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OF

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No. 34.]

PERTH: TUESDAY, 28th APRIL

[1959.

LEGAL PRACTITIONERS ACT, 1893-1958.

Rules of the Barristers' Board.

WHEREAS by the Legal Practitioners Act, 1893-1958, the Barristers' Board thereby constituted is empowered from time to time to make and prescribe such rules as to the Board may seem meet for the matters and purposes under the Act mentioned; and whereas it is desirable to amend the rules of the Board as published in the *Government Gazette* (No. 45) of the 5th August, 1949, and amended from time to time thereafter: Now, therefore, the Board, by virtue of the powers vested in it by and under the Act, doth hereby, at a meeting held on the 17th day of April, 1959, make and publish the following amendment to the said rules, to take effect one month after the publication thereof in the *Government Gazette*:—

Rule 81 is amended by adding the following paragraph:—

- (6) No book shall be removed from the Library unless the borrower shall have recorded his name and the date and time of removal in a book to be kept by the Librarian for that purpose.

Dated this 17th day of April, 1959.

S. H. GOOD,
Chairman.

FRANCIS BURT.
J. DUNPHY.
R. D. FORBES.

Members of the Barristers' Board.

HEALTH ACT, 1911-1956.

Municipality of South Perth.

Resolution.

P.H.D. 497/50.

WHEREAS it is provided in the Health Act, 1911, as amended, that a local authority may of its own motion, by resolution, adopt with or without modification the whole or any portion of by-laws caused to be prepared by the Governor under the provisions of section 343 (1) of that Act; and whereas by resolution dated the 26th day of September, 1956, and published in the *Government Gazette* on the 25th day of January, 1957, the South Perth Municipality, being a local authority within the meaning of the Act, resolved

to adopt, with certain modifications specified in such resolution, the Model By-Laws described as Series "A" as reprinted and published in the *Government Gazette* on the 9th day of August, 1956. Now therefore, the South Perth Municipality, doth hereby resolve and determine that the said Model By-Laws as modified as aforesaid shall be further modified as follows namely:

1. There shall be added after clause (a) of By-Law 24 in Part I new clauses as follows:

(a1) No person shall in any street transport any manure unless the manure—

(1) is securely enclosed in a flyproof bag or similar container or

(2) is contained in a metal bin with a tight fitting lid, or

(3) is contained in a compartment on a vehicle, which compartment—

(i) has a floor of sheet metal and walls of sheet metal all around it to a height of at least one foot six inches from the floor level and with all joints soldered welded or brazed and made water tight,

(ii) has any loading doors fitted at the rear or left side of the vehicle and made tight fitting,

(iii) is completely covered either by a roof of sheet metal or with a tarpaulin carried over the walls and secured to the outside thereof at least three inches below the top.

(a2) No person shall offer any manure for sale in any street unless the manure is securely enclosed in a flyproof bag or similar container.

(a3) No person shall use a vehicle, tarpaulin, bin, bag or container to transport or offer manure for sale in a street unless such vehicle, tarpaulin, bin, bag or container is in good order or unless it has been thoroughly cleansed since it was previously used for such a purpose.

(a4) No person shall while transporting or offering manure for sale in a street cause a nuisance.

2. There shall be added after By-Law 24B in Part I the following new by-law namely:—

24c. No person shall permit to remain stationary in a street for longer than is strictly necessary any vehicle or article mentioned in By-Law 24B (2) above—

(i) which is being used to transport butchers' or slaughterhouse wastes, or

(ii) which has been used to transport butchers' or slaughterhouse wastes and which has not since such use been so thoroughly cleansed as to render it inoffensive.

Passed at a meeting of the South Perth Municipal Council this 25th day of June, 1958.

W. C. G. THOMAS, J.P.,
Mayor.

J. HARRINGTON,
Acting Town Clerk.

Approved by His Excellency the Governor in Executive Council this 15th day of April, 1959.

R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1957.

Municipality of Geraldton.

P.H.D. 219/59, Ex. Co. No. 639.

WHEREAS under the provisions of the Health Act, 1911-1957, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted: Now, therefore, the Municipality of Geraldton, being a local authority within the meaning of the Act, and having adopted the Model By-Laws made under the Health Act, 1911-1957, as reprinted pursuant to the Reprinting of Regulations Act, 1954, in the Gazette on 9th August, 1956, hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

By the addition at the end of such by-laws of a new part, to stand as Part X, as follows:—

Part X—Morgues.

1. Any place for the temporary reception of the bodies of the dead and for keeping such bodies for the purpose of view, examination, identification or other lawful purposes before burial or cremation, shall be licensed annually. The fee for such licence shall be £1.

2. No such license shall be granted in respect of any premises unless—

- (a) the interior surface of all walls is covered with glazed tiles or other material of similar impermeable qualities, so as to be non-absorbent and washable; and
- (b) all floors are constructed of granolithic or other material of similar impermeable qualities having a fall to an outlet discharging over a trapped gully; and
- (c) the premises are ventilated by direct communication to the outer air. Such ventilators to be in the ratio of 24 square inches of inlet and 24 square inches of outlet of uncontrolled ventilating area to each 100 square feet of floor area. The situation of the ventilating openings and the general arrangement of the ventilation shall be to the satisfaction of the Inspector.

3. No such license shall be granted in respect of any room, the dimensions of which are less than 10 ft. x 10 ft. x 9 ft. high.

4. No such license shall be granted in respect of private premises unless the site thereof is approved by the local authority or if the same are within 20 feet of any dwelling house.

5. Every person applying for the license of a place for the temporary reception of the bodies of the dead shall apply for such license during the first week of January each year in the form of Schedule "A" hereto. Provided that if the license for any year shall commence on or after the first day of July in any year, then the applicant shall be required to pay only one-half of the prescribed fee.

6. Whenever the local authority licenses any place for the temporary reception of the bodies of the dead the local authority shall supply to the person who has applied for such license a certificate in the form of Schedule "B" hereto.

Schedule "A."

APPLICATION FOR THE LICENSE OF A MORGUE.

I,.....hereby make application for the registration of the premises specified hereunder, for the purpose of the temporary reception of the bodies of the dead, and deposit herewith the sum of £..... being the license fee in accordance with the by-laws.

Situation of premises in respect of which the license is sought
Address
Signature of Applicant.
Date.....

Schedule "B"

LICENSE OF PREMISES FOR THE PURPOSE OF A MORGUE.

This is to certify that premises situate.....
are licensed as
 a place for the temporary reception of the bodies of the dead.

This license expires on the 31st December next
Town Clerk.

Passed by the Council of the Municipality of Geraldton at a Council meeting held on the 11th of February, 1959.

[L.S.]

C. S. EADON-CLARKE,
 Mayor.

L. V. CAUDWELL,
 Town Clerk.

Approved by His Excellency the Governor in Executive Council this 15th day of April, 1959.

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

HEALTH ACT, 1911-1957.

Municipality of Geraldton.

Amendment of By-Laws.

P.H.D. 219/59.

WHEREAS under the Health Act, 1911-1957, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted; and whereas the Municipality of Geraldton, being a local authority within the meaning of the said Act, adopted, with certain modifications, Model By-Laws prepared pursuant to section 343 of the said Act and reprinted pursuant to the Reprinting of Regulations Act, 1954, and published in the *Government Gazette* on the 9th day of August, 1956; and whereas the said Municipality has contracted for the efficient collection removal and disposal of nightsoil, urine and liquid wastes as provided by section 112 (1) of the said Act: Now, therefore, the said Municipality of Geraldton, pursuant to the power contained in section 112 (2) of the said Act and all other enabling powers, doth hereby amend the said adopted by-laws as follows:

Part 1 of the said Model By-laws is amended by inserting after By-law 7A a new By-law 7B as follows:—

No person shall except pursuant to a contract under section 112 of the Act collect remove or dispose of nightsoil urine or liquid wastes or undertake such collection removal or disposal.

Passed by resolution of the Municipality of Geraldton on the 11th day of February, 1959.

[L.S.]

C. S. EADON-CLARKE,
 Mayor.

L. V. CAUDWELL,
 Town Clerk.

Approved by His Excellency the Governor in Executive Council this 15th day of April, 1959.

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

HEALTH ACT, 1911-1957.

Harvey Road Board.

Resolution.

P.H.D. 1731/56, Ex. Co. No. 637.

WHEREAS under the provisions of the Health Act, 1911-1957, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted; and whereas Model By-laws described as Series "A" made by the Governor pursuant to the said Act, were reprinted in the *Government Gazette* on the 9th August, 1956: Now, therefore, the Harvey Road Board, being the local authority within the meaning of the Act and having adopted the said Model By-laws as reprinted and prescribed a scale of fees as apply to Schedule "D" of Part IX, doth hereby resolve and determine that the scale of fees as prescribed in the notice published in the *Government Gazette* on the 25th January, 1957, is repealed and a new scale of fees substituted therefore as follows:—

Part IX—Schedule "D."		Fee per annum		
Offensive Trade		£	s.	d.
Slaughter Houses	.....	3	0	0
Fellmongers	.....	3	0	0
Chemical Works	.....	3	0	0
Soap and Candle Works	.....	3	0	0
Bone Mills	.....	3	0	0
Manure Works	.....	3	0	0
Wool Scouring Establishments	.....	3	0	0
Flock Factories	.....	3	0	0
Fish Curing Establishments	.....	3	0	0
Piggeries	.....	2	0	0
Stock Sale Yards	.....	2	0	0
Dry Cleaners and Dye Works	.....	1	0	0
Fish Shops	.....	1	0	0
Other offensive trades not specified	.....	1	0	0

Passed at the meeting of the Harvey Road Board this 17th day of February, 1959.

R. L. HESTER,
Chairman.

R. J. DEWING,
Secretary.

Approved by His Excellency the Governor in Executive Council this 15th day of April, 1959.

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

ROAD DISTRICTS ACT, 1919.

Armadale-Kelmscott Road District.

By-law to Regulate Hawkers and Stalls.

L.G. 306/58.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Armadale-Kelmscott Road Board hereby makes the following by-law to regulate hawkers and stalls.

1. In this by-law—

- "Board" means the Armadale-Kelmscott Road Board;
- "District" means the Armadale-Kelmscott Road District;
- "Hawker" has the meaning defined in section 201 (41) of the Road Districts Act, 1919;
- "Secretary" means the Secretary or acting Secretary of the Board;
- "Stall" means a movable or temporarily fixed stall for the sale of any meat, fish, poultry, game, fruit, vegetables, drink, eatables, or articles of merchandise;
- "Stall-keeper" means a person who conducts a stall.

2. No person shall act as a hawker within the district unless he holds a current license from the Board so to do.

3. Subject to clause 9 of this by-law no person shall conduct a stall in any street or way within the district.

4. No person shall conduct a stall near any street or way within the district unless he holds a current license from the Board so to do and no stall shall be erected within six feet of the road alignment and, subject to clause 9 of this by-law, no license shall be granted for a stall on land which is zoned for residential purposes.

5. (1) A person who wishes to obtain a hawker's license shall apply therefor in writing to the Secretary stating the kind of merchandise in which he wishes to deal, the type of vehicle or other means of conveyance to be used for the transport of his merchandise and the period for which he desires the license.

(2) A person who wishes to obtain a stall-keeper's license shall apply therefor in writing to the Secretary stating the kind of merchandise in which he wishes to deal, the type of stall which he wishes to use with particulars of the dimensions and construction thereof, the place or places where he wishes to conduct the stall and the period for which he desires the license.

6. (1) Licenses shall be in such one of the forms set out in Schedule "A" hereto as shall be applicable and, subject to clause 9 of this by-law, the fees set out in Schedule "C" hereto shall be paid by the licensee to the Board on the issuing thereof.

(2) No license shall be transferable.

(3) A license shall be valid only as to the merchandise described therein and in the case of the stall-keeper's license only as to the place or places described therein.

7. The Board may refuse to issue a license for any of the following reasons:—

- (a) that the person concerned had been convicted of a crime or serious offence;
- (b) that he had previously been convicted of an offence against the Hawking by-laws;
- (c) that he is an undischarged bankrupt;
- (d) that he is unable to produce to the Board a certificate of good character, signed by two (2) Justices of the Peace.

8. The Board may cancel a license if, in the opinion of the Board, the holder of a license is not a suitable person to hold a license and upon cancellation the holder thereof shall forthwith return the license to the Secretary.

9. (1) The Board shall issue to every holder of a hawker's license a badge in the form set out in Schedule "E" hereto.

(2) Every hawker while plying his trade shall display his badge.

(3) No person shall display a hawker's badge issued under this by-law unless he is the holder of a current hawker's license issued under this by-law.

10. Notwithstanding the provisions of clause 3, clause 4 and clause 6 (1) of this by-law the Board may grant without fee licenses to conduct stalls in any street or way or on any land for any period specified in such a license if such stalls are conducted solely for the purpose of raising money for religious or charitable purposes.

11. No hawker shall ply his trade in Albany Highway within the townsite of Kelmscott or in Jull Street within the townsite of Armadale or in the South-West Highway within the townsite of Byford.

12. No hawker shall ply his trade—

- (a) between the hour of sunset on any day and the hour of sunrise on the next following day;
- (b) on any Sunday.

13. No hawker or stall-keeper shall shout his wares or make or cause to be made any outcry, noise or disturbance likely to annoy persons in the vicinity.

14. No hawker shall remain stationary in any street or public place for a longer period than shall be necessary for the purpose of serving a customer who is then offering to buy.

15. No hawker shall loiter and no stall-keeper shall place his stall within two hundred yards of any shop which has for sale any merchandise similar to that being offered for sale by the hawker or stall-keeper.

16. Every hawker and stall-keeper shall whilst plying his trade carry with him his license and shall produce the same on demand to any officer of the Board.

17. Every hawker and stall-keeper shall whilst plying his trade have his name and the words "Licensed Hawker" or "Licensed Stall-keeper" as the case may be, legibly and conspicuously painted on some part of his vehicle, barrow, bag, tray or stall.

18. Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds (£20).

Schedule "A."

Armadale-Kelmscott Road District.

HAWKER'S LICENSE.

No..... of.....
is hereby licensed to hawk..... by the means described in his application dated the..... within the Armadale-Kelmscott Road District during the month of....., 19..... the year ending on the..... day of..... subject to the by-laws relating to hawkers from time to time in force in the said District.
Dated this..... day of....., 19.....

Secretary, Armadale-Kelmscott Road Board.

Armadale-Kelmscott Road Board.

STALL-KEEPER'S LICENSE.

No..... of.....
is hereby licensed to conduct a stall of the nature described in his application dated the....., 19..... at..... within the Armadale-Kelmscott Road District during the month of....., 19....., the year ending on the..... day of....., 19....., subject to the by-laws relating to stalls from time to time in force in the said District.
Dated this..... day of....., 19.....

Secretary, Armadale-Kelmscott Road Board.

Schedule "B."

Armadale-Kelmscott Road Board.

HAWKER'S BADGE.

Issued to.....
Year of Issue....., 19.....

Secretary.

Dated....., 19.....

Schedule "C."

FEES FOR HAWKERS' LICENSES.

- (a) With a vehicle drawn by an animal or mechanically propelled—
Ten shillings per month or five pounds per year.
- (b) With a vehicle not drawn by an animal or mechanically propelled—
Eight shillings per month or four pounds per year.
- (c) In any other case—
Five shillings per month or two pounds per year.

FEES FOR STALL LICENSES.

Ten shillings per month or five pounds per year.

Made and passed by the Armadale-Kelmscott Road Board on the 23rd day of March, 1959.

A. W. McPHAIL,
Chairman.

W. ROGERS,
Secretary of the Board.

Recommended—

(Sgd.) L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 15th day of April, 1959.

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

ROAD DISTRICTS ACT, 1919.

Busselton Road Board.

By-law for Regulating the Hawking of Goods.

L.G. 359/58.

WHEREAS under the provisions of the Road Districts Act, 1919, the Board of any Road District is empowered to make by-laws for any of the purposes mentioned in the said Act, and whereas the Busselton Road Board in pursuance of the powers vested in the said Board, under and by virtue of the said Act, and of any authority enabling it in that behalf, doth hereby make and publish the following by-law.

Previous by-laws made for regulating the hawking of goods and appearing in the *Government Gazettes* of 31st July, 1936 (page 1161) (Busselton Municipal Council), and of 23rd September, 1938 (page 1652) (Sussex Road Board) are hereby repealed.

Hawking.

(a) In this by-law the word "Board" means the Busselton Road Board. The word "District" means the Busselton Road District. The word "hawk" means to act as a hawker as defined by section 201 (41) (i) of the Road Districts Act, 1919.

(b) No person shall hawk any goods, wares or merchandise in the district unless he holds a current license issued to him by the Board under this by-law.

(c) A person who wishes to obtain a hawker's license shall apply therefor in writing to the Secretary of the Board, stating the part or parts of the district and the kind of goods, wares or merchandise for which he wishes to obtain a license.

- (d) A hawker's license shall be in the form of the Schedule 1 to this by-law.
- (e) The Secretary of the Board may issue a license to the applicant on payment of the prescribed fee therefor.
- (f) The fee to be paid for a hawker's license shall be as set out in the Schedule 2 to this by-law.
- (g) Forthwith upon the expiry of license whether by effluxion of time or by cancellation, the holder thereof shall return such license to the Secretary of the Board.
- (h) A hawker's license may be refused or cancelled if the person concerned—
 - (1) has been convicted of a crime or serious offence;
 - (2) has been convicted of offences against the Hawking By-laws;
 - (3) is an undischarged bankrupt;
 - (4) is unable to produce a certificate of good character signed by two Justices of the Peace.
- (i) The holder of a license shall carry his license with him wherever he hawks in the district, and he shall, on demand, produce his license for inspection by any officer of the Board or any person with whom he seeks to trade.
- (j) No hawker shall take up a position or loiter within 200 yards of any shop which has for sale any goods, wares or merchandise similar to those being offered for sale by the hawker.
- (k) No hawker's licenses are in any way transferable either by way of loan, gift, sale or assignment.
- (l) Any person who does any act contrary to any of these by-laws, or commits any breach or neglect thereof, shall be liable on conviction to a penalty not exceeding £20.

Schedule 1.

Busselton Road Board.
HAWKER'S LICENSE.

M of
is hereby licensed to hawk within such part of the district of the Busselton Road Board, as is endorsed on the back hereof, subject to the provisions of the by-laws of the Busselton Road Board in force in respect to hawkers.

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

Schedule 2.

Busselton Road Board.
ANNUAL FEES FOR HAWKERS' LICENSES.

Busselton Road District, £6 per annum.

Passed by resolution of the Busselton Road Board at a meeting held on the 28th January, 1959.

JAMES BUTCHER,
Chairman.
T. McCULLOCH,
Secretary.

Recommended—

(Sgd.) L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 15th day of April, 1959.

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