in Appendix A of this Part.

(2) The log book so kept must be handed by the person having its custody to the fire guard on arrival at the public building to commence his duties and on demand by an inspector or officer of the Department of Public Health or a person authorised in that behalf in writing by the Commissioner, produced by the manager or person in charge or control of the building or by the fire guard for inspection.

16. A person shall not knowingly make a false or misleading entry in a log book kept or maintained pursuant to these regulations.

General.

17. Unless the Commissioner in writing grants his permission, no person shall light, operate or maintain an open fire or a heating apparatus of any kind within a public building used as a theatre, cinema hall or dance hall.

18. The person in charge of a public building shall cause all inflammable material within 4 feet vertically or 3 feet horizontally of any gas or oil light to be properly and sufficiently protected from that light.

19. The storing in a public building of any material of an inflammable nature, other than materials the storing of which is necessary, is prohibited.

Smoking.

20. (1) No person shall smoke in the auditorium, a dressing room, the wings or any part of the stage of any roofed public building used as a theatre, cinema hall, or concert, dance or lecture hall, while the building is open to the public.

(2) Subregulation (1) of this regulation does not affect a person who, as an artist or performer, smokes on the stage while performing in that building.

Penalties.

21. A person who commits a breach of a regulation contained in this Part commits an offence and on conviction is liable to a penalty not exceeding one hundred pounds.

Appendix A.
(Regulation 15.)

Date.	Name of Fire Guard.	Time of:		Information required under Regulation 14.	Any other Duties Carried Out.
		Commencing Duty.	Finishing Duty.		

Appendix B.
(Regulation 12.)
Western Australia.
Health Act, 1911.

CERTIFICATE OF COMPETENCY TO BE APPOINTED
FIRE GUARD.

THIS is to certify that.....
of....., is competent to discharge the duties of a Fire Guard in accordance with the provisions of Part IB of the regulations relating to Fire Precautions in Public Buildings made under the Health Act, 1911, as amended, and which were published in the *Government Gazette* on the 25th February, 1916,

and amended from time to time thereafter; and the said.....
is hereby authorised to accept employment as a Fire Guard in any
theatre or cinema hall (other than one which is situated within a
locality which is served by a Volunteer Fire Brigade established under
the provisions of the Fire Brigades Act, 1942 (as amended).)

This Certificate shall cease to have force or effect if any condition
specified overleaf is not complied with.

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

Commissioner of Public Health.

Approved by His Excellency the Governor in Executive Council, 31st
October, 1957.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1956.

Shark Bay Road Board.

By-law—Pipes and Pipelines Beneath Roads and Other Places.

L.G.D. 953/52.

PURSUANT to the power conferred upon it by the Road Districts Act, 1919-1956,
and all other powers enabling it on that behalf, the Shark Bay Road Board
doth hereby make and publish the following by-law to authorise and regulate
the laying of pipes or pipelines beneath foreshores, roads or footpaths within
the Shark Bay Road District.

1. No person shall lay any pipe or construct any pipeline beneath any
foreshore, road or footpath without first obtaining the written approval of the
Shark Bay Road Board nor otherwise than in accordance with the provisions
of this by-law.

2. The Board may in giving its approval fix a period during which the
pipe or pipeline may remain beneath any foreshore, road or footpath or may
give its approval for an indefinite period.

3. Any person laying any pipe or constructing any pipeline beneath any
foreshore, road or footpath shall comply with the following conditions:—

- (a) He shall lodge with the Secretary of the Board, for retention, a
plan showing the proposed position of the pipes and such longi-
tudinal and cross section as may be necessary together with full
particulars as to the purpose for which the pipe or pipeline is
proposed to be used.
- (b) He shall lodge with the Board, pending the satisfactory completion
of the work, such deposit as the Board may reasonably require as
a security for the satisfactory completion of the work.
- (c) He shall lay the pipe or pipeline in accordance with normal plumb-
ing practice, and properly aligned and jointed.
- (d) He shall lay the pipe or pipeline so that no part thereof shall be
nearer than 18 in. to the surface of any portion of a foreshore,
road or footpath, whether such road or footpath is constructed
or not.
- (e) He shall take all reasonable precautions to avoid accidents to users
of any foreshore, road or footpath during the progress of the work
and shall indemnify the Board against any claims it may receive
because of the work so carried out.
- (f) He shall exhibit danger signs and red flags during the hours of
daylight and shall keep red lights burning during the hours of
darkness throughout the time during which there is any excavation
open or other dangers to traffic.

- (g) He shall, unless a temporary closure of the road is authorised by the Board, ensure that a sufficient portion of the road or footpath is kept open for traffic or pedestrian use while the work is in progress.
- (h) He shall fill in the excavation and reinstate the surface of the foreshore, road or footpath on the completion of the work to the satisfaction of the Board's Secretary.
- (i) The work, when commenced, shall be carried to completion with all reasonable speed.
4. If any person laying any pipe or constructing pipeline beneath a foreshore, road or footpath shall fail to fill in the excavation or to reinstate the surface of the foreshore, road or footpath, the Board may do so and recover the cost from him.
5. No person shall dig up, alter or otherwise interfere with any pipe or pipeline laid beneath a foreshore, road or footpath except with the written approval of the Board. The work carried out shall as far as is applicable, be done in accordance with the provisions of paragraph 3 of this by-law.
6. Where any pipe or pipeline has been laid beneath a foreshore, road or footpath, the Board may give notice in writing to the person owning or served by such pipe or pipeline to repair or replace it, and such person shall thereupon carry out such work under the conditions so far as applicable as are set forth in paragraph 3 of this by-law.
7. At the expiration of the period specified by the Board in its approval, the person owning or served by the pipe or pipeline shall remove it, complying with the provisions of paragraph 3 of this by-law so far as they are applicable.
8. The Board may, at the expiration of the period specified in its approval, or if no period has been specified, at any time the Board by a majority of the whole of the members shall think fit, order that the person owning or served by the pipe or pipeline shall remove it from the foreshore, road or footpath and he shall so remove it, complying with the provisions of paragraph 3 of this by-law so far as the same are applicable.
9. Should any person who has been ordered to replace, repair or remove a pipe or pipeline fail to do so, the Board itself may carry out the work and recover the cost from him.
10. Any person committing a breach of any of the provisions of this by-law shall be guilty of an offence and liable to a penalty of not more than £20.

Passed by the Shark Bay Road Board at an ordinary meeting held on the 15th day of October, 1957.

GEO. S. LINDSAY,
Commissioner.

Recommended—

(Sgd.) G. FRASER,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 31st day of October, 1957.

(Sgd.) R. H. DOIG,
Clerk of the Council.

EDUCATION ACT, 1928-1955.

Education Department,

Perth, 12th November, 1957.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set out in the Schedule hereunder made by the Minister for Education pursuant to the powers contained in the Education Act, 1928-1955.

T. L. ROBERTSON,
Director of Education.

Schedule.

Regulations.

1. In these regulations, the Education Act Regulations, 1949, published in the *Government Gazette* on the 26th July, 1949, as duly amended from time to time thereafter, are referred to as the principal regulations.

2. The principal regulations are amended by substituting for regulation 160 the following regulation:—

160. (1) (a) With effect from 26th September, 1957, the Minister may make a grant to the parent or guardian of a child who is transported to the primary school nearest the place of residence of that child or to a Government Secondary School or to a Private Secondary School included in the list of "Efficient" private schools published from time to time in the *Government Gazette*, provided that the child is punctual in attendance and shall attend the full day.

(b) The grant shall be equal to the amount by which the fares or cost of conveyance by public transport exceed the sum of five shillings (5s.) per week for each child, provided that the amount to be paid by the Minister shall not exceed the sum of seven shillings and sixpence (7s. 6d.) per week for each child.

(c) No grant shall be made by the Minister in respect of any student nineteen (19) years of age or over.

(2) Where public transport is not available to a child attending a primary or secondary school (as the case may be) and the child is driven by the shortest practicable route—

(a) from that child's residence to a primary or secondary school (as the case may be) a distance in excess of five (5) miles; or

(b) from that child's residence to a school bus service to a primary or secondary school (as the case may be), a distance in excess of four (4) miles,

the Minister may make a grant not exceeding the sum of two shillings and sixpence (2s. 6d.) per day in respect of that child.

(3) (a) No payment under this regulation shall be made until an application, in writing, signed by the parent or guardian, has been duly certified as being correct by the headmaster, principal or teacher authorised to give a certificate and the application has been approved by the Minister.

(b) No grant shall be made in respect of any period prior to the date of the Minister's approval.