



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. 79]                      PERTH : THURSDAY, 17th SEPTEMBER                      [1964

HEALTH ACT, 1911-1962.

Shire of Carnamah.

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 Model By-laws, described as Series "A," prepared in accordance with those provisions, and duly amended, have, pursuant to the Reprinting of Regulations Act, 1954, been reprinted with amendments to and including that published in the *Government Gazette* on 25th June, 1963, and as so reprinted have been published in the *Government Gazette* on 17th July, 1963: Now, therefore, the Carnamah Shire Council, being a local authority within the meaning of the said Act, doth hereby resolve and determine that the said Model By-laws, as so reprinted and published in the *Government Gazette* on the 17th July, 1963, shall be adopted without modification, and doth hereby prescribe the following scale of fees as applied to Schedule "D" of Part IX of the adopted by-laws:—

Offensive Trade.					Fee Per Annum.	
					s.	d.
Slaughteryards	....	....	....	....	10	0
Piggeries	....	....	....	....	10	0

Passed at a meeting of the Carnamah Shire Council this 4th day of February, 1964.

F. C. G. LUCAS,  
President.

R. S. DUTCH,  
Shire Clerk.

Approved by His Excellency the Lieutenant-Governor in Executive Council the 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## FIREARMS AND GUNS ACT, 1931-1963.

Police Department,  
Perth, 2nd September, 1964.

HIS Excellency the Lieutenant-Governor in Executive Council, acting under the provisions of the Firearms and Guns Act, 1931-1963, has been pleased to make the regulations set out in the schedule hereunder.

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

## Schedule.

Principal  
regulations.

1. In these regulations the Firearms Regulations, 1931, reprinted pursuant to the Reprinting of Regulations Act, 1954, and published in the *Government Gazette* on the 20th December, 1955, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

Reg. 30  
amended.

2. Regulation 30 of the principal regulations is amended by substituting, for paragraph (b) the following paragraph:—

(b) a bank or financial institution holding a license pursuant to paragraph (a) of this regulation, may permit any of its officers, being a person of the full age of eighteen years, to possess and lawfully use, on its premises, for the protection of its property, any firearm so licensed.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Albany.

By-laws Relating to Zoning.

Amendment—By-law No. 19.

L.G. 691/61.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 29th day of January, 1963, to make and submit for confirmation by the Governor the following by-laws:—

That by-law No. 19—Land Use Zoning, which was published in the *Government Gazette* on the 19th July, 1956, be amended as follows:—

Thirteenth Schedule—Service Station Area: Add new clause:—

All land being lot 52 of part Plantagenet Location 220 at the intersection of South Coast and Albany Highways.

Dated this 20th day of November, 1963.

The Common Seal of the Town of Albany was hereunto affixed pursuant to a resolution of the Council and in the presence of—

[L.S.]

C. JOHNSON,  
Mayor.  
F. R. BRAND,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Albany.

By-law No. 40—Relating to Payment of Rates.

L.G. 343/63.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovenamed Municipality hereby records having resolved on the 13th day of July, 1964, to make and submit for confirmation by the Governor the following by-law:—

By-law No. 40.

By-law No. 39 relating to payment of rates is hereby repealed.

Dated this 24th day of August, 1964.

The Common Seal of the Town of Albany was hereunto affixed pursuant to a resolution of the Council and in the presence of—

[L.S.]

S. H. KNIGHT,  
Mayor.L. W. JOHNSON,  
Acting Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Northampton.

L.G. 269/64.

Adoption of Draft Model By-law known as the Local Government Model By-laws (Safety, Decency, Convenience, and Comfort of Persons in Respect of Bathing) No. 14 published in the *Government Gazette* of the 19th February, 1964.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 14th day of August, 1964, to adopt such Draft Model By-laws published in the *Government Gazette* of 19th February, 1964, being the whole of the by-law together with the following amendment:—

Local Government Model By-law (Safety, Decency, Convenience, and Comfort of Persons in Respect of Bathing) No. 14:—

Clause 2: In line 5 after the word "numbered" add "19672. 21450 and 25307".

Dated this 14th day of August, 1964.

The Common Seal of the Shire of Northampton was hereunto affixed in the presence of—

[L.S.]

A. C. HENVILLE,  
President.R. CHARLTON,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Perth.

By-laws Relating to Zoning.

L.G. 47/63.

IN Pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 21st day of July, 1964, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Shire of Perth published in the *Government Gazette* of the 29th June, 1960, are hereby amended in the following manner:—

1. Section 5 of the Fifth Schedule is altered by the deletion of the words and figures "Lots 384 to 395 inclusive" appearing under the heading "Lawley Ward" and under the item "Adair Parade," and by the substitution in their place of the words and figures "Lots 384 to 389 inclusive and lots 391 to 395 inclusive".

2. Section 12 of the Fifth Schedule is altered by the deletion of the words and figures "Swan Location Z Lot 356 on Plan 4766" appearing under the heading "Lawley" and under the item "Walcott Street, north-east corner Adair Parade," and by the substitution in their place of the words and figures "Swan Location Z, lots 356 and 390, on Plan 4766".

Dated this 21st day of July, 1964.

The Common Seal of the Shire of Perth was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

N. C. HAWKINS,  
Deputy President.  
LLOYD KNUCKEY,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Cockburn.

By-laws Relating to the Classifying of the District.

L.G. 252/64.

IN pursuance of powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 14th day of July, 1964, to make and submit for confirmation by the Governor the following by-law:—

The by-laws of the Cockburn Shire Council (formerly Cockburn Road Board) passed at an ordinary meeting of the Cockburn Road Board held on the 23rd day of October, 1957, and published in the *Government Gazette* of the 17th day of April, 1958, as amended from time to time thereafter, are hereby further amended by a new by-law reading as follows—

1. Schedule 4—General Industry: Add new paragraph as follows:—

8. That portion of Commonwealth Reserve 255 on Plan 7174 contained in a line commencing at the north-west corner of Clarence Lot 75; thence southerly along the western boundaries of Clarence Lots 75, 78 and 79 to the south-west corner of Clarence Lot 79;

thence easterly along the southern boundaries of Clarence Lots 79, 77, and across Clarence Lot 103 to the south-west corner of lot 83; thence easterly along the southern boundaries of Clarence Lots 83 and 84 to the south-east corner of Clarence Lot 84; thence northerly along the eastern boundaries of Clarence Lots 84 and 81, across Clarence Lot 103 to the south-east corner of Clarence Lot 65; thence northerly along the eastern boundary of such lot to the southern boundary of Russell Road; thence south-westerly and westerly along the southern boundary of such road to the starting point of the line.

Dated this 29th day of July, 1964.

[L.S.]

J. H. COOPER,  
President.  
E. L. EDWARDES,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

#### LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Rockingham.

By-laws Relating to Rockingham Townsite Zoning.

L.G. 693/59.

IN Pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 31st March, 1964, to make and submit for confirmation by the Governor the following by-laws:—

The Rockingham Townsite Zoning By-laws published in the *Government Gazette* on 17th August, 1951, page 2279, and as amended from time to time, are hereby amended as follows:—

Business Areas—Second Schedule: Add after clause 2 (g) the following:—

- (h) Lot 29, being portion of Rockingham Town Lot 25, situated on the corner of Rockingham Road and Wanliss Street, as a service station site only.

The Common Seal of the Municipality was hereto affixed this 3rd day of April, 1964, in the presence of—

[L.S.]

A. POWELL,  
President.  
D. J. CUTHBERTSON,  
Shire Clerk,

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

CEMETERIES ACT, 1897-1962.

The Municipality of the Shire of Swan-Guildford.

Guildford Public Cemetery.

L.G. 739/53.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 27th day of July, 1964, to make and submit for confirmation by the Governor, the following by-laws:—

1. By-law of the Guildford Cemetery Board relating to the control and management of the Guildford Public Cemetery made by the Trustees on 17th day of June, 1937, and appearing in the *Government Gazette* on 30th day of July, 1937, and amended by publication in the *Government Gazette* on the 10th day of March, 1944, on the 3rd day of June, 1949, on the 18th day of May, 1951, on 9th day of January, 1953, and on the 25th day of March, 1955, is hereby further amended as hereinafter appears:—

The whole of Schedule “A” is deleted and a new Schedule “A” is inserted in lieu thereof as follows:—

Schedule “A.”

SCALE OF FEES AND CHARGES PAYABLE TO THE SHIRE OF SWAN-GUILDFORD.

On application for an “Order for Burial” the following fees shall be payable in advance:—

	£	s.	d.
For sinking and filling in grave for any person seven years and over	5	0	0
For sinking and filling in grave for any child under seven years	3	10	0
For reopening for any person seven years or over	5	0	0
For reopening for any child under seven years	4	10	0
For ordinary land for grave, 8 ft. x 4 ft.	5	0	0
For interment without due notice extra	1	1	0
For permission to erect any monument	1	0	0
For each interment on a Sunday—Double ordinary fees and charges.			
For each interment on a Saturday or public holiday—One and a half times ordinary fees and charges.			
For exhumation person seven years or over	5	0	0
For exhumation child under seven years	4	10	0
For reinterment person seven years or over	5	0	0
For reinterment child under seven years	4	10	0
For Undertaker's License—Per year or part year ending 30th June	1	1	0

Dated this 27th day of August, 1964.

[L.S.]

D. H. FERGUSON,  
President.  
T. J. WILLIAMSON,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## DOG ACT, 1903.

The Municipality of the Shire of Bassendean.

By-laws Relating to the Control of Dogs.

L.G. 468/59.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 24th day of June, 1964, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Bassendean Shire Council (formerly Bassendean Road Board) passed at an ordinary meeting of the Bassendean Road Board held on the 13th day of May, 1959, and published in the *Government Gazette* of the 23rd day of June, 1959, as amended by a notice published in the *Government Gazette* of the 29th day of May, 1963, are hereby further amended as follows:—

The Schedule—FEES to the by-law is hereby repealed and re-enacted as follows:—

## The Schedule.

## FEES.

	s.	d.
For the seizure or impounding of a dog	10	0
For the sustenance and maintenance of a dog in a pound per day	5	0
For the destruction of a dog	10	0

Dated this 6th day of July, 1964.

[L.S.]

A. C. FAULKNER, J.P.,  
President.R. F. DAWSON,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

## DOG ACT, 1903.

Municipality of the Shire of Exmouth.

By-laws Relating to Dogs.

L.G. 415/64.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Shire of Exmouth hereby records having resolved on the 14th day of July, 1964, the following by-laws:—

1. In these by-laws, the term "Council" shall mean the Council of the Shire of Exmouth.
2. The Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act, 1903.
3. The pound to be used by the Shire of Exmouth is established on Block No. 4 within the townsite of Exmouth.
4. A dog seized by the police or by an officer authorised by the Council may be placed in a pound.
5. Where a dog has been seized or placed in a pound the keeper of the pound or other officer authorised by the Council shall, if the owner or person usually in charge of the dog is known to him, forthwith notify such person that the dog has been impounded.

6. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog then, upon payment of the fees specified in the schedule hereto, the dog shall be released to such person.

7. The poundkeeper shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the Council.

8. Any person applying for the release of a dog seized or impounded shall prove to the satisfaction of the poundkeeper or other officer authorised by the Council the ownership of the dog and his authority to take delivery of it. The poundkeeper or officer may accept such proof as he considers satisfactory and no person shall have any right of action against him or the Council in respect of the delivery of a dog in good faith.

9. If a dog shall not be claimed and the said fees paid within 48 hours of its being seized, or if the dog having a collar around its neck with a registration label for the current year affixed thereto shall not be claimed and the said fees paid within 48 hours of the service of a notice upon the registered owner, the poundkeeper or other officer authorised by the Council may sell the dog.

10. Upon the sale of a dog, the proceeds of sale shall be the property of the Council and may be disposed of in such a manner as the Council thinks fit. The owner of a dog sold pursuant to these by-laws shall have no claim against the Council in respect of the proceeds thereof.

11. If within the times mentioned in by-law 9 hereof or at any time before the destruction of a dog, the dog has not been claimed as aforesaid, and the said fees paid, and if no offer has been received for its purchase the dog may be destroyed.

12. Notwithstanding anything herein contained, but subject to the provisions of section 19 of the Dog Act, 1903, any dog seized or impounded may at any time be destroyed upon the authority of the Shire Clerk, Exmouth, Police Officer or Health Inspector, Shire of Exmouth, or if in the opinion of the Shire Clerk, Exmouth, Police Officer, or Health Inspector, Shire of Exmouth, the dog is too savage or noisy to be kept or is suffering from an injury, disease or sickness.

13. If the Council shall destroy a dog at the request of its owner, whether such dog shall have been seized or impounded or not, the owner shall pay to the Council the fee specified in the schedule hereto.

14. No person shall—

- (a) unless a poundkeeper or other officer of the Council duly authorised in that regard release or attempt to release a dog from the pound;
- (b) destroy, break into, damage, or in any way interfere with or render not dog proof any pound;
- (c) destroy, break into, damage, or in any way interfere with or render not dog-proof any dog cart, vehicle or container used for the purpose of catching, holding or conveying dogs which have been seized.

Any person who shall commit a breach of this clause shall, upon conviction, be liable to a penalty not exceeding £20.

15. The owner of a dog shall keep such dog chained or under effective control from sunset to sunrise.

16. The owner of a dog shall prevent that dog from entering or being in any of the following places:—

- (a) A public building.
- (b) A theatre or picture gardens.
- (c) A house of worship.
- (d) A shop or other public business premises.



17. The owner of a dog shall prevent that dog from entering or being in any of the following places unless on a leash held by a person: —
- (a) A sports ground.
  - (b) An area set aside for public recreation.
  - (c) A car park.
  - (d) A school.
  - (e) Any land vested in or under the control of the Council, other than a road.

18. No person shall obstruct or hinder an employee of the Council or member of the Police Force in the performance of anything authorised by the provisions of the Dog Act, 1903, or the regulations made in pursuance of those provisions.

19. The payment of fees in respect of the seizure, care, detention or destruction of a dog shall not relieve the owner of it of liability to a penalty under those provisions.

20. Any person who shall commit a breach of these by-laws shall, upon conviction be liable to a penalty not exceeding £5, provided that for a breach of clause 14 the penalty shall not exceed £20.

The Schedule.

Fees.

- For the Seizure or Impounding of a Dog—Ten shillings (10s.).  
For the Sustenance and Maintenance of a Dog in a Pound—Seven shillings and sixpence (7s. 6d.) per day or part of a day.  
For Destruction of a Dog—Ten shillings (10s.).

Dated the 14th day of July, 1964.  
The Common Seal of the Shire of Exmouth  
was hereunto affixed this 14th day of July,  
1964 in the presence of—

[L.S.]

J. K. MURDOCH,  
Commissioner.  
M. WINTER,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor in Executive Council  
this 2nd day of September, 1964.

P. L. SPARROW,  
Acting Clerk of the Council.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT, 1963.

CORRIGENDA.

THE Taxi-cars Regulations, 1964, published on pages 3175-3196 of *Government Gazette* (No. 76) of 3rd September, 1964, are amended by deleting the fifth and sixteenth lines of Appendix A (appearing on page 3190) and inserting in their stead—

Mileage rate—for each $\frac{1}{8}$ mile	....	....	....	....	....	3
Mileage rate—for each $\frac{1}{8}$ mile	....	....	....	....	....	5

## RIGHTS IN WATER AND IRRIGATION ACT, 1914-1962.

Department of Public Works Water Supply,  
Perth, 2nd September, 1964.

HIS Excellency the Lieutenant-Governor in Executive Council acting pursuant to the provisions of the Rights in Water and Irrigation Act, 1914-1962, has been pleased to make the regulations set forth in the schedule hereunder.

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

## Schedule.

## Regulations.

Principal regulations. 1. In these regulations the Rights in Water and Irrigation Act Regulations published in the *Government Gazette* on the 5th December, 1941, are referred to as the principal regulations.

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

2. In these regulations unless the context requires otherwise—

“advisory committee” means any advisory committee appointed by the Minister under these regulations;

“licensee” means a person who is deemed to be the holder of a license issued under section 20 of the Act;

“proclamation” means a proclamation issued under and for the purposes of subsection (5) of section 27 of the Act;

“the Act” means the Rights in Water and Irrigation Act, 1914, as amended;

other words and expressions used in these regulations have when so used the same respective meanings as are given to them in and for the purposes of the Act.

Regs. 24A,  
24B, 24C,  
24D, 24E  
and 24F  
added.

3. The principal regulations are amended by adding immediately after regulation 24 the following regulations and the respective headings thereto:—

## Fitting Meters to Wells.

24A. Upon the request of the Minister a licensee shall permit the Minister to fit a meter to any artesian well or non-artesian well for the purpose of stipulating the quantity of water to be drawn from such well.

## Damage to Meters.

24B. (1) A licensee supplied with water from a well through a meter belonging to the Minister shall pay the cost of making good all damage to the meter whilst on his land and in his charge.

(2) Any repairs required shall be done by the officers of the Minister, and the expense incurred in so doing shall, on demand, be paid by the licensee, and if not paid on demand shall be a debt due to the Minister.

## Interference with a Meter.

24C. A person other than an officer of the Minister shall not—

- (a) break or in any way interfere with the seal fixed on a meter;
- (b) turn or attempt to turn any screw, bolt or nut on or attached to a meter;
- (c) introduce or attempt to introduce any body or substance into a meter;
- (d) interfere in any way with the correct registration of a meter; or
- (e) cause the supply of water to by-pass a meter.

## Testing of Meters.

24D. (1) Where a licensee is at any time dissatisfied with the reading of a meter, he may give written notice to the Minister or an officer of the Minister within seven days of the reading requiring the meter to be tested, and the meter shall then be tested by passing through it a predetermined quantity of water.

(2) When a test has been completed to the satisfaction of the Minister or an officer of the Minister then—

- (a) where the meter registers more than five per cent. in excess of the quantity that actually passes through it at the test, the Minister shall bear all direct and incidental expenses of that test;
- (b) where the meter registers less than five per cent. in excess of the quantity that actually passes through it at the test, the licensee shall pay to the Minister all direct and incidental expenses of that test.

(3) The expenses of a test shall be fixed by the Minister, subject to a minimum charge of ten shillings.

(4) A licensee may only request a test for the period of registration last preceding the date of reading in respect of which he gives notice.

## Averaging of Quantity Drawn.

24E. (1) Where a meter ceases to register the correct quantity of water drawn from a well, or where a meter is being repaired, the Minister shall estimate the quantity of water drawn by taking an average of the quantities drawn during any previous periods, and the quantity so estimated shall be considered to be the amount of water drawn from the well for the purpose of section 21 of the Act.

(2) Notice of an estimate made under this regulation shall be sent to the licensee.

## Evidence of Certificate of Reading.

24F. Where in any proceedings the quantity of water drawn from a well is in question, then a certificate signed by an officer appointed by the Minister, which states the quantity registered by the meter attached to the well shall be *prima facie* evidence of the quantity of water drawn from the well.

## INDUSTRIAL ARBITRATION ACT, 1912-1963.

Department of Labour,  
Perth, 2nd September, 1964.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the schedule hereunder, made by The Western Australian Industrial Commission established under section 44 of the Industrial Arbitration Act, 1912-1963, pursuant to the provisions of that Act.

C. A. REEVE,  
Secretary for Labour.

## Schedule.

THE WESTERN AUSTRALIAN INDUSTRIAL COMMISSION, with the approval of His Excellency the Governor and in pursuance of the provisions of the Industrial Arbitration Act, 1912-1963, hereby makes the following regulations:—

## Regulations of The Western Australian Industrial Commission.

- |                        |   |
|------------------------|---|
| Principal regulations. | 1. In these regulations the Industrial Arbitration Act (Western Australian Industrial Commission) Regulations, 1964, published in the <i>Government Gazette</i> on the 3rd February, 1964, are referred to as the principal regulations.  |
| Reg. 22 amended.       | 2. Regulation 22 of the principal regulations is amended by inserting after the figures, "31" in the last line, the passage, "or Form No. 31A, as the case requires,".  |
| Reg. 23 amended.       | 3. Regulation 23 of the principal regulations is amended by inserting after the figures, "32" in the last line, the passage, "or Form No. 32A, as the case requires,".  |
| Reg. 54 amended.       | 4. Regulation 54 of the principal regulations is amended by adding after paragraph (3), the words, "unless for a sufficient reason the Commission directs in any case that the answer shall be filed and served within a time shorter than that prescribed in this regulation." |
| Reg. 68 amended.       | 5. Regulation 68 of the principal regulations is amended by substituting for the word, "Commission" in line two of subregulation (3), the word, "Court".  |
| Reg. 74 amended.       | 6. Regulation 74 of the principal regulations is amended by inserting after the word, "Commission" in line one of subregulation (1), the words, "in Court Session".   |
| Reg. 75 amended.       | 7. Regulation 75 of the principal regulations is amended by substituting for the words, "to the Commission" in line three of subregulation (1), the words, "for such review".   |
| Reg. 80 substituted.   | 8. The principal regulations are amended by substituting for regulation 80, the following regulation:—  |

## Application for Board.

80. (1) Any party who desires a sitting of a Board of Reference shall notify the Registrar and the other parties concerned of the nature of the dispute, and except where the Registrar on the grounds of urgency directs otherwise, every notification under this subregulation shall be in writing.

## Appointment of Board.

(2) (a) A Board of Reference shall consist of one representative of the workers and one representative of the employers, together with a Chairman, who shall be such Commissioner as the Chief Industrial Commissioner may, from time to time, nominate, unless the parties agree that a person other than a Commissioner shall be the Chairman.

(b) Where the parties agree that a person other than a Commissioner shall be the Chairman of a Board of Reference they shall notify the Registrar of the name of that person, who, if he is willing and able to act as Chairman of the Board, shall endorse the form referred to in paragraph (c) of this subregulation; but if the parties do not so agree, they shall advise the Registrar accordingly.

(c) A notification under paragraph (b) of this subregulation shall be given in Form No. 62.

(d) Nominations of representatives of workers by an industrial union shall be in Form No. 60. Nominations of representatives of employers shall be in Form No. 61 and shall be signed by at least three employers affected, or likely to be affected, by the decision of the Board; or, where there are less than three such employers, by the actual number of employers.

(e) Notwithstanding the provisions of paragraphs (c) and (d) of this subregulation, a Board of Reference shall be deemed to have been constituted if the parties agree, or if the Registrar approves on the grounds of urgency that the notifications and nominations referred to in those paragraphs may be given or made to the Registrar otherwise than in the forms specified therein.

(f) Where a notification or nomination has been given or made under paragraph (e) of this subregulation, the forms referred to in paragraphs (c) and (d) of this subregulation shall be completed and lodged with the Registrar within such time as the Chairman of the Board may direct.

(g) With the consent of the Commission, any party may at any time vary its nomination of representative member, and thereupon the previous nominee shall be deemed to have vacated his office.

(h) A member of a Board may resign his office at any time by notification in writing, signed by him and served upon the Registrar.

#### Procedures of the Board.

(3) (a) The Board may sit at such times and places as may be fixed by the Chairman and notified to the representative members thereof, and may adjourn from time to time and place to place.

(b) The Board shall hold its deliberations in private, unless a majority of the members of the Board decides otherwise.

(c) A majority of the members of the Board, one of whom must be the Chairman, shall constitute a quorum.

(d) The decision of a Board shall be the decision of a majority of its members, unless the members, other than the Chairman, are equally divided in opinion, in which case the decision of the Board shall be the decision of the Chairman. The decision of the Board shall be signed by the Chairman and forwarded to the Registrar, who shall forthwith notify the parties.

(e) The Chairman of a Board shall take notes of evidence and of the proceedings before the Board and shall forward those notes to the Registrar, together with any exhibits tendered at the proceedings before the Board, at the same time as he forwards the decision of the Board.

(f) If all members of the Board so agree, the workers' representative and the employers' representative may act as advocates in addition to their functions as members of such Board.

Appeals.

- (4) (a) An appeal lies to the Commission in Court Session from any determination, decision or finding of a Board by any party to the proceedings before the Board, and the lodging of such appeal shall constitute a stay of proceedings on the decision of the Board.
- (b) Notice of an appeal under this subregulation shall be lodged with the Registrar in Form No. 38 within fourteen days of the determination, decision or finding appealed against, and shall be accompanied by a statement of the grounds on which the appeal is based.
- (c) Forthwith after filing the notice of appeal, the appellant shall serve a copy of the notice on each of the other parties to the proceedings before the Board, but if any of those parties is represented by an agent, the notice may be served upon such agent.
- (d) At least two clear days prior to the date of hearing of the appeal the appellant shall lodge with the Registrar three certified copies of—
- (i) the notes of evidence and proceedings referred to in paragraph (e) of subregulation (3) of this regulation; and
  - (ii) the decision of the Board.

Fees.

(5) The fees payable to every representative member of a Board of Reference for the time occupied by him in attendance at meetings of the Board shall be at the rate of fifteen shillings per hour with a minimum of £2 2s. for each meeting at which such member shall attend, or, in any case, such amount not exceeding £4 4s. per day as may be approved by the Registrar in consideration of the special circumstances of the case. The fee payable to the Chairman of such Board, other than a member of the Commission, for the time occupied by him in presiding at meetings of the Board shall be at the rate of £1 1s. per hour with a minimum of £3 3s. for each meeting at which he shall preside.

Reg. 107  
amended.

9. Regulation 107 of the principal regulations is amended by inserting after the word, "examined" in line eight of subregulation (1), the words, "with a minimum payment of two guineas".

Forms  
Nos. 31A  
and 32A  
added.

10. The principal regulations are amended—
- (a) by adding immediately after Form No. 31, the following Form:—

Form 31A (Reg. 22).

Industrial Arbitration Act, 1912-1963.

NOTICE OF REFUSAL OF CERTIFICATE BY  
CERTIFYING SOLICITOR FOR AMEND-  
MENT OF RULES.

To:\*

TAKE notice that the amendment of rules served on the Registrar on the ..... day of ..... 19....., do not comply with the Act but if the alterations set out hereunder are made by your Union/Association within six weeks of the receipt by you of this notification, I will issue a certificate pursuant to subsection (1) of section 23 and subsections (2) and (3) of section 9A of the Act.

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

.....  
Certifying Solicitor.

\* Insert name of union that made the application.

(b) by adding immediately after Form No. 32, the following Form:—

Form 32A (Reg. 23).  
Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF CERTIFYING SOLICITOR  
FOR AMENDMENT OF RULES.

I hereby certify that I have examined the amendment of rules served on the Registrar on the ..... day of ..... 19....., by ..... the ..... of and for and on behalf of ..... and I am satisfied that such amendment complies with the above Act.

Dated this ..... day of ..... 19.....  
.....  
Certifying Solicitor.

To: The Registrar of Industrial Unions and to:

Dated the 17th day of August, 1964.

By The Western Australian Industrial Commission,  
S. F. SCHNAARS,  
Chief Industrial Commissioner.  
ERIC R. KELLY,  
Commissioner.  
D. CORT,  
Commissioner.  
J. R. FLANAGAN,  
Commissioner.

WORKERS' COMPENSATION ACT, 1912-1963.

The Workers' Compensation Board,  
Perth, 2nd September, 1964.

HIS Excellency the Lieutenant-Governor in Executive Council, acting under the provisions of section 35 of the Workers' Compensation Act, 1912-1963, has been pleased to make the regulations set forth in the schedule hereunder.

NEWTON W. MEWS,  
Chairman,  
Workers' Compensation Board.

Schedule.

Regulations.

1. In these regulations the Workers' Compensation Act, 1912-1934 Regulations, published in the *Government Gazette* on the 30th September, 1938, and amended from time to time thereafter by notices published in the *Government Gazette* are referred to as the principal regulations.
2. Regulation 23 of the principal regulations is amended—
- (a) by substituting for the figures, "1957" in line three, the figures, "1964"; and
  - (b) by substituting for the word, "twenty" in the last line, the passage, "thirty-five".

## AGRICULTURE PROTECTION BOARD ACT, 1950-1960.

Department of Agriculture,  
South Perth, 2nd September, 1964.

HIS Excellency the Governor, acting pursuant to the provisions of the Agriculture Protection Board Act, 1950-1960, has been pleased to make the regulations set out in the schedule hereunder.

T. C. DUNNE,  
Director of Agriculture.

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Schedule.

## Regulations.

- Principal regulations. 1. In these regulations the Agriculture Protection Board Act Regulations, 1951, published in the *Government Gazette* on the 19th October, 1951, and amended by notice published in the *Government Gazette* on the 2nd April, 1953, are referred to as the principal regulations.
- Reg. 2 amended. 2. Regulation 2 of the principal regulations is amended by substituting, for subparagraph (ii) of paragraph (b), the following subparagraph—
- (ii) an allowance of £3 3s. for each day or part of a day, in excess of one day, during which he is necessarily absent from his home, by reason of attending meetings, or of being engaged in his duties as member, of the Board.
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