



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

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

No. 105]

PERTH: THURSDAY, 27th DECEMBER

[1962

PAINTERS' REGISTRATION ACT, 1961-1962.

Public Works Department,
Perth, 20th December, 1962.

HIS Excellency the Governor in Executive Council has been pleased to approve of the rules set forth in the schedule hereunder made by the Painters' Registration Board pursuant to the provisions of section 24 of the Painters' Registration Act, 1961-1962, and section 11 of the Interpretation Act, 1918-1962, to have and take effect on and from the 1st day of January, 1963.

(Sgd.) J. McCONNELL,
Under Secretary for Works.

Schedule.

Rules.

Citation.

1. These rules may be cited as the Painters' Registration Board Rules, 1962.

Interpretation.

2. In these rules unless the context requires otherwise—
"Board" means the Painters' Registration Board constituted under the Act;
"the Act" means the Painters' Registration Act, 1961 (as amended).

Nomination of Appointee Members.

3. Not less than one month before the expiration of the term of appointment of any member of the Board, the Registrar shall notify the Minister of the vacancy that is to occur.

Meetings and Business of the Board.

4. (1) The Board shall hold meetings for the transaction of its business at such periods, on such days and at such times and places as the Board may from time to time by resolution determine.

Provided that a meeting of the Board shall be held at least once in every month.

(2) At every meeting of the Board matters before the Board shall be resolved by a majority of the votes of the members present, and the decision of the majority shall be the decision of the Board.

(3) Any meeting of the Board may be adjourned from time to time and as often as the majority of the members present from time to time may determine.

(4) Two members shall be a quorum for the conduct of the business of the Board.

(5) In the absence of the Chairman at any meeting the members present may elect one of their number to act as Chairman for that meeting.

Remuneration of Members of the Board. (Section 8.)

5. The members of the Board are entitled to remuneration for their services in accordance with the rates specified in the First Appendix to these rules.

The Register of Painters. (Section 10.)

6. The Register of Painters to be kept by the Board shall be in the Form No. 1 in the Second Appendix to these rules.

Registration—Individuals. (Section 12.)

7. (1) Any person who desires to be registered as a painter under the Act shall make application to the Board in writing, signed by him, in the Form No. 2 in the Second Appendix to these rules and shall verify such application by making the statutory declaration contained in that form.

(2) The application shall contain all the particulars required therein, shall be lodged with the Registrar and shall be accompanied by the registration fee prescribed in the Third Appendix to these rules.

(3) Where the application for registration is grounded upon a certificate that the applicant has passed the prescribed examination, such certificate shall, if so required by the Board, be produced with the application for registration.

(4) The applicant, in addition to the particulars contained in his application, shall furnish to the Registrar documentary proof of grounds and such other information as may be required by the Board, and shall verify the same by statutory declaration.

(5) Where an application for registration is refused by the Board, the registration fee that accompanied the application shall be refunded to the applicant.

(6) Where an application for registration is granted, a certificate of registration shall be issued to the applicant in the Form No. 3 in the Second Appendix to these rules, upon payment to the Registrar of the certificate fee prescribed in the Third Appendix to these rules.

Course of Training and Examinations. (Section 13.)

8. (1) The course of training and the course of study to be undertaken by persons desirous of submitting themselves for examinations held by the Board shall be such as may from time to time be declared and published by the Board.

(2) Examinations shall be held in the month of November in each and every year, provided that the Board may at any time hold any additional examination on a date to be fixed by the Board.

Applicants for Examination.

9. (1) Any person who desires to sit for an examination held by the Board shall, at least fourteen days before the date fixed for the commencement of that examination, make application to the Board for leave to sit for that examination.

(2) The application shall be in writing, signed by the applicant, in the Form No. 4 in the Second Appendix to these rules, and shall contain the particulars required therein.

(3) The application shall be lodged with the Registrar and shall be accompanied by the examination fee prescribed in the Third Appendix to these rules.

(4) When the application is granted, the Registrar shall issue to the applicant an examination card, which shall admit the applicant to the examination.

(5) When an applicant for examination has passed the examination held by the Board he shall be entitled to receive from the Board, upon payment of the certificate fee prescribed in the Third Appendix to these rules, a certificate of examination in the Form No. 5 in the Second Appendix to these rules.

Registration of Partnerships, Companies and other Bodies Corporate.
(Section 14.)

10. (1) Any partnership that applies to be registered under the Act shall make application to the Board in writing in the Form No. 6 in the Second Appendix to these rules.

(2) The application of the partnership shall be verified by statutory declaration made by a member of the partnership, shall contain all the particulars required therein, shall be lodged with the Registrar and shall be accompanied by the registration fee prescribed in the Third Appendix to these rules.

(3) Any company or other body corporate which applies to be registered under the Act shall make application to the Board in writing under its common seal in the Form No. 7 in the Second Appendix to these rules.

(4) The application of the company or other body corporate shall contain all the particulars required therein, shall be lodged with the Registrar and shall be accompanied by the registration fee prescribed in the Third Appendix to these rules.

(5) Where an application for registration under this rule is refused by the Board, the registration fee which accompanied that application shall be refunded to the applicant.

(6) Where an application for registration under this rule is granted, a certificate of registration shall be issued to the applicant in the Form No. 3 in the Second Appendix to these rules upon payment to the Registrar of the certificate fee prescribed in the Third Appendix to these rules.

(7) The registration of a partnership, company or other body corporate shall continue and have effect only while at least one partner of the partnership, or one director or one member of the board of management of the company, or a person employed by the partnership, company or body corporate whose duty it is to manage and supervise the painting carried out, is registered.

Appeal to Local Court. (Section 18.)

11. (1) Where any person desires to appeal to a Local Court against a decision of the Board in withholding or refusing or cancelling or suspending the registration of such person as a painter, he shall within one month after the receipt by him of the notice by the Board that his registration has been withheld or refused or cancelled or suspended, lodge with the Clerk of the Local Court held nearest to the place where that person resides a notice of appeal in writing, signed by him, in the Form No. 8 in the Second Appendix to these rules, and also serve a copy of such notice of appeal upon the Registrar.

(2) Upon receipt of the notice of appeal, the Clerk of the Court shall submit the same to the Magistrate for directions, and the Magistrate may give such directions as to the time and place for the hearing of the appeal as he shall think fit.

(3) When the Magistrate has given the directions aforesaid, the Clerk of the Court shall notify in writing the appellant and the Registrar thereof, and thereafter the appeal shall be heard and conducted in accordance with the said directions: Provided that the appellant and the Registrar shall be given at least seven days' notice of the time and place fixed by the Magistrate for the hearing of the appeal.

Form No. 2.

Western Australia.

Painters' Registration Act, 1961 (as amended).

APPLICATION FOR REGISTRATION AS A PAINTER.

(INDIVIDUAL.)

(Rule 7.)

To the Painters' Registration Board,
115 St. George's Terrace,
Perth.

(a) Full name of applicant (in block letters). 1. I (a).....

(b) Address. of (b).....

(c) Occupation. in the State of Western Australia, (c)....., hereby apply to be registered as a painter under the provisions of the Painters' Registration Act, 1961 (as amended).

2. My qualifications for such registration are as follows:—

(d) Place of birth. (e) Date of birth. (a) I am over the age of twenty-one years, having been born at (d)..... in the State of on the (e)..... day of, 19.....;

and

(b) I am a person of good character, as evidenced by the two testimonials annexed to this application;

and

* Strike out paragraphs which do not apply.

* (c) I have completed the prescribed course of training and have passed the prescribed examination as laid down by the Board for persons other than apprentices who have had five years' practical experience in the painting trade;

or

N.B.—Where the application is grounded on (d), (e), (f) or (g) it is required to be supported by documentary proof.

* (d) I have completed the prescribed course of training and passed the prescribed examination laid down by the Court of Arbitration for apprentices to the painting trade;

or

* (e) I was at the date of the commencement of the Act engaged in the occupation of a painter or as a supervisor of painting as the whole or part of my means of livelihood;

or

* (f) I am a member of an association of painters recognised by the Master Painters' Association of Australia;

or

* (g) I have in some place other than Western Australia attained a degree of proficiency as a painter which the Board considers is comparable with that ordinarily attained by persons who have completed the course of training passed the examinations and worked as mentioned in items (c) and (d) above.

(f) Date of application. (g) Signature of applicant. 3. The prescribed application fee of £2 2s. accompanies this application.

Dated the (f)..... day of, 19..... (g)..... Applicant.

DECLARATION.

I, the abovenamed applicant, do solemnly and sincerely declare that the particulars contained in my above application and accompanying statements are true and correct.

And I make this declaration under the provisions of Section 106 of the Evidence Act, 1906.

Declared at Perth in the State of Western Australia this day of, 19.....

Applicant.

Before me—

J.P. or Commissioner for Declarations.

OFFICE USE:

Approved

Number

Form No. 3.

Western Australia.

Painters' Registration Act, 1961 (as amended).

Painters' Registration Board.

CERTIFICATE OF REGISTRATION.

No.

(Rule 7.)

This is to certify that has this day been registered as a painter under the provisions of the Painters' Registration Act, 1961 (as amended).

Chairman.

Registrar.

Date

Form No. 4.

Western Australia.

Painters' Registration Act, 1961 (as amended).

APPLICATION FOR LEAVE TO SIT FOR EXAMINATION AS A QUALIFICATION FOR REGISTRATION AS A PAINTER.

(Rule 9.)

To the Painters' Registration Board, 115 St. George's Terrace, Perth.

(a) Full name of applicant. 1. I (a)

(b) Address. of (b)

(c) Occupation. in the State of Western Australia, (c), being desirous of qualifying for registration as a painter under the Painters' Registration Act, 1961 (as amended), hereby apply for leave to sit as a candidate at the next prescribed examination to be held by the Board, commencing on the (d)

(d) Date of commencement of examination. day of, 19.....

(e) Age. 2. I am (e)..... years of age, having been born
 (f) Place of birth. at (f)..... in the State of
 (g) Date of birth. on the (g)..... day of, 19.....
 (h) Place where training undertaken. 3. I have undertaken the course of training prescribed by the Board at (h)..... in the said State
 (i) Name of employer or instructor. under the supervision or instruction of (i).....
 (j) Address. of (j)..... in the State of Western
 (k) Occupation. Australia, (k)....., between the (l).....
 (l) Period during which training undertaken. day of, 19....., and the day of, 19.....
 The prescribed examination fee of £3 3s. accompanies this application.
 Dated the day of, 19.....
 (m) Signature of applicant. (m)..... Applicant.

Form No. 5.
 Western Australia.
 Painters' Registration Act, 1961 (as amended).
 CERTIFICATE OF EXAMINATION.
 (Rule 9.)

Painters' Registration Board.

This is to certify that of in the State of Western Australia,, has duly undertaken the course of training prescribed by the Board for persons desirous of being registered as painters under the Painters' Registration Act, 1961 (as amended), and that the said has successfully passed the examination held by the Board on the day of, 19....., as a qualification for such registration.

Dated the day of, 19.....
 Chairman.
 Registrar.

Form No. 6.
 Western Australia.
 Painters' Registration Act, 1961 (as amended).
 APPLICATION BY A PARTNERSHIP FOR REGISTRATION AS A PAINTER.
 (Rule 10.)

To the Painters' Registration Board,
 115 St. George's Terrace,
 Perth.

1. (Trading Name), a partnership trading or about to trade as a painter, hereby applies to be registered under the provisions of the Painters' Registration Act, 1961 (as amended).
2. The partnership is or is not registered under the provisions of the Business Names Act, 1962.
3. The membership of the partnership comprises:—
 Full Name. Address.

4. The partnership agreement authorises it to engage in the business of trading as a painter as evidenced by the certified extract annexed to this application.

Name of registered partner. 5. (Full name, block letters) (Address), a registered painter, number

Strike out inapplicable. (i) is a partner; (ii) is a person employed by the partnership, who will manage and supervise painting undertaken by the partnership.

6. The prescribed application fee of £2 2s. accompanies this application.

Dated the day of 19

Partnership Signature.

DECLARATION.

Full name of declarant. I, of the person making the above application for and on behalf of the partnership do solemnly and sincerely declare that the particulars contained therein are true and correct.

And I make this declaration under the provisions of Section 106 of the Evidence Act, 1906.

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

Before me—

J.P. or Commissioner for Declarations.

OFFICE USE:

Approved Number

Form No. 7.

Western Australia.

Painters' Registration Act, 1961 (as amended).

APPLICATION BY AN INCORPORATED COMPANY OR BODY CORPORATE FOR REGISTRATION AS A PAINTER. (Rule 10.)

To the Painters' Registration Board, 115 St. George's Terrace, Perth.

Name of Company. 1. Limited, a company incorporated under the provisions of the Companies Act, 1961, and having its registered office situate at hereby applies to be registered under the provisions of the Painters' Registration Act, 1961 (as amended).

2. The company is authorised under its Memorandum of Association to engage in the business of trading as a painter as evidenced by the certified extract annexed to this application.

Name of registered painter. 3. (Full name, block letters) (Address)
 a registered painter, number, under the provisions of the said Act—
 (i) is a director;
 (ii) is a member of the board of management;
 or
 (iii) is a person employed by the company, who will manage and supervise painting undertaken by the company.
 Strike out inapplicable.
 4. The prescribed application fee of £2 2s. accompanies this application.
 Common seal. 5. The Common Seal of the Company was hereunto affixed by authority of the directors the day of, 19.....

Director.

OFFICE USE:
Approved
Number

Form No. 8.
 Western Australia.
 Painters' Registration Act, 1961 (as amended).
 NOTICE OF APPEAL TO A MAGISTRATE.
 (Rule 11.)

In the Local Court held at
 Full name of appellant. I, (a).....
 Address. of (b).....
 Occupation. in the State of Western Australia, (c).....
 acting pursuant to the provisions of Section 18 of the Painters' Registration Act, 1961 (as amended), and being aggrieved by the decision of the Painters' Registration Board of Western Australia—
 * Strike out the paragraphs which do not apply. * (a) that I shall not be registered as a painter under the said Act;
 or
 * (b) that my registration as a painter under the said Act shall be cancelled;
 or
 * (c) that my registration as a painter under the said Act shall be suspended;
 or
 * (d) that the order of the said Board whereby my registration as a painter under the said Act shall be cancelled (or suspended) shall not be annulled,

hereby appeal to the said Magistrate of the said Court at against the said decision of the said Board on the grounds following:—

Dated the day of, 19.....

Appellant.

To the Clerk of the Court
 and
 To the Painters' Registration Board.

Third Appendix.

Fees.

The following fees are prescribed for the purposes of the within rules:—

	£	s.	d.
For examination	3	3	0
For registration	2	2	0
For annual fee	7	7	0
For any certificate	2	6	

MATRIMONIAL CAUSES ACT, 1959 (COMMONWEALTH).

MARRIED PERSONS (SUMMARY RELIEF) ACT, 1960.

Crown Law Department,
Perth, 20th December, 1962.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Matrimonial Causes Act, 1959, of the Commonwealth, has been pleased to make the Rules of Court set out in the schedule hereunder.

R. C. GREEN,
Under Secretary for Law.

Schedule.

Rules.

1. In these rules the Married Persons (Summary Relief) Rules, 1961, published in the *Government Gazette* on the 25th day of January, 1961, as amended by the rules published in the *Government Gazette* on the 22nd June, 1961, are referred to as the principal rules.

2. The principal rules are amended by adding after rule 42, the following rule:—

43. Where a warrant is issued to enforce payment under an order (whether made under the Act or under the Matrimonial Causes Act 1959 of the Commonwealth), the costs and disbursements leading to the issue of the warrant and the costs (if any) allowed under rule 42 of these rules may be added to the amount of which payment is sought to be enforced under the warrant; and where a payment is made in satisfaction, or in part satisfaction, of the warrant, the amount of the costs added under this rule shall be first appropriated out of that payment.

PLANT DISEASES ACT, 1914-1962.

Department of Agriculture,
South Perth, 20th December, 1962.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Plant Diseases Act, 1914-1962, has been pleased to make the regulations set forth in the schedule hereunder.

(Sgd.) T. C. DUNNE,
Director of Agriculture.

Schedule.

Regulations.

1. These regulations may be cited as the Regulations relating to the diseases called San Jose Scale (*Quadraspidiotus perniciosus*) and Citrus Red Scale (*Aonidiella aurantii*).

2. In these regulations unless the context requires otherwise—

“commercial orchard” means an orchard of which the owner or occupier is engaged in growing therein deciduous fruit trees for production for sale of fruit or nursery trees;

“the Act” means the Plant Diseases Act, 1914 (as amended).

3. The diseases called San Jose Scale (*Quadraspidiotus perniciosus*) and Citrus Red Scale (*Aonidiella aurantii*) are diseases to which the provisions of section 11 of the Act apply.

4. For the purpose of controlling and eradicating the diseases called San Jose Scale and Citrus Red Scale and for preventing the spread of those diseases, the due observance of the provisions contained in these regulations shall be appropriate steps and measures within the meaning and for the purposes of sections 11 and 12 of the Act to be taken and adopted by owners and occupiers of orchards to which those sections relate.

5. When either under section 11 or under section 12 of the Act the owner or occupier of an orchard is required to take appropriate steps and measures for controlling and eradicating, or for preventing the spread of, the diseases called San Jose Scale and Citrus Red Scale—

(1) the owner or occupier of—

- (a) any commercial orchard that is situated within any district specified in the First Schedule to these regulations;
- (b) any commercial orchard wherein apple and pear trees are growing and which is situated within the portion of the State specified in the Second Schedule to these regulations; and
- (c) any orchard wherein deciduous fruit trees are growing and which is situated not more than four hundred and forty (440) yards distant from a commercial orchard referred to in subparagraphs (a) and (b) of this paragraph,

shall do or cause to be done the following things:—

- (i) Destroy, by burning, fruit trees and suckers that are harbouring scale and are uneconomic and poor producers, and where pruning of fruit trees is carried out prior to spraying, destroy by burning all such prunings before the first day of October;
 - (ii) in each year, in conformity with a systematic plan, clean rough bark from the butts of fruit trees in a portion of the orchard, prior to spraying;
 - (iii) remove weeds and debris from around the butts of fruit trees prior to spraying; and
 - (iv) spray the fruit trees in accordance with Part I of the Third Schedule to these regulations by either of the following methods—
 - (A) conventional high volume spray plants, in which case the fruit trees shall be sprayed from the ground, using lances fitted with suitable nozzles approved by an inspector and shall be drenched and completely covered with the spray materials used;
 - (B) concentrate and semi-concentrate spray units, in which case the fruit trees shall be completely sprayed from each of four sides and the butts shall be thoroughly sprayed by hand;
- (2) the owner or occupier of any orchard that is situated within any district specified in the First Schedule and within the portion of the State specified in the Second Schedule to these regulations wherein citrus trees are growing in close proximity to apple trees or pear trees shall do or cause to be done the following things—
- (i) destroy, by burning, any citrus trees and suckers that are harbouring Citrus Red Scale and are uneconomic and poor producers; and
 - (ii) spray the trees in accordance with Part II of the Third Schedule to these regulations, using conventional high volume spray plants, so that such trees are thoroughly drenched.

6. Where any owner or occupier of an orchard fails or neglects to take and adopt any step or measure pursuant to these regulations within the times and in the manner prescribed by these regulations, or where in the opinion of an inspector the steps or measures taken and adopted by any such owner or occupier have not been effective for the purposes of these regulations, an

inspector may in exercise of the powers conferred by sections 14 and 18 of the Act require the owner or occupier to take and adopt such further steps or measures, whether of the same or a different kind to those specified in these regulations, as the inspector may deem necessary in order to control or eradicate the diseases referred to in these regulations and to prevent the spread of those diseases.

7. A person who contravenes any of the provisions of these regulations commits an offence and is liable upon conviction to a penalty not exceeding twenty-five pounds.

First Schedule.

The municipal districts of the Shires of Balingup, Bridgetown, Capel, Collie, Donnybrook, Greenbushes, Murray, Nannup, Serpentine-Jarrahdale and Upper Blackwood.

Second Schedule.

All that portion of land bounded by lines starting from the north-eastern corner of Canning Location 793, a point on the Coolgardie Water Supply Catchment Area boundary, and extending generally south-westerly along that boundary to a point situate in prolongation easterly of the southern boundary of location 433; thence westerly to and along that boundary to the south-western corner of that location; thence north-westerly to the south-western corner of location 572; thence northerly along the western boundary of that location to the south-eastern corner of location 532; thence westerly along the southern boundary of that location to the eastern boundary of location 402; thence southerly and easterly along boundaries of that location to its south-western corner; thence north-westerly to the junction of the western side of Heath Road (road number 9128) and the north-western side of Brookton Highway (road number 1230); thence generally northerly along the western side of Heath Road aforesaid to the south-eastern corner of the western severance of location 613; thence westerly along the southern boundary of that severance and onwards to the eastern boundary of location 617; thence generally northerly along that boundary and western boundaries of location 473 to the south-eastern side of road number 245; thence generally north-easterly along that side to a point situate in prolongation southerly of the eastern side of Canning Road (road number 4597); thence generally northerly along that side to the eastern side of road number 5686; thence generally north-north-easterly along that side and onwards to the southern boundary of location 537; thence south-easterly along the northern side of a one-chain road passing along that boundary and the southern boundary of reserve 1774 to the eastern side of a one-chain road passing along western boundaries of locations 808, 806, 805, 774, 775, 776 and 766; thence generally northerly along that side to the northern corner of location 766 aforesaid; thence generally south-easterly along northern boundaries of that location and location 768 to a point situate in prolongation southerly of the western boundary of location 779; thence northerly and easterly to and along boundaries of that location to the south-western corner of location 781; thence northerly along western boundaries of that location and location 782 and onwards to the southern boundary of location 804; thence westerly and northerly along boundaries of that location to the south-western corner of location 801; thence northerly along eastern boundaries of that location and location 800 to the north-western corner of the lastmentioned location; thence easterly along the northern boundary of that location to a point situate in prolongation southerly of the western boundary of location 795; thence northerly and easterly to and along boundaries of that location and easterly and southerly along boundaries of location 794 to the north-western corner of location 793 aforesaid and thence easterly along the northern boundary of that location to the starting point.

(Public Plans 1C/20, S.W., 1C/40 and 341B/40.)

Third Schedule.

Part I.

1. Apples, pears, quinces and walnuts, and including all flowering types, roses, pussy willows and any other plant nominated by an inspector as being infested.

Spraying Treatment: To be applied not later than the first week of September, using Superior type Winter Oil, 3 gallons to 100 gallons of water plus Azinphos 0.05% (2 lbs. 25% Wettable Powder).

2. Peaches, nectarines, plums, cherries, almonds and including all flowering types and any other plant nominated by an inspector as being infested.

At bud swell the trees are to be sprayed with the following spray treatments:—

- (a) Superior type Winter Oil, 3 gallons to 100 gallons of water plus Azinphos* 0.05% (2 lbs. 25% Wettable Powder), to be applied not later than the first week of September; or
 - (b) Lime Sulphur, 10 gallons in 100 gallons of water, applied as a late dormant spray.
3. Apricots.

At bud swell the trees are to be sprayed with the following spray treatment:—

Superior type Winter Oil, 3 gallons to 100 gallons of water plus Azinphos* 0.05% (2 lbs. Wettable Powder), to be applied not later than the first week of September.

Part II.

Citrus.

All trees to be sprayed in the period late November to early December, and again in the period late February to early March, with the following spray treatments:—

- (a) 1½ gallons Superior type Summer Oil to 100 gallons of water plus 2 lbs. Trithion.
- (b) Superior type Summer Oil, 1½ gallons to 100 gallons of water plus Azinphos* 0.05% (2 lbs. 25% Wettable Powder).

* Azinphos is the approved general name for several trade products, e.g., Gusathion, Cothion, and X-athion.