



Government Gazette

OF

WESTERN AUSTRALIA

[Published by Authority at 4 p.m.]

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER.)

No. 42.]

PERTH: THURSDAY, 5th JUNE

[1958.

LOCAL COURTS ACT, 1904-1957.

Crown Law Department,
Perth, 28th May, 1958.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Local Courts Act, 1904-1957, has been pleased to make the Rules of Court set out in the Schedule hereunder, to take effect at the expiration of one month from the publication thereof in the *Government Gazette*.

R. C. GREEN,
Under Secretary for Law.

Schedule.

Rules of Court.

1. The Local Court Rules, 1923, made under the provisions of the Local Courts Act, 1904, as published in the *Government Gazette* on the 22nd May, 1923, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to in these rules as the principal rules.
2. Order II, rule 1 of the principal rules is amended by deleting the passage commencing “; provided” in line nine and ending with the word “direct” in line sixteen.
3. Order II, rule 11 of the principal rules is amended by deleting the passage commencing with the word “for” in line seven and ending with the passage “beforehand.” in line sixteen.
4. Order V, rule 11 of the principal rules is amended—
 - (a) by substituting for the passage commencing with the first word, “No” in line one and ending with the word “clerk” in line seven, the passage, “The Magistrate may order security for costs, by deposit of money or otherwise, to be furnished by a plaintiff (which term, in this rule, shall include a defendant who counter-claims by way of defence) who is not resident in the Commonwealth, and upon such order being made the plaintiff shall not commence nor take any step or proceeding in an action until he has complied with the terms of the order”;
 - (b) by adding after the word “plaintiff” in line twelve, the passage, “or defendant, as the case may be,”; and
 - (c) by adding after the word “defendant” in line fifteen, the passage, “or plaintiff, as the case may be.”
5. Rules 19 and 20 of Order V of the principal rules are amended—
 - (a) by substituting for the figures “100” wherever they appear, the figures “500”; and
 - (b) by substituting for the words “one hundred” wherever they appear, the words “five hundred.”

6. Rule 14 of Order VI of the principal rules is amended—
- (a) by substituting for the word “both” in line two, the word “each”;
 - (b) by adding after the word “served” in line two, the word “personally”; and
 - (c) by adding after the word, “orders” in line three, the words “and non-personal service pursuant to rule 4 of this Order shall not be effected on either of the defendants except by leave of the Magistrate.”
7. Rule 2 of Order XI of the principal rules is amended—
- (a) by adding the subrule designation “(2)” after the figure “2,” being the commencement of rule 2;
 - (b) by adding before subrule “(2)” of rule 2, the subrule—
 - (1) (a) After notice of defence has been given in accordance with subsection (1) of section 46 of the Act the Clerk shall give to all parties to the action the notice in Form number 50A in the Appendix.
 - (b) Any party upon receipt of the notice referred to in the preceding paragraph of this subrule may apply to the Clerk to list the action for trial by filing with him the application in the Form number 50B in the Appendix, together with the hearing fee; no filing fee is payable on the application.
 - (c) Upon the receipt of the application and hearing fee the Clerk shall give notice of trial as prescribed by the next succeeding subrule.
8. Rule 4 of Order XI of the principal rules is amended—
- (a) by inserting the subrule designation “(2),” before the word “Subject” in line one; and
 - (b) by adding before subrule (2) the subrule—
 - (1) The plaintiff may apply for final judgment pursuant to paragraph (a) of subsection (2) of section 46 of the Act, by filing with the Clerk the praecipe for entry of judgment in the Form number 50C in the Appendix.
9. Order XII of the principal rules is amended as follows:—
- (a) By substituting for rule 1 the following rule:—
 - 1. (1) Where in any action a defendant claims as against any other defendant or as against any person not already a party (hereinafter in either case called “the third party”)—
 - (a) that he is entitled to contribution or indemnity; or
 - (b) that he is entitled to any relief or remedy relating to or connected with the subject matter of the action and substantially the same as some relief or remedy claimed by the plaintiff; or
 - (c) that any question or issue relating to or connected with the subject matter is substantially the same as some question or issue arising between the plaintiff and the defendant and should properly be determined as between any of the parties,the defendant claiming may, subject to these rules, issue and serve a third party notice on the other defendant or person against whom the claim is made.
 - (2) The notice in the Form number 55 in the Appendix shall state the grounds of the claims, the question or issue sought to be determined, and the extent of any relief or remedy claimed and shall be filed and served on the third party in the same manner as a summons is filed and served, and with it shall be served a copy of the summons and of all other pleadings and affidavits up to the time of the bringing in of the third party.
 - (3) A copy of the notice shall be served on all other parties.

- (4) The notice shall be served by the defendant within the time limited for giving notice of defence, or in the case of a defendant to a counterclaim, within the time limited by rule 8 of Order IV, as if the defendant is a defendant to a plaint.
- (b) By inserting after rule 1 the rule 1A as follows:—
- 1A. A third party on whom a third party notice has been served may issue a third party notice against any other person as if the third party originally served were a defendant and the successive third party were an original third party, and so on in succession, and the provisions of these rules with the necessary modifications shall apply.
- (c) By deleting the passage "on the return day, or" in line eight of rule 2.
- (d) By inserting after the word "notice" in line nine of rule 2 the words "of trial."
- (e) By adding the words, "or on any day to which he may have received notice from the Clerk" after the word "Clerk" in line ten of rule 2.
- (f) By deleting rule 6.
10. Order XV, rules 15 and 16 of the principal rules is amended—
- (a) by substituting for the words "one hundred" wherever they appear, the words "five hundred"; and
- (b) by substituting for the figures "100" in the heading to rule 16, the figures "500."
11. Order XVII of the principal rules is amended—
- (a) by deleting rules 1 to 9 inclusive and inserting the following rules:—
1. A party may give notice in writing to any other party requiring him to answer specified interrogatories relating to any matter in issue.
 2. A party may object to answer an interrogatory on all or any of the following grounds—that it is—
 - (a) irrelevant;
 - (b) scandalous or indecent;
 - (c) vexatious or oppressive;
 - (d) not bona fide required for the purpose of the litigation;
 - (e) not sufficiently material at that stage;
 - (f) inadmissible under the laws of evidence;
- Provided that interrogatories which do not relate to any matters in issue shall be deemed irrelevant notwithstanding that they might be admissible on the cross-examination of the witness.

Voluntary Compliance with Request.

3. (1) If the party making the requisition for answers to interrogatories so elects in the notice the answers may take the form of an unsworn statement of the person answering, which shall be attested by the solicitor for the party interrogated or by some other person authorised by the Supreme Court to take affidavits.
- (2) A party or person wilfully making a false statement in answer to an interrogatory shall be guilty of a contempt of court.
- (3) If the party making the requisition does not agree to accept the statement then the answers to interrogatories shall be made on affidavit.

Compulsory Compliance.

Application for Order and Proceedings thereon.

4. (1) If the party requested to answer interrogatories neglects or refuses to do so within the time prescribed or such extended time as may be agreed by the parties; or shall answer interrogatories or any of them evasively or insufficiently, the party making the request may apply to the Magistrate for an order to compel compliance with the requisition of the notice. The summons in support of the application shall state the reason for the making of the application.

(2) No affidavit shall be necessary in support of any application for answers to interrogatories.

(3) If the Magistrate is satisfied that no legitimate objection exists under rule 2 he may make an order for answers to the interrogatories, or for further or better answers as the case may require.

(4) The party against whom an order is obtained shall pay the costs of the application unless the Magistrate on good cause shown shall order otherwise.

(5) If the Magistrate is satisfied that there is a legitimate objection under rule 2 he may refuse the application or grant it as to particular interrogatories or adjourn the application wholly or in part.

(6) Without limiting the generality of the preceding subrule, if the Magistrate is satisfied that the right to answers to interrogatories depends on the determination of any issue or question in dispute or that for any other reason it is desirable that any issue or question in dispute should be determined before deciding such right he may order the issue or question to be determined first and reserve the application for further consideration.

Onus of Proof where alleged Evasive or Insufficient Answers to Interrogatories.

5. Where it is alleged that a party has answered an interrogatory evasively or insufficiently the party alleging may if he can, demonstrate the evasion or insufficiency by the form of the answer to the question; and in cases where it cannot be so demonstrated, the onus shall lie on the party alleging to adduce evidence of reasonable grounds for suspecting such evasion, or failure.

Contested Claim of Privilege.

6. Any objection to answering one or more of several interrogatories may be taken by affidavit setting out the grounds of objection.

Statements and Affidavits—By Whom Made.

7. Any statement or affidavit in answer to interrogatories or any affidavit of objection to interrogatories may be made as follows:—

- (a) By the party;
- (b) Where the party is the Crown or an officer of the Crown sued or suing in his official capacity—by some officer of the Crown having personal knowledge of the facts.
- (c) Where the party is a body corporate or a body of persons empowered by law to sue or be sued whether in its own name or in the name of any officer or other person—by some member or officer of the corporation or body having knowledge of the facts.

(d) Where the party is not *sui juris*—by his next friend, guardian *ad litem*, or committee, as the case may be.

and in the case of an order against any party to which paragraph (b) or (c) or (d) applies the order shall specify the person who is to comply with the order on behalf of the party.

Effect of Non-compliance with Order.

8. If any party fails to comply with any order to answer interrogatories, he shall be liable to the penalties provided by section 155 of the Act. He shall also, if a plaintiff, be liable to have his action dismissed for want of prosecution, and, if a defendant, to have his defence, if any, struck out, and to be placed in the same position as if he had not defended, and the party who obtained the order may apply to the Magistrate for a further order to that effect and an order may be made accordingly.

9. Service of an order for interrogatories made against any party on his solicitor shall be sufficient service to make the party liable to the penalties provided in section 155 of the Act for disobedience to the order. But the party liable may show to the Magistrate that he has had no notice or knowledge of the order.

10. A solicitor upon whom an order against any party for interrogatories is served under the last preceding rule, who neglects without reasonable excuse to give notice thereof to his client shall be liable to the same penalties as are provided in rule 8 of this Order as if he was the party failing to comply with the order.

11. Any party may use in evidence any one or more of the answers or any part of an answer of the opposite party to interrogatories without putting in the others or the whole of such answer: Provided always that in such case the Magistrate may look at the whole of the answers and if he shall be of the opinion that any others of them are so connected with those put in that the last-mentioned answers ought not to be used without them he may direct them to be put in.

- (b) by substituting for the rule number "10", the rule number "12";
- (c) by substituting for the rule number "11", the rule number "13"; and
- (d) by substituting for rules "12" and "13" of the principal rules, the following rule "14"—

14. (1) In granting any application for an order under the preceding rules of this Order, the Magistrate may order the party applying to give security for any costs which may be incurred by the other party in complying with the order, and may fix the sum of the costs.

(2) An order for discovery by interrogatories shall state the amount ordered to be paid into Court, or that payment into Court is dispensed with; and where payment into Court is ordered the party seeking discovery shall, with his interrogatories, serve a copy of the receipt for the payment into Court, and the party from whom discovery is sought shall not be bound to answer, unless and until the said copy has been served.

11a. Order XXIV Rule 6 of the principal rules is amended—

- (a) by inserting after the rule number 6 and above the first line the words and figures, "Forms 100 and 100A";
- (b) by inserting after the word "shall" in line two, the passage "—(a)"; and
- (c) by adding after paragraph (a) the following paragraph—
 - (b) the clerk before issuing any certificate of judgment may require the person applying for the same to furnish a praecipe in the Form number 100A in the Appendix.

12. Order XXVI rule 18 of the principal rules is amended—
- (a) by inserting the subrule designation "(1)" after the figures "18" in line one;
 - (b) by inserting after subrule (1) a subrule as follows:—
 - (2) (a) Notwithstanding the provisions of subrule (1) of this rule, if the value, in the opinion of the bailiff, of any goods seized by him under a warrant of execution, is less than fifty pounds, he may sell the goods by public auction in any public auction room approved by the Magistrate without advertising notice of the sale in any newspaper.
 - (b) The Magistrate shall notify the bailiff in writing of his approval of any public auction room, and the written notification shall be sufficient authority for the bailiff to sell goods in the auction room so approved.
13. Order XXVI rule 23 of the principal rules is amended—
- (a) by inserting after the figures "23" the subrule designation "(1)"; and
 - (b) by adding subrules (2), (3) and (4) respectively as follows—
 - (2) No order of commitment under section one hundred and thirty of the Act made by any clerk delegate shall be effective until it is confirmed by the Magistrate in accordance with subsection (7) of section one hundred and thirty of the Act.
 - (3) Any confirmation, variation, direction or setting aside of the order by the Magistrate shall be endorsed on the order by the Magistrate and notice of the endorsement given to the parties to the action.
 - (4) Upon the notice being given as required by subrule (3) of this rule the order may be enforced in the manner provided by the rules.
14. Rules, 33, 34, 36, 37, 42, 46, 47, 49, 50, 57, 58 and 59 of Order XXVI of the principal rules are amended by adding after the word "Magistrate" wherever it appears in those rules, the words "or Clerk delegate appointed pursuant to section one hundred and thirty of the Act."
15. Order XXVI rule 73 of the principal rules is amended—
- (a) by substituting for the words "may apply to the Magistrate" in lines three and four of subrule (1), the words, "may file with the Clerk a praecipe in the Form number 190A in the Appendix for a summons to the debtor requiring";
 - (b) by deleting the passage commencing "as" in line twelve and ending with the word "documents" being the last word of subrule (1);
 - (c) by inserting a subrule (1a) after subrule (1) as follows:—
 - (1a) (a) If the clerk refuses the application made in accordance with subrule (1), the applicant may make application to the Magistrate in the Form number 59 in the Appendix.
 - (b) The Magistrate shall hear the application in Chambers and may direct the Clerk to issue the summons applied for and in such case shall note his direction on the application and the Clerk shall thereupon issue the summons.
 - (d) by substituting for the passage "where an order is made under section one hundred and forty-four of the Act, or under this rule," in lines one, two and three of subrule (2), the passage, "a summons is issued under subrules (1) or (1a) of this rule";
 - (e) by substituting for the word "order" in line four of subrule (2), the word "summons";
 - (f) by adding the word "personally" before the word "upon", in line six of subrule (2);
 - (g) by substituting for the words "an order" in line two of subrule (3), the words "a summons"; and
 - (h) by substituting for the word "subject", being the last word of subrule (3), the word "liable."

16. Order XXXIV, rule 4 of the principal rules is amended by substituting for the figure "9" in line seven, the figure "10."

17. Part I of the Appendix to the principal rules is amended—

(a) by substituting for the Forms numbered 21, 22, 100, 106, 107, 108 and 208 therein the forms numbered 21, 22, 100, 106, 107, 108 and 208 in the Schedule hereunder;

(b) by inserting the Forms numbered 50A, 50B, 50C, 100A, 106A, 190A and 190B in the Schedule hereunder.

18. Item 2 of Part II (the Table of Court Fees) of the Appendix is amended by deleting the fourth and fifth paragraphs under the heading of "Notes" of that Table.

19. Form 55 in Part I of the Appendix is amended by striking out the words, "and a notice of trial" in the first and second lines of the second last paragraph of the Form.

20. Item 5 of Division 1 of Part III of the Appendix to the principal rules is amended by adding a paragraph and note as follows:—

(c) Where any witness is required, by reason of the distance which he or she has to travel, to remain away from home overnight, an additional daily allowance of ten shillings may be made.

Note.—The Clerk is to exercise a proper discretion in the case of each witness in fixing the amount of the witness fee to be allowed within the range shown in this Scale. If a witness is not required to be absent from his usual place of residence or business for a period exceeding three hours he is not, in any event, to be allowed an amount exceeding one-half the maximum allowance applicable under the Scale.



The Schedule.

21.—CERTIFICATE OF SERVICE.

In the Local Court at..... No.....

Between....., Plaintiff,
and....., Defendant.

I,
(a) Bailiff of the Local Court [(b) or Police Officer stationed] ((a) (b) strike out portion not required) at.....

do hereby certify that I did, on the.....day of.....
19....., at.....
serve

the abovenamed defendant [or one of the abovenamed defendants] with the summons in this action [numbered.....of 19.....], which summons appeared to me to have been regularly issued out of the Local Court at....., at the suit of the abovenamed plaintiff, and which was dated the.....day of.....
19....., and I further certify that such service was effected by delivering the said summons to the said defendant (c) ((c) personally or how otherwise)

and that I had necessarily to travel.....miles to effect such service.

.....
[Bailiff or Police Officer.]

To the Clerk of the Local Court,
.....

Duplicate.

21.—CERTIFICATE OF SERVICE.

In the Local Court at..... No.....

Between....., Plaintiff, and....., Defendant.

I, (a) Bailiff of the Local Court [(b) or Police Officer stationed] ((a) (b) strike out portion not required) at.....

do hereby certify that I did, on the.....day of..... 19....., at..... serve.....

the abovenamed defendant [or one of the abovenamed defendants] with the summons in this action [numbered.....of 19.....], which summons appeared to me to have been regularly issued out of the Local Court at....., at the suit of the abovenamed plaintiff, and which was dated the.....day of..... 19....., and I further certify that such service was effected by delivering the said summons to the said defendant (c) ((c) personally or how otherwise)

and that I had necessarily to travel.....miles to effect such service.

[Bailiff or Police Officer.]

To the Clerk of the Local Court,

To the Plaintiff or Plaintiff's Solicitor,

For your information, the defendant has been served with the above summons.

Clerk of the Local Court.

22.—AFFIDAVIT OF SERVICE AND ABODE OR PLACE OF BUSINESS OF DEFENDANT.

In the Local Court at..... No.....

Between....., Plaintiff, and....., Defendant.

I, (a) ((a) insert name address and description of deponent).....

of..... make oath and say as follows:—

1. I did on the.....day of..... 19....., at....., serve.....

....., the abovenamed defendant (or one of the abovenamed defendants) with the summons in this action (numbered.....) which summons appeared to me to have been regularly issued out of the Local Court, at....., at the suit of the abovenamed plaintiff, and which was dated the.....day of..... 19.....

2. Such service was effected by delivering the said summons to the said defendant (b) ((b) personally or how otherwise).....

3. Service on..... the said defendant (or one of the said defendants) herein of the summons of this action was effected by me pursuant to Order VI., Rule 4, at (c) ((c) here describe with particularity the place where the service was effected)

4. The said place where service was so effected was to my certain knowledge, at the time of such service, the actual place of abode of the said..... (or place of business of the said....., of which place of business he was then the master, or one of the masters).

5. I had necessarily to travel.....miles to effect such service.

Sworn at..... }
in the State of Western Australia this }
..... day of..... }
19..... }

Before me,

.....
(Clerk of the Court or Commissioner or J.P.)
(This affidavit is filed on behalf of the Plaintiff.)

Duplicate.

22.—AFFIDAVIT OF SERVICE AND ABODE OR PLACE OF BUSINESS OF DEFENDANT.

In the Local Court at.....

Between..... No., Plaintiff,
and....., Defendant.

I, (a) ((a) insert name address and description of deponent).....

of
make oath and say as follows:—

1. I did on the.....day of.....
19....., at....., serve.....
....., the abovenamed defendant
(or one of the abovenamed defendants) with the summons in this action
(numbered.....) which summons appeared to me to have been
regularly issued out of the Local Court, at.....,
at the suit of the abovenamed plaintiff, and which was dated the
.....day of.....19.....

2. Such service was effected by delivering the said summons to the said defendant (b) ((b) personally or how otherwise).....

3. Service on..... the said defendant (or one of the said defendants) herein of the summons of this action was effected by me pursuant to Order VI., Rule 4, at (c) ((c) here describe with particularity the place where the service was effected)

4. The said place where service was so effected was to my certain knowledge, at the time of such service, the actual place of abode of the said (or place of business of the said....., of which place of business he was then the master, or one of the masters).

5. I had necessarily to travel.....miles to effect such service.

Sworn at.....
 in the State of Western Australia this
day of.....
 19.....

Before me,

.....
 (Clerk of the Court or Commissioner or J.P.)
 (This affidavit is filed on behalf of the Plaintiff.)

To the Plaintiff or Plaintiff's Solicitor,

For your information. The defendant has been served with the above summons.

.....
 Clerk of the Local Court.

50A.—NOTICE OF ENTRY OF INTENTION TO DEFEND.

Plaint No.

In the LOCAL COURT of WESTERN AUSTRALIA
 held at

BETWEEN:

.....
 and
 Plaintiff
 Defendant

TAKE NOTICE that the * defendant/plaintiff has lodged notice of intention to * defend./counterclaim.

The action will be listed for trial on application and payment of the prescribed hearing fee.

Dated / /19 .

CLERK OF THE COURT.

To.....* Plaintiff/Defendant of * Plaintiff's/Defendant's Solicitor.
 * Strike out inappropriate word.

50B.—APPLICATION TO LIST ACTION FOR TRIAL
 (OR ASSESSMENT OF DAMAGES).

Plaint No.

In the LOCAL COURT held at

BETWEEN:

.....
 and
 , Plaintiff.
 , Defendant.

I apply for the above action to be listed for trial *(or set down for assessment of damages).

Hearing fee £ : : d. enclosed herewith.

Estimated duration of * plaintiff's case/* defendant's case hours.

Remarks:

To the Clerk of the Court,

* Plaintiff (or solicitor)
 * Defendant (or solicitor)
 * Strike out which not required.

50C.—PRAECIPE FOR ENTRY OF JUDGMENT.

In the LOCAL COURT held at: Plaintiff No.....
Between.....Plaintiff.
and
.....Defendant.
Enter Judgment by default against the defendant.....

(If there are more defendants than one and it is desired to enter judgment against some or one only, name them or him.)

Table with columns for £, s., and d. containing items: Claim as stated on Summons, Deduct amount (if any) since received by plaintiff, Cost of Summons, Court fee entry judgment, Solicitor's cost entry judgment, and Total (being amount for which judgment is to be entered).

DATED.....
To the Clerk of the Court. Plaintiff or Plaintiff's Solicitor.

OFFICE MEMORANDA.
Fee paid / /19 . Checked and entered. Judgment accordingly.

100.—CERTIFIED COPY OF JUDGMENT, ORDER AND OTHER PROCEEDINGS.

In the LOCAL COURT held at Plaintiff No.....
BETWEEN:.....Plaintiff
of.....
AND
.....Defendant
of.....

JUDGMENT *(by Consent, by Default, after Hearing) for £ : :
Inc. Costs. Given for.....on / /19 .

SUBSEQUENT PROCEEDINGS.

JUDGMENT SUMMONS

Table with columns for AMOUNT, COSTS, and TOTAL, with sub-columns for £, s., and d. Includes Date of Issue / /19 .

ORDER

WARRANT OF EXECUTION

Table with columns for AMOUNT, COSTS ON ISSUE, and TOTAL, with sub-columns for £, s., and d. Includes Date of Issue / /19 .

OTHER PROCEEDINGS.

Table with columns: Date, Nature of Action, Costs, Result

SUMMARY.

Amount of Judgment of Order and Taxed Costs	£	:	:
All subsequent Costs	£	:	:
<hr/>			
Paid into Court	£	:	:
<hr/>			
Remaining due on Judgment or Order	£	:	:
<hr/>			

This Certificate is issued for the purpose of:

* Registration at the.....Local Court.

* Proving the debt in bankruptcy.

* Strike out which is not required.

I hereby certify that the above is a true copy of entries in the Minute Book, Judgment, Orders and other proceedings of the Local Court held at

Dated this day of , 195

CLERK OF THE LOCAL COURT.

100A.—PRAECIPE FOR CERTIFIED COPY OF JUDGMENT, ORDER AND OTHER PROCEEDINGS.

In the LOCAL COURT held at Plaintiff No. /

BETWEEN:..... Plaintiff

of.....

AND

..... Defendant

of.....

JUDGMENT *(by Consent, by Default, after Hearing) for £ : :
Inc. Costs. Given for.....on / /19

SUBSEQUENT PROCEEDINGS.

JUDGMENT SUMMONS

Date of Issue	/ /19	AMOUNT	£	:	:
		COSTS		:	:
		TOTAL:	<hr/>		

ORDER

WARRANT OF EXECUTION

Date of Issue	/ /19	AMOUNT	£	:	:
		COSTS ON ISSUE		:	:
Result		TOTAL:	<hr/>		

OTHER PROCEEDINGS.

Date	Nature of Action	Costs	Result
------	------------------	-------	--------

Clerk of the Court:

Supply certified copy of judgment for purpose of—

* Registration at the.....Local Court.

* Proving the debt in bankruptcy.

* Use as evidence.

The amount of £ : : has been paid off the judgment debt.

.....Plaintiff.

Office Memoranda:

Amount of Judgment	£	:	:	Received.....
Subsequent Costs	£	:	:	.....fee paid.
<hr/>				
Paid into Court	£	:	:	.....Prepared.
Remaining Due	£	:	:	.....Checked and Entered.

* Strike out which is not required.

106—PRAECIPE FOR WARRANT OF EXECUTION.

Plaint No.

In the LOCAL COURT held at

Between
and

Plaintiff,
Defendant.

Address of Judgment Debtor

WHEREAS on the _____ day of _____ 195____, the Plaintiff obtained a Judgment (or an order) in this Court against the Defendant for the sum of £ _____, for debt (or damages) and costs; and it was thereupon ordered by the Court that the Defendant should pay the same to the Clerk forthwith (or on the day of _____ 195____); and whereas default has been made in payment according to the said judgment (or order).

NOW I,

do require a Warrant of Execution to issue against the goods and land of _____, to pay to the Plaintiff the sum shown hereunder:—

	£	s.	d.
Amount of Judgment or order	:	:
Subsequent costs (if any)	:	:
<hr/>			
Deduct amount paid by Judgment Debtor	:	:
<hr/>			
Amount for which Warrant Required	:	:
*Fee for issuing this Warrant, Ct. Bliff.	:	:
<hr/>			
*Total amount to be levied	:	:

* To be filled in by Clerk of the Court.

Dated

JUDGMENT CREDITOR.

OFFICE MEMORANDA

Date lodged	Fees	Credit £	:	:
at .....minutes past the hour of.....in the fore noon after	Court Post Home Foreign } Bailiff Mileage Total	.....	
.....	.....	.....		Checked and entered.

106A—PRAECIPE FOR ORDER OF COMMITMENT.

Plaint No.

In the Local Court held at

Between

and

Plaintiff,
(Judgment Creditor),

Defendant,
(Judgment Debtor).

Address of Judgment Debtor

WHEREAS on the _____ day of _____ 195 _____ ,
the Judgment Debtor was committed to prison for _____ days,
such committal to be suspended whilst he pays the sum of £ _____
by instalments of £ _____ per _____ : and whereas
at this date default has been made to the extent of _____ instalments
amounting to £ _____

NOW I,

do require an Order of Commitment to issue against the person of _____ , to pay to
the Plaintiff the sum shown hereunder:—

	£	s.	d.
Amount ordered to be paid	:	:
Subsequent costs (if any)	:	:
<hr/>			
Deduct:—			
Amount paid by Judgment Debtor	:	:
Amount for which Order of Commitment not required	:	:
<hr/>			
Amount for which Order of Commitment Required	:	:
*Fee for issuing this Order, Ct. Blf.	:	:
<hr/>			
Amount upon the payment of which the Judgment Debtor is to be discharged	:	:
<hr/>			

* To be filled in by Clerk of the Court.

Dated

JUDGMENT CREDITOR.

Office Memoranda

	Fees	Credit £	:	:
Court				
Post				
Home	} Bailiff			
Foreign				
Mileage				
Total.....				
	Checked and entered.....			

107.—NOTICE TO BE SENT WITH ALL WARRANTS OF EXECUTION AGAINST GOODS AND LAND.

Plaint No.

IN the LOCAL COURT OF WESTERN AUSTRALIA HELD AT

Between

....., Plaintiff

and

....., Defendant

Address of Judgment Debtor

WHEREAS on the.....day of.....195....., the Plaintiff obtained a Judgment (or an order) in this Court against you for the sum of £....., for debt (or damages) and costs; and it was thereupon ordered by the Court that you should pay the same to the Clerk forthwith (or on the.....day of.....195.....); and whereas default has been made in payment according to the said judgment (or order):

TAKE NOTICE that after allowance for payments made and additional costs, the Warrant of Execution against your goods and land on the judgment obtained against you in this action is for the following amount:—

	£	s.	d.
Amount of judgment or order			
Subsequent costs (if any)			
<hr/>			
Deduct amounts paid by Judgment debtor			
Remaining due			
Fee for issuing Warrant Ct..... Blf..... Mlge.....			
<hr/>			
Total amount to be levied			
<hr/>			
Re-issue / /19			
Bailiff's fees for executing this warrant			
For keeping possession (maximum 15s. per day, or on goldfields or North of 20° of South Latitude, maximum 20s. per day) or such lesser amount as is prescribed.			
For Poundage—			
If goods or land sold, £10 per cent., on amount realised, to include auctioneer's charges. If not sold, £3 per cent., on amount levied.			
For incidental expenses, viz:—			

Application was made for the warrant at.....minutes past the hour of.....in the.....noon of this date.
 / /19 . By the Court.

CLERK OF THE COURT.

IF THE AMOUNT TO BE LEVIED IS PAID TO THE BAILIFF WITHIN HALF AN HOUR OF HIS ENTRY, YOU WILL NOT BE REQUIRED TO PAY HIM FOR KEEPING POSSESSION.

YOUR GOODS ARE NOT TO BE SOLD UNTIL AFTER THE END OF FIVE DAYS NEXT FOLLOWING THE DAY ON WHICH THEY ARE SEIZED, EXCEPT AT YOUR REQUEST OR UNLESS THE GOODS ARE OF A PERISHABLE NATURE.

THE BAILIFF'S FEES ARE SUBJECT TO REVIEW BY THE CLERK OF THE COURT.

108.—WARRANT OF EXECUTION AGAINST THE GOODS AND LAND OF DEFENDANT.

Plaint No.....

IN the LOCAL COURT OF WESTERN AUSTRALIA HELD AT

Between

....., Plaintiff

and

....., Defendant

Address of Judgment Debtor.....

WHEREAS on the.....day of.....195....., the Plaintiff obtained a Judgment (or an order) in this Court against the Defendant for the sum of £....., for debt (or damages) and costs; and it was thereupon ordered by the Court that the Defendant should pay the same to the Clerk forthwith (or on the.....day of....., 195.....); and whereas default has been made in payment according to the said judgment (or order); these are therefore to require and order you forthwith to make and levy by distress and sale of the goods and lands of the Defendant, wheresoever they may be found (excepting so much of the goods of the Defendant as are protected by Section 126 of the Act*) the sum stated at the foot of this Warrant being the amount due to the Plaintiff under the said judgment (or order) including the costs of this execution; and to pay what you shall have so levied to the Clerk of this Court, and make return of what you have done under this warrant immediately upon the execution thereof.

	£	s.	d.
Amount of judgment or order
Subsequent costs (if any)
<hr/>			
Deduct amounts paid by Judgment debtor
<hr/>			
Remaining due
Fee for issuing Warrant Ct.....Blf.....Mlge.....
<hr/>			
Total amount to be levied
<hr/>			
Re-issue / /19
Bailiff's fees for executing this warrant

Application was made for the warrant at.....minutes past the hour of.....in the.....noon of this date.

/ /19

By the Court.
CLERK OF THE COURT.

To the Bailiff of the said Court.

NOTICE.—The goods are not to be sold until after the end of five days next following the day on which they were seized, unless they be of a perishable nature, or at the request of the Defendant.

* Protected by Section 126:—(a) Wearing apparel of such person to the value of five pounds, and of his wife to the value of five pounds, and of his family to the value of two pounds for each member thereof dependent on him. Bedding to the value of ten pounds, household furniture to the value of ten pounds. Implements of trade to the value of fifteen pounds. Family photographs and portraits.

190A.—PRAECIPE FOR SUMMONS IN AID OF EXECUTION.

In the Local Court at

Between

and

Plaint No.

Plaintiff,
(Judgment Creditor),

Defendant,
(Judgment Debtor).

I apply for issue of a Summons against the Judgment Debtor
of
to attend to be orally examined as to whether any and what debts are owing
to him.

	£	s.	d.
Amount of Judgment or order	:	:	
Subsequent costs (if any)	:	:	
<hr/>			
Deduct amount paid by Judgment Debtor	:	:	
<hr/>			
Amount for which Summons required	:	:	
*Fees for issuing this Summons—			
Court	Blf.	C.M.	
Solicitor's Costs	.....	.....	:
<hr/>			
*Total	:	:	
<hr/>			

* To be filled in by Clerk of the Court.

JUDGMENT CREDITOR (or Solicitor).

Office Memoranda

Date lodged	Fees		Credit £	:	:
	Court Foreign Home	Bailiff			
.....				
Date fixed for hearing	Mileage		Checked and entered		
	Total				
.....		

190B.—SUMMONS ON A JUDGMENT OR ORDER OF A LOCAL COURT,
FOR EXAMINATION IN AID OF EXECUTION.

In the Local Court at

Between

Plaint No.
Plaintiff,
(Judgment Creditor),
and
Defendant,
(Judgment Debtor).

WHEREAS the Judgment Creditor obtained a judgment against the Judgment Debtor, particulars of which appear hereunder. AND WHEREAS the said judgment remains unsatisfied.

YOU ARE THEREFORE summoned to appear personally at the sittings in Chambers of this Court to be held at 10 a.m. on the day of 19 , to be orally examined as to whether any and what debts are owing to you and whether you have any and what other property or means of satisfying the judgment.

TAKE NOTICE that you then and there are required to produce all Savings Bank Pass Books and other Bank Pass Books in your name and all books deeds papers and writings of whatsoever nature in your possession or power, in any way relating to your financial affairs.

FURTHER TAKE NOTICE that unless you obey the directions contained in this summons you will be liable to the penalties of a fine or arrest pursuant to sections 63, 64 and 157 of the Local Courts Act, 1904.

CLERK OF THE COURT.

Particulars of Judgment.

	£	s.	d.
Amount of Judgment or order	.....	.....	.....
Subsequent costs (if any)	.....	.....	.....
	-----	-----	-----
Deduct amount paid by Judgment Debtor	.....	.....	.....
	-----	-----	-----
Amount for which Summons Required	.....	.....	.....
Fees for issuing this Summons—			
Court		Blf.	C.M.
Solicitor's Costs	.....	.....	.....
	-----	-----	-----
Total	.....	.....	.....
	-----	-----	-----

To.....(Judgment Debtor)

Conduct Money.....

CERTIFICATE OF SERVICE.

CHAMBER SUMMONS IN AID OF EXECUTION.

Plaintiff
(Judgment Creditor)

Defendant
(Judgment Debtor)

I hereby certify that I did serve a copy of this Chamber Summons personally on the Defendant at _____ on the _____ day of _____ 19____, and that I paid (or tendered) to him at the same time and place the sum of _____ for expenses.

And that I had necessarily to travel _____ miles to serve this Summons.

Balliff.

AFFIDAVIT OF SERVICE.

I _____, make oath and say of _____, and that I am _____, and that I did on the _____ One thousand nine hundred and _____ (with authority) duly serve the Defendant with a true copy of this Chamber Summons by delivering the same personally to the Defendant and that I paid (or tendered) to the said _____ at the same time and place the sum of _____ for expenses.

And I further say that I had necessarily to travel _____ miles to serve this Summons.

Sworn at _____ this }
day of _____ }
19____, before me: }

Clerk of the Court,
(or Commissioner or J.P.)

208.—BAILIFF'S RETURN TO WARRANT.

RETURN TO WARRANT No.....for £.....from the
 Bailiff of the Local Court held at.....to the
 Clerk of the Local Court at

PARTICULARS.

Date of Bailiff's entry.....Time.....a.m./p.m.

Goods seized at (address).....

Gross amount collected and paid into Court by Bailiff:— £ s. d.

 Paid by Execution debtor on ata.m./p.m.

 Proceeds of sale held on.....as per

 A/c. Sales attached

 Total £.....

 Charges claimed on levy. £ s. d.

 Possession fee in respect of the day of levy

 Man in possession (not being the execution debtor) from

 a.m./p.m. on.....to

 a.m./p.m. on.....

 Bailiff's expenses of sale (receipts attached)

 Poundage at.....per cent.

Other expenditure:—

 (Particulars of claim for extra mileage, special allowance, costs of Interpleader, cartage, removal and storage of goods or for any other item provided for in the Schedule of Bailiff's Fees to be set out on an annexure, with supporting vouchers)

 Total Charges Claimed £.....

I certify that the particulars shown above are true and correct and in accordance with the Rules of the Local Court.

Date..... Bailiff at.....

I certify that I have allowed the charges to Bailiff at £

 Gross amount paid in £.....

 Allowed charges £.....

 NET PROCEEDS due to Execution
 Creditor £.....

 Deficit on levy £.....

 Refund due to Execution Debtor £.....

Dated this day of 195 ..

Clerk of the Local Court.

TRAFFIC ACT, 1919-1956.

Harvey Road Board.

Heavy Traffic By-law.

Police T.O. 58/812.

THE Harvey Road Board, pursuant to an Order in Council under section 49 of the Traffic Act, 1919-1956, and in exercise of the powers thereby conferred, doth hereby make the following by-laws to have effect in the Harvey Road Board District:—

(1) (a) A person shall not drive a vehicle on any of the roads specified in the Schedule hereto, during the period commencing on the 1st day of May and terminating on the 1st day of November in any year, if the gross weight of that vehicle, including the load carried and the tare, exceeds 75 per cent. of the gross load permissible for that class of vehicle under the provisions of the Tenth Schedule to the Traffic Regulations, 1954.

North Ward—

Johnston Road, west of the Harvey Main Drain.
Riverdale Road, west of the Harvey Main Drain.
Thompson Road, between the South-West Railway line and Eckersley Road.
Yarloop-Hoffman Road.

Central Ward—

Myalup Road, west of Government Road.
Harvey-Quindanning Road.
Mornington Mills Road.

South Ward—

Mornington Creek Road.
Wellesley Road.
Brunswick East Road to Beela.
Mitchell Road, Bengar.
Seven Hills Road.

(b) Any person who shall commit a breach of this by-law shall be liable, on conviction, to a penalty not exceeding £20.

2. Previous heavy traffic by-law, as printed in the *Government Gazette* on 27th June, 1957, page 2135, is hereby repealed.

Passed by a resolution of the Harvey Road Board at a meeting held on the 18th March, 1958.

R. L. HESTER,
Chairman.

R. J. JEWING,
Secretary.

Recommended—

(Sgd.) H. E. GRAHAM,
Minister for Traffic.

Approved by His Excellency the Governor in Executive Council, this 28th day of May, 1958.

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

TRAFFIC ACT, 1919-1957.

Office of the Commissioner of Police,
Perth, 16th May, 1958.

Police T.O. 55/1580.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1957, has been pleased to make the regulations set out in the Schedule hereunder.

J. M. O'BRIEN,
Commissioner of Police.

Schedule.

Regulations.

Principal Regulations.

1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* of the 15th December, 1954, as amended by regulations amending the same published in the *Gazette* on the 9th February, 1955; 1st April, 1955; 11th May, 1955; 17th June, 1955; 9th August, 1955; 30th September, 1955; 30th December, 1955; 24th April, 1956; 23rd October, 1956; 16th November, 1956; 23rd November, 1956; 21st December, 1956; 22nd February, 1957; 8th March, 1957; 1st April, 1957; 26th April, 1957; 17th May, 1957; 1st July, 1957; 30th August, 1957; 25th September, 1957; 5th November, 1957; 23rd December, 1957; 24th January, 1958; 19th February, 1958; 17th April, 1958 and 29th April, 1958, are referred to as the principal regulations.

2. Paragraph (c) of subregulation (1) of regulation 397B is amended by substituting for the passage commencing with the word "approved," in line one and ending with the last word "Police," in line five, the passage, "prescribed by these regulations."

3. The principal regulations are amended by adding after regulation 397H the following regulations:—

397I. (1) The security to be furnished by an applicant, or by a licensed dealer shall be the applicant's or licensed dealer's own bond in the form number 14 in the Second Schedule with security in—

- (a) cash or Government securities in the amount of the bond for the due fulfilment of the duties, obligations and conditions of the bond;
- (b) a bond in the form number 15 in the Second Schedule of some insurance company, bank or person acceptable to the Commissioner of Police; or
- (c) cash or Government securities in respect of part of the amount of the bond and a bond in the form number 15 in the manner required by subparagraph (b) of this regulation as to the remainder of the amount of the bond.

(2) The amount of the security is three thousand pounds, or such lesser sum as shall be determined by the Commissioner of Police.

(3) The amount named in a bond under these regulations is deemed not to be a penalty, but is liquidated damages and is recoverable in full as a debt due to Her Majesty unless every condition upon which the security is defeasible shall be proved to have been performed.

(4) A bond given under these regulations may, if so provided therein, continue not only during the term of the license in respect of which it is given in the first place, but during the term of any other license issued as a renewal thereof or in substitution therefor.

(5) (a) A bond may be terminated by notice to the Commissioner of Police in accordance with the terms of the bond, and, upon the expiration of the notice, the license in respect of which the bond was furnished and deposited shall be cancelled.

(b) If, during the currency of the bond an applicant or a licensed dealer shall furnish and deposit a bond and security under these regulations in substitution for the current bond then the license shall not for that reason be cancelled.

397J. If at any time a dealer's license, or any renewal or transfer thereof, shall be cancelled, the person named in the license or current renewal or transfer thereof shall forthwith deliver to the Commissioner of Police the license, current renewal or transfer thereof.

Penalty—For a first offence a fine not exceeding twenty pounds, or imprisonment not exceeding one month; and for any subsequent offence a fine not exceeding fifty pounds, or imprisonment not exceeding fifty days with or without hard labour.

(Reg. 397I.)

Form No. 14.

Western Australia.

Traffic Act, 1919-1957.

FORM OF BOND BY APPLICANT/LICENSED DEALER.

KNOW ye all men by these presents that (name)....., of (address)..... (in this bond called "the licensed dealer") is held and firmly bound unto Her Majesty the Queen in the sum of.....pounds (£.....) for the payment of which sum to Her Majesty the licensed dealer binds himself by these presents.

Signed, sealed and delivered by the said....., this..... day of....., 19....., in the presence of— Witnesses's signature, address and occupation.

WHEREAS the licensed dealer is or expects to be the holder of a dealer's license granted under the provisions of the Traffic Act, 1919-1957, now the condition of the abovewritten bond is such that if the licensed dealer shall always punctually and faithfully perform and discharge the duties and obligations to be performed and discharged by him pursuant to the Traffic Act, 1919-1957, during the currency of any license or licenses already issued or to be issued to him as a licensed dealer, whether in addition to or in substitution for the present or any future license or licenses held by him and during the currency of any license as a renewal or transfer of any one or more of such licenses then the abovewritten obligation shall be void but otherwise shall remain in full force and effect. This bond and the amount thereof is in addition to any other bond and the amount thereof given by or in respect of the licensed dealer either before or after the date of this bond.

Note.—This bond must have the Stamp Duty embossed as required by the Stamp Act.

(Reg. 397I.)

Form No. 15.
Western Australia.
Traffic Act, 1919-1957.

FORM OF BOND BY SURETY.

KNOW all men by these presents that (1) (name)....., of (address)..... (in this bond called "the surety") is held and firmly bound unto Her Majesty the Queen in the sum of.....pounds (£.....) (2)for the payment of which sum to Her Majesty the surety binds self by these presents.

Signed, sealed and delivered by the
said....., }
on the.....day of....., }
19....., in the presence of— }
..... }
Witnesses's signature, address }
and occupation. }

WHEREAS (3) (name of licensed dealer)....., of (address)..... (in this bond called "the licensed dealer") is or expects to be the holder of a dealer's license under the Traffic Act, 1919-1957, now the condition of the abovementioned bond is such that if the licensed dealer shall always punctually and faithfully perform and discharge the duties and obligations to be performed and discharged by him pursuant to the Traffic Act, 1919-1957, during the currency of any license or licenses already issued or to be issued to him and during the currency of any other license issued to him as a licensed dealer whether in addition to or in substitution for the present or any future license or licenses held by him and during the currency of any license issued as a renewal or transfer of any one or more of such licenses then the abovementioned obligation is void but otherwise it shall remain in full force and effect. Except that—

- (1) this bond and the amount thereof is in addition to any other bond and the amount thereof given in respect of the licensed dealer either before or after the date of this bond;
 - (2) the surety may at any time give notice in writing to the Commissioner of Police and to the licensed dealer at his last-known place of abode or at the addresses given by him to the Commissioner of Police that the surety intends to terminate the liability under this bond and from and after the expiration of one month from the delivery of the notices all further liability on the surety shall determine: Provided that notwithstanding the determination of this bond in pursuance of such notice the bond and the surety's liability shall be deemed to continue and subsist in respect to all liabilities incurred by the licensed dealer prior to such determination;
 - (3) the total amount payable under this bond shall not exceed the amount set out above.
- (1) Here insert name of bondsman, insurance company or bank, as the case may be.
- (2) Here insert amount of bond.
- (3) Here insert name of licensed dealer.

Note.—This Security Bond must have the Stamp Duty embossed as required by the Stamp Act.

TRAFFIC ACT, 1919-1957.

Office of the Commissioner of Police,
Perth, 28th May, 1958.

Police T.O. 58/483.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1957, has been pleased to make the regulations set out in the Schedule hereunder.

J. M. O'BRIEN,
Commissioner of Police.

Schedule.
Regulations.

Principal
regulations.

1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by regulations amending the same published in the *Gazette* on the 9th February, 1955; 1st April, 1955; 11th May, 1955; 17th June, 1955; 9th August, 1955; 30th September, 1955; 30th December, 1955; 24th April, 1956; 23rd October, 1956; 16th November, 1956; 23rd November, 1956; 21st December, 1956; 22nd February, 1957; 8th March, 1957; 1st April, 1957; 26th April, 1957; 17th May, 1957; 1st July, 1957; 30th August, 1957; 25th September, 1957; 5th November, 1957; 23rd December, 1957; 24th January, 1958; 19th February, 1958; 17th April, 1958; 29th April, 1958 and 13th May, 1958, are referred to as the principal regulations.

Reg. 4
amended.

2. Regulation 4 of the principal regulations is amended by adding before the interpretation "parking sign," the interpretation "parking area," and by adding before the interpretation "parking stall," the interpretation "parking space" as follows:—

"parking area" means a portion of a road which is defined on the surface of the road by or under the authority of the Commissioner of Main Roads as an area for the parking of vehicles, and which portion is so defined and is divided into parking spaces, by means of lines, not less than two inches wide, of white, yellow or other colour painted or marked on the surface of the road, and is so maintained;

"parking space" means that portion of the road defined on the surface of the road in the manner provided in the interpretation "parking area" and which parking space is set aside for prescribed vehicles or types of vehicles by means of an official traffic sign displayed, marked, placed, or erected within a parking area.

Reg. 28
amended.

3. Regulation 28 of the principal regulations is amended by substituting the words "four shillings" for the words "two shillings and sixpence" appearing in line five of paragraph (d) thereof.

New Reg.
29A added.

4. The principal regulations are amended by adding after regulation 29 a regulation as follows:—

29A. (1) (a) A traffic inspector appointed by the local authority shall, when on duty, wear the uniform described hereunder:—

Uniform.

Jacket—Blue-grey, open neck with two breast pockets.

Shirt—College grey (or fawn) (similar type as now worn by Police).

Tie—Blue-grey.

Trousers or Breeches—Blue-grey.

Leggings, Boots, Shoes—Black.

Cap—Peaked cap with blue-grey cover.

Badge—Regulation badge on cap, to be only badge worn.

Buttons—All buttons on uniform to be gilt and embossed or stamped "Traffic Inspector."

Buckle—Gilt.

(b) Notwithstanding the provisions of subregulation (2) of regulation 29, a traffic inspector shall, when in uniform, wear the prescribed badge on the front of his cap.

(2) The provisions of this regulation shall not apply to a traffic inspector appointed by—

(a) a local authority whose district is north of the 26th parallel of south latitude; and

(b) the local authorities in the following road districts:—

Black Range.

Cue.

Dundas.

Esperance.

Meekatharra.

Mount Magnet.

Mount Marshall.

Murchison.

Phillips River.

Wiluna.

Yalgoo.

Reg. 170 amended.

5. Paragraph (a) of subregulation (2) of regulation 170 of the principal regulations is amended by substituting for the words "Secretary for Local Government" in line four, the words "Commissioner of Police."

Reg. 170 amended.

6. Paragraph (b) of subregulation (2a) of regulation 170 of the principal regulations is amended by substituting for the words "Secretary for Local Government" in line three, the words "Commissioner of Police."

New Reg. 346B added.

7. The principal regulations are amended by adding after regulation 346A a new regulation as follows:—

346B. (1) A person shall not stand a vehicle—

(a) on the western side of Cliff Street between its junction with Victoria Quay and its intersection with Phillimore Street; and

(b) on the southern side of Phillimore Street between its western extremity and its intersection with Cliff Street,

except within a parking area.

(2) A person who stands a vehicle within a parking area defined on any portion of a road referred to in subregulation (1) of this regulation shall not leave any portion of the vehicle on or over any of the lines by means of which the area is defined or is divided into parking spaces.

(3) A person shall not stand a vehicle within a parking space set aside by means of an official parking sign for a prescribed vehicle or type of vehicle unless the vehicle is a prescribed vehicle or of the type so prescribed.

New Reg.
383A added.

8. The principal regulations are amended by adding the regulation 383A as follows:—

Perth Road Board.

Parking
restrictions
on the
Esplanade.

383A. (1) A person shall not stand a vehicle—

- (a) on that portion of the Esplanade, Scarborough, between the northern building line of Manning Street and a point 360 feet south of Scarborough Beach Road, between the wall on the western side and the building line on the eastern side thereof; and
- (b) on Scarborough Beach Road, Scarborough, between West Coast Highway and the Esplanade, Scarborough, except within a parking area.

(2) A person who stands a vehicle within a parking area defined on any portion of a road referred to in sub-regulation (1) of this regulation shall not leave any portion of the vehicle on or over any of the lines by means of which the area is defined or is divided into parking spaces.

(3) A person shall not stand a vehicle within a parking space set aside by means of an official parking sign for a prescribed vehicle or type of vehicle unless the vehicle is a prescribed vehicle or of the type so prescribed.

(4) A person shall not drive any vehicle in the roadways or carriageways in the parking area except in the direction indicated by arrows painted or marked on the surface of the road, or indicated by any other official traffic sign.

(5) Notwithstanding the provisions of this regulation, a person may stand a vehicle in the parking area for a sufficient period of time only to enable persons to enter or alight from the vehicle.

Reg. 397
amended.

9. Regulation 397 of the principal regulations is amended by adding after the last word "month," the passage ", and for any subsequent offence a penalty not exceeding fifty pounds or imprisonment not exceeding fifty days with or without hard labour."

Tenth
Schedule
amended.

10. The Tenth Schedule to the principal regulations is amended by substituting for the whole of the Schedule below the passage "Traffic Act, 1919," the Schedule set forth in the Schedule hereunder.

Eleventh
Schedule
Table A
amended.

11. Table A of the Eleventh Schedule of the principal regulations is amended—

- (a) by substituting for the figures "40" in line eight of column 1 of item 5, the figures "80"; and
- (b) by substituting for sub-item (a) of item 9 a sub-item as follows:—

In Column 1.

In Column 2.

(a) East Side—

(i) Between Murray Street and Hay Street

Parking of vehicles prohibited at all times.

(ii) Between Hay Street and St. George's Terrace

Between 8 a.m. and 6 p.m. on any day except Saturdays and Sundays, and between 8 am. and 1 p.m. on Saturdays, parking of vehicles restricted to 30 minutes.

SCHEDULE OF PERMISSIBLE GROSS LOADS
Regulation 170 (1)

Class	Type of Vehicle	Axle Spacing Dimensions	Gross weight of vehicle including load	
			Low Pressure	High Pressure
A		—	tons 9	tons 8
B		—	12	11
B ^A		ab over 12 ft. ;	13	12
		ab over 16 ft. ;	14	13
		ab over 20 ft. ;	15	14
C		Gross load limited by number of tyres	14	13
D		ab over 10 ft. ; nb over 12 ft.	15	14
		ab over 10 ft. ; nb over 16 ft.	16	15
E		ab over 10 ft. ; nb over 12 ft.	15	14
		ab over 10 ft. ; nb over 16 ft.	16	16
F		ab over 16 ft.	13½	13
		ab over 20 ft.	13½	13
G		ab 16 ft. - 20 ft.	14	13
		ab over 20 ft.	15	14
G ^A		ab over 16 ft.	14	13
		ab over 20 ft.	15	14
		ab over 24 ft.	16	15
H		ab under 12 ft. ; nb over 12 ft.	14	13
		ab over 12 ft. ; nb over 12 ft.	15	14
		ab over 12 ft. ; nb over 16 ft.	16	15
		ab over 12 ft. ; nb over 20 ft.	17	16
I		ab under 16 ft. ; nb over 8 ft.	15	14
		ab over 16 ft. ; nb over 8 ft.	16	15
		ab over 16 ft. ; nb over 12 ft.	17	16
		ab over 16 ft. ; nb over 16 ft.	18	17
J		ab under 12 ft. ; nb over 12 ft.	15	14
		ab over 12 ft. ; nb over 12 ft.	16	15
		ab over 12 ft. ; nb over 16 ft.	17	16
		ab over 12 ft. ; nb over 20 ft.	18	17
K		ab under 16 ft. ; nb over 12 ft.	16	15
		ab over 16 ft. ; nb over 12 ft.	17	16
		ab over 16 ft. ; nb over 16 ft.	18	17
		ab over 16 ft. ; nb over 16 ft.	18	17
L		ab under 16 ft. ; nb over 12 ft.	16	15
		ab over 16 ft. ; nb over 12 ft.	17	16
		ab over 16 ft. ; nb over 16 ft.	18	17
		ab over 16 ft. ; nb over 16 ft.	18	17
M		ab under 16 ft. ; nb over 12 ft.	16	15
		ab over 16 ft. ; nb over 12 ft.	17	16
		ab over 16 ft. ; nb over 16 ft.	18	17
		ab over 16 ft. ; nb over 20 ft.	19	18
M ^A		as above	20	19

NOTE—

- (1) Where the actual measurements of axle spacings are more than shown in the schedule, for every additional 4 ft. in the length of ab or of wb or in the aggregate length of both ab and wb, an additional ton may be conveyed.
- (2) No single tyre allowed to carry more than 5,000 lb.
- (3) No axle load to exceed 17,000 lb.
- (4) No tandem axle with single wheels to carry more than 20,000 lb. gross.
- (5) No tandem axle with dual wheels to carry more than 22,000 lb. gross.

ROAD DISTRICTS ACT, 1919-1956.

Hall By-laws.

Wongan-Ballidu Road Board.

L.G. 262/52.

THE by-laws relating to halls, as published in the *Government Gazette* on the 26th September, 1930, and amended by notices in the *Government Gazette* on the 19th June, 1931, 23rd September, 1932, 7th April, 1933, 24th November, 1933, 21st July, 1939, 27th September, 1940, 20th July, 1943, 12th November, 1948, and 1st April, 1957, is hereby further amended as follows:—

Ballidu Hall and Supper Room.

1. By deleting from the Schedule of Fees that section relating to Ballidu Hall and Supper Room:

Dances—Week nights, including Saturdays, 7 p.m.-12 p.m., £4.

2. By substituting therefore, the following Schedule of Fees:—

Dances—Week Nights, including—	£	s.	d.
Saturdays—Hall Hire and Supper Room combined	4	10	0
Hire Hall only	2	0	0
Hire Supper Room only	2	10	0

The above amendments to the by-laws governing the control of District Halls were adopted by the Wongan-Ballidu Road Board at a properly constituted meeting of the Board held on the 17th day of April, 1958.

(Sgd.) H. L. SHIELDS,
Chairman.

(Sgd.) T. E. JENSEN,
Secretary.

Recommended:

(Sgd.) A. M. MOIR,
for Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of May, 1958.

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

ROAD DISTRICTS ACT, 1919-1956.

Northampton Road Board.

Amendment to Building By-law.

L.G. 1363/52.

THE building by-law published in the *Government Gazette* of the 20th of January, 1950, at pages 135 to 144 respectively and amended by notice in the *Government Gazette* of the 1st of September, 1950, at page 2049, is hereby amended as follows:—By deleting the whole of Clause 5 of the by-law relative to brick areas.

Passed at a meeting of the Northampton Road Board, held the 11th day of April, 1958.

F. A. PORTER,
Chairman.

R. CHARLTON,
Secretary.

Recommended:

(Sgd.) A. M. MOIR,
for Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 28th day of May, 1958.

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