

Government obazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.00 p.m.)

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

No.	79]	
** •••	101	

PERTH: FRIDAY, 26th AUGUST

ſ 1966

TOTALISATOR AGENCY BOARD BETTING ACT, 1960-1963.

Totalisator Agency Board, Perth, 10th August, 1966.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the Schedule hereunder made by the Totalisator Agency Board pursuant to the provisions of section 57 of the Totalisator Agency Board Betting Act, 1960-1963.

J. P. MAHER, Chairman Totalisator Agency Board.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Totalisator Agency Board Betting Regulations, 1961, published in the Government Gazette on the 8th February, 1961 and reprinted pursuant to the Reprinting of Regulations Act, 1954, in the Government Gazette on the 24th February, 1965, and amended from time to time thereafter by notices published in the Government Gazette are referred to as the principal regulations regulations.

Reg. 35 amended.

2. Regulation 35 of the principal regulations is amended by inserting after the word "Morphetville" being the last word in sub-paragraph (ii) of paragraph (d), the passage, "and the horse race known as the Queen's Cup (sometimes known as the King's Cup), whenever conducted at that course".

PUBLIC SERVICE ACT, 1904-1963.

Public Service Commissioner's Office, Perth, 15th August, 1966.

HIS Excellency the Governor in Executive Council acting under the provisions of the Public Service Act, 1904-1963, has been pleased on the recommendation of the Public Service Commissioner to make the regulations set out in the schedule hereunder.

R. H. DOIG,

Public Service Commissioner.

Schedule.

Regulations.

Principal regulations.

1. In these regulations the Public Service (Cadetship) Regulations made under the Public Service Act, 1904-1963, and published in the *Government Gazette* on the 14th October, 1964, are referred to as the principal regulations.

Reg. 30 amended.

2. Regulation 30 of the principal regulations is amended-

- (a) by substituting for the passage ", of which not less than two years shall be served in the field" in lines three and four of paragraph (a) the following passage during which period he shall—
 - (i) attend the Perth Technical College as a fulltime student and take the associateship course in land surveying;
 - (ii) take the qualifying examinations prescribed by the Land Surveyors' Licensing Board; and
 - (iii) receive practical instruction and undergo courses of training as may be prescribed by the Surveyor General. ; and
- (b) by adding after paragraph (c) the following paragraphs:—

(d) A cadet shall be granted leave without pay to attend the Perth Technical College as a full-time student during the official terms and the examination period of any academic year in which he is satisfying the requirements of subparagraph (i) of paragraph (a) of this regulation.

(e) Where a cadet who is attending the Perth Technical College as a full-time student so desires and if it is convenient for the Surveyor General to permit him to do so, the cadet may be employed in the department during the first and second term vacation periods.

(f) During the annual or third term vacation period of all academic years in which the cadet is attending the Perth Technical College as a full-time student, a cadet shall be employed in the department wherein he is employed on duties associated with his profession.

Reg. 32 amended. 3. Regulation 32 of the principal regulations is amended by adding paragraphs as follows:—

(c) Where at any time during the term of his cadetship the Surveyor General is of opinion that the progress of the cadet is unsatisfactory, the Surveyor General may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(d) During the period of suspension no sustenance and living allowance payments and compulsory Perth Technical College tuition fees are payable to or on behalf of the cadet.

4. Regulation 35 of the principal regulations is amended-

Reg. 35 amended.

- (a) by substituting for the words, "at the rate of seven pounds per week" in line four of paragraph (b) the words, "at the rate determined from time to time by the Commissioner"
- (b) by deleting subparagraph (iii) of paragraph (b);
- (c) by adding after paragraph (b) the following paragraph:

(ba) During periods of leave without pay granted to a cadet during the first and second term vacation periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allowance at the rate determined from time to time by the Commissioner shall be paid to the cadet, but payment of sustenance allowance under this paragraph-

- (i) may be suspended at any time by the Com-missioner on receipt of an unsatisfactory report from the Perth Technical College or the Surveyor General;
- (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation. ; and
- (d) by adding after paragraph (d) the following paragraph-

(e) Where, in order to attend at the Perth Techni-cal College during the official terms and the annual examination period of any academic year in which he receives sustenance allowance pursuant to paragraph (b) of this regulation, a cadet is obliged to live away from his ordinary place of residence, he shall be paid a living allowance at the rate determined from time to time by the Commissioner, but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance.

5. Appendix No. 3 of the principal regulations is amended - Appendix (a) by adding after the clause number "4", the subclause amended. designation "(1)";

- (b) by substituting for the passage, "equivalent to the sum total of all sustenance allowance payments made to the cadet pursuant to regulation 35 (b) of these regulations" in the last three lines of clause 4, the passage, "equivalent to the sum total of all sustenance and living allowance payments made to the cadet, and com-pulsory Perth Technical College tuition fees paid on (d) and (e) of regulation 35 of the said regulations, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause";
- (c) by adding to clause 4 subclauses as follows:

(2) (a) The sum total of all sustenance and living allowance payments made to the cadet and compulsory Perth Technical College tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 35 of the said regulations shall be divided by the number of weeks in the period that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week. ;

(d) by adding after clause 4 a clause as follows:-

(1) Where at any time during the term of his 5. cadetship the Surveyor General is of opinion that the progress of the cadet is unsatisfactory, the Surveyor General may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance and living allowance payments and compulsory Perth Technical College tuition fees are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship.; and (e) by renumbering clause 5 as clause 6.

Heading before reg. 38 amended

Reg. 40 amended.

6. The heading immediately preceding regulation 38 of the principal regulations is amended by adding after the word, "DEPARTMENT" in line four, the words, "AND THE STATE HOUSING COMMISSION".

- 7. Regulation 40 of the principal regulations is amended-
 - (a) by adding after the words, "Principal Architect" in the first line of paragraph (a), the passage, ", Public Works and Country Water Supply, Sewerage and Drain-age Department or the Chief Architect, State Housing Commission, as the case may be,"; and
 - (b) by adding after the words, "Principal Architect" in line two of paragraph (b), the passage, "or the Chief Architect".

Reg. 41 amended.

- 8. Regulation 41 of the principal regulations is amended-
 - (a) by deleting subparagraphs (i) and (ii) of paragraph (a) and substituting the following subparagraphs:-
 - (i) attend the Perth Technical College as a student in the associateship course in Architecture under the conditions prescribed by the Perth Technical College and receive practical instruction and undergo courses of training as may be prescribed by the Principal Architect or the Chief Architect, as the case may be;
 - (ii) attend the Perth Technical College as a full-time student in the first two years of the associateship course in Architecture under the conditions prescribed by the Perth Technical College, and attend the University of Western Australia as a full-time student in the Faculty of Architecture and take the final three years of the course of study leading to the degree of Bachelor of Architecture; or
 - (iii) attend the University of Western Australia as a full-time student in the Faculty of Architecture and take the full course of study leading to the degree of Bachelor of Architecture. ;
 - (b) by substituting for the word, "associateship" in line two of paragraph (b) the words, "prescribed appro-priate";

- (c) by substituting for the words, "associateship course at the Perth Technical College" in the last two lines of paragraph (b) the words, "appropriate course in Architecture'
- (d) by adding after the word, "the" in the first line of paragraph (c) the words, "University of Western Australia or the";
- (e) by deleting from the last line of paragraph (c) the word "associateship";
- (f) by adding after paragraph (c) the following paragraph-

(ca) A cadet may be granted leave without pay during the first and second term vacation periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year.;

- (g) by substituting for the word, "The" in the first line of paragraph (d) the passage, "Subject to paragraph (ca) of this regulation, the"; and
- (h) by adding after the word, "the" where first occurring in line two of paragraph (d) the words, "University of Western Australia or the".

9. Paragraph (ii) of regulation 42 of the principal regulations Reg. 42 is amended by adding after the word, "the" where first occurring amended. in line one, the words, "degree of Bachelor of Architecture of the University of Western Australia or the".

10. Regulation 43 of the principal regulations is amended by Reg. 43 adding paragraphs as follows:--amended.

> (c) Where at any time during the term of the cadetship the Principal Architect or the Chief Architect, as the case requires, is of opinion that the progress of the cadet is unsatisfactory the Principal Architect or the Chief Architect may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

> (d) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees are payable to or on behalf of the cadet.

11. Regulation 44 of the principal regulations is amended by adding after the words, "Principal Architect" in lines two and three, the passage, "or the Chief Architect, as the case requires,".

12. Regulation 47 of the principal regulations is amended-

- (a) by adding after the word, "the" in line two of sub-paragraph (iii) of paragraph (a) the words, "Uni-versity of Western Australia or the Perth";
- (b) by adding after the words, "Principal Architect" in line four of subparagraph (iii) of paragraph (a), the passage, "or the Chief Architect, as the case requires,";
- by adding after the word, "the" where second occur-ring in line two of paragraph (b) the words, "Uni-versity of Western Australia or the"; (\mathbf{c})
- (d) by substituting for the words, "at the rate of seven pounds per week" in line four of paragraph (b), the words, "at the rate determined from time to time by the Commissioner'
- (e) by adding after the word, "the" where first occurring in line three of subparagraph (i) of paragraph (b), the words, "University of Western Australia or the";
- (f) by adding after the words, "Principal Architect" in line four of subparagraph (i) of paragraph (b), the passage, "or the Chief Architect, as the case requires";
 (g) by adding after the word, "the" where first occurring in line three of subparagraph (ii) of paragraph (b), the words, "University of Western Australia or the";

Reg. 44 amended.

Reg. 47 amended.

2283

(h) by repealing subparagraph (iii) of paragraph (b);

(j) by adding after paragraph (b) the following paragraph-

(ba) During periods of leave without pay granted to a cadet during the first and second term vaca-tion periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allowance at the rate determined from time to time by the Commissioner shall be paid to the cadet, but payment of sustenance allowance under this paragraph-

- (i) may be suspended at any time by the Commissioner on receipt of an unsatisfactory re-port from the University of Western Australia or the Perth Technical College or the Principal Architect or the Chief Architect, as the case requires;
- (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation. ;
- (k) by repealing paragraph (d) and substituting the following paragraph:-

(d) Compulsory University of Western Australia tuition fees or Perth Technical College tuition fees shall be paid on behalf of the cadet. ; and

(1) by adding after paragraph (d) the following paragraph:-

(e) Where, in order to attend at the University of Western Australia or the Perth Technical College during the official terms and the annual examination sustenance allowance pursuant to paragraph (b) of this regulation, a cadet is obliged to live away from his ordinary place of residence, he shall be paid a living allowance at the rate determined from time to time by the Commissioner, but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance.

Regulation 48 of the principal regulations is revoked and 13 the following regulation substituted:-

> 48. A cadet who has satisfactorily completed his cadetship shall if he is so required by the Public Service Commissioner, serve in the Public Service at a salary determined in accordance with the Commissioner's classification of the work upon which the cadet is engaged for a period determined as follows:-

- (i) If the whole of the period of academic study to be an architect was undertaken at the Perth Technical College-four years;
- (ii) If the first two years of such study were under-taken at the Perth Technical College and the remaining three years at the University of Western Australia-five years;
- (iii) If the whole of the period of such study was undertaken at the University of Western Australia-five years.

- 14. Regulation 49 of the principal regulations is amended—
 (a) by adding after the words, "Principal Architect" in lines three and four, the passage, "or the Chief Architect, as the case requires"; and in
 - by adding after the words, "Principal Architect" in line five, the words, "or the Chief Architect".

Reg. 48 revoked and regulation substituted. Service of Cadet.

Reg. 49 amended.

15. The principal regulations are amended by substituting for A Appendix No. 4 the following Appendix:—

Dr Appendix No. 4 substituted.

Appendix. No. 4.

This indenture made the.______day of.______ one thousand nine hundred and ______between (a)______of (b)______in the State of Western Australia hereinafter called "the cadet"), of the first part, (c)______of (b)______of (b)______in the said State (d)_______in the said State (d)_______in the (e) of the cadet (hereinafter with his executors and administrators referred to as "the guardian") of the second part, (f)_______ ______of (b)_______in the said State (d)_______of (b)_______in the said State (d)_______(hereinafter with his executors and administrators referred to as the "guarantor") of the third part and (g)_______(hereinafter with part witnesseth that the said parties hereto do hereby mutually agree and declare as follows:—

1. The cadet of his own free will and accord, with the consent of the guardian, hereby places and binds himself to serve the (h)_______as an architectural cadet for the term of five years from the______day of ______one thousand nine hundred and ______and for any additional period required to satisfactorily complete his cadetship under and subject to the regulations governing the admission of architectrual cadets in the Public Works and Country Water Supply, Sewerage and Drainage Department and the State Housing Commission as approved by the Governer in Council and published in the Government Gazette of the ______ and any amend-ments for the time being in force thereof.

2. The cadet will during the said term well and truly serve the (h).....as an architectrual cadet and will in all respects and at all times observe, perform and comply with the obligations on the part of the cadet contained in the said regulations or any amendments for the time being in force thereof.

3. When the cadet shall have satisfactorily completed his cadetship and obtained his certificate of qualification he will if required so to do serve in the Public Service for a period as determined by in accordance with and subject to the provisions contained in regulation 48 of the said regulations or any amendments for the time being in force thereof.

(2) (a) The sum total of all sustenance and living allowance payments made to the cadet and compulsory tuition fees (d) and (e) of regulation 47 of the said regulations shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the term referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with sub-clause (2) of this clause, a fraction of a week shall be treated as one week.

5. (1) Where at any time during the term of the cadet-ship the (h) is of opinion that the progress of the cadet is unsatisfactory the (h) may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no living and susten-ance allowance payments and compulsory tuition fees are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship

6. In consideration of the premises the (h).

will during the said term take and accept the cadet and employ him and instruct him or cause him to be employed and instructed as an architectural cadet under and in accordance with the said regulations or any amendments for the time being in force thereof.

In witness whereof the said parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

Signed, sealed and delivered by the said

(a) in the presence of—

.....

Signed, sealed and delivered by the said

(c) . in the presence of—

..... Signed, sealed and delivered by the said

(f)

in the presence of-

Signed, sealed and delivered by the said

(g) . in the presence of-

.....

(a) Full name of cadet. (b) Address. (c) Full name of guardian. (d) Occupation. (e) Father, mother or guardian, as the case may be. (f) Full name of guarantor. (g) Full name and office of officer to whom cadet articled (i.e. Principal Architect or Chief Architect). (h) Principal Architect or Chief Architect, as the case may be. 16. Paragraph (a) of regulation 53 of the principal regulations Reg. 53 is amended by substituting for the word, "five" in line three, the amended. word, "four"

17. Regulation 55 of the principal regulations is amended by Reg. 55 amended. adding paragraphs as follow:-

(c) Where at any time during the term of the cadetship the Chief Engineer or the Director of Engineering, as the case requires, is of opinion that the progress of the cadet is unsatisfactory the Chief Engineer or the Director of Engineering may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(d) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees are payable to or on behalf of the cadet. .

Reg. 59 amended.

- 18. Regulation 59 of the principal regulations is amended— (a) by substituting for the words, "at the rate of seven pounds per week" in line five of paragraph (b), the words, "at a rate determined from time to time by the Commissioner";
 - (b) by deleting subparagraph (iii) of paragraph (b);
 - (c) by adding after paragraph (b) the following paragraph_

(ba) During periods of leave without pay granted to a cadet during the first and second term vacation periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allowance at the rate determined from time to time by the Com-missioner shall be paid to the cadet, but payment of sustenance allowance under this paragraph-

- (i) may be suspended at any time by the Com-missioner on receipt of an unsatisfactory report from the University or the Perth Technical College or the officer to whom the cadet is articled;
- (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation; and
- (d) by adding after paragraph (d) the following paragraph-

(e) Where, in order to attend at the University or the Perth Technical College during the official terms and the annual examination period of any academic year in which he receives sustenance allowance pur-suant to paragraph (b) of this regulation, a cadet is obliged to live away from his ordinary place of resi-dence, he shall be paid a living allowance at the rate determined from time to time by the Commissioner, but payment of living allowance shall not be made in but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance.

19. Appendix No. 5 of the principal regulations is amended— Appendix (a) by adding after the clause number "4" the subclause amended. designation "(1)";

(b) by substituting for the passage, "equivalent to the sum total of all sustenance allowance payments made to the cadet by the Crown as specified in regulation 59 (b) of the said regulations" in the last three lines of clause 4, the passage, "equivalent to the sum total of all sustenance and living allowance payments made to the cadet, and compulsory tuition fees paid on

behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 59 of the said regulations, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause";

(c) by adding to clause 4 subclauses as follow:-

(2) (a) The sum total of all sustenance and living allowance payments made to the cadet and compulsory tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 59 of the said regulations shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week. ;

(d) by adding after clause 4, a clause as follows:----

5. (1) Where at any time during the term of the cadetship the Chief Engineer or the Director of Engineering, as the case requires, is of opinion that the progress of the cadet is unsatisfactory the Chief Engineer or the Director of Engineering may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance and living allowance payment and compulsory tuition fees are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship. ; and

(e) by renumbering clause 5 as clause 6.

20. Regulation 67 of the principal regulations is amended—
(a) by adding after the regulation number "67" the sub-regulation designation "(1)";

(b) by adding subregulations as follow:----

(2) Subject to the provisions of regulation 70 of these regulations, a cadet's rate of pay during any extension of his cadetship, shall be the same as that prescribed for either the fourth or fifth year of the cadetship, as the case requires.

(3) Where at any time during the term of his cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(4) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees and allowance payments under paragraph (c) of regulation 70 of these regulations are payable to or on behalf of the cadet.

21. Regulation 70 of the principal regulations is amended-

 (a) by substituting for the words, "at the rate of seven pounds per week" in line two of paragraph (b), the words, "at a rate determined from time to time by the Commissioner";

Reg. 67 amended.

Reg. 70 amended. (b) by adding after paragraph (b) the following paragraph:-

(ba) During periods of leave without pay granted to a cadet during the first and second term vacation periods of the first academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allow-ance at the rate determined from time to time by the Commissioner shall be paid to the cadet, but pay-ment of sustenance allowance under this paragraph—

- (i) may be suspended at any time by the Commissioner on receipt of an unsatisfactory report from the University of Western Australia or the Director of Agriculture;
- (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation.;
- (c) by revoking paragraph (c) and substituting the following paragraph-

(c) Subject to the provisions of paragraph (d) of this regulation a cadet shall be paid the following allowances during the following periods, that is to say-

Second year of cadetship-\$950 per annum. Third year of cadetship-\$1,000 per annum. Fourth year of cadetship-\$1,050 per annum. Fifth year of cadetship-\$1,100 per annum.;

- (d) by deleting subparagraph (iii) of paragraph (d); and
- (e) by adding after paragraph (d) the following paragraph-

(da) Where, in order to attend at the University of Western Australia during the official terms and the annual examination period of the first academic year a cadet is obliged to live away from his ordinary place of residence, he shall be paid a living allowance at the rate determined from time to time by the Commissioner, but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance pursuant to subparagraphs (i) or (ii) of paragraph (d) of this paragraph. .

- 22. Appendix No. 6 of the principal regulations is amended- Appendix (a) by adding after the clause number "4" the subclause amended. designation "(1)";
 - (b) by substituting for the passage, "equal to the sum by substituting for the passage, "equal to the sum total of all fares paid and all allowance payments to the cadet by the Crown pursuant to and as specified in regulation 70 of the said regulations" in the last four lines of clause 4, the passage, "equal to the sum total of all fares paid and allowance payments made to or on behalf of the cadet, and compulsory tuition fees paid on behalf of the cadet, pursuant to para-graphs (b), (ba), (c), (da), (e) and (g) of regulation 70 of the said regulations, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause";
 - (c) by adding to clause 4 subclauses as follows:-

(2) (a) The sum total of all fares paid allowance payments made to or on behalf of the cadet and compulsory tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (c), (da), (e) and (g) of regulation 70 of the said regulations shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture. (b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the term referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.;

(d) by adding after clause 4 a clause as follows:---

5. (1) Where at any time during the term of his cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees and allowance payments under paragraph (c) of regulation 70 of the said regulations are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship.; and

(e) by renumbering clause 5 as clause 6.

23. Regulation 78 of the principal regulations is amended by adding paragraphs as follow:—

(c) Where at any time during the term of the cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(d) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees are payable to or on behalf of the cadet.

24. Regulation 81 of the principal regulations is amended-

- (a) by substituting for the words, "at the rate of seven pounds per week" in lines four and five of paragraph (b), the words, "at the rate determined from time to time by the Commissioner";
- (b) by deleting subclause (iii) of paragraph (b);
- (c) by adding after paragraph (b) the following paragraph—

(ba) During periods of leave without pay granted to a cadet during the first and second term vacation periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allowance at the rate determined from time to time by the Commissioner shall be paid to the cadet, but payment of sustenance allowance under this paragraph—

- (i) may be suspended at any time by the Commissioner on receipt of an unsatisfactory report from the University or the Director of Agriculture;
- (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation.; and

Reg. 78 amended.

Reg. 81 amended. (d) by adding after paragraph (d) the following paragraph:---

(e) Where, in order to attend at the University during the official terms and the annual examination period of any academic year in which he receives sustenance allowance pursuant to paragraph (b) of this regulation, a cadet is obliged to live away from his ordinary place of residence, he shall be paid a living allowance at the rate determined from time to time by the Commissioner, but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance.

25. Regulation 82 of the principal regulations is amended by Reg. 82 substituting for the word, "three" in line three, the word, "four".

26. Appendix No. 7 of the princial regulations is amended-

Appendix No. 7 am**e**nded.

- (a) by substituting for the word, "three" in line three of a clause 3, the word, "four";
- (b) by adding after the clause number "4", the subclause designation "(1)";
- (c) by substituting for the passage, "equivalent to the sum total of all sustenance allowance payments made to the cadet by the Crown as specified in regulation 81(b) of the said regulations" in the last three lines of clause 4, the passage, "equivalent to the sum total of all sustenance and living allowance payments made to the cadet, and compulsory tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 81 of the said regulations, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause";

(d) by adding to clause 4 subclauses as follow-

(2) (a) The sum total of all sustenance and living allowance payments made to the cadet and compulsory tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulations 81 of the said regulations shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.;

(e) by adding after clause 4 a clause as follows-

5. (1) Where at any time during the term of the cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees are payable to or on behalf of the cadet. ; and

(f) by renumbering clause 5 as clause 6.

Reg. 90 amended. 27. Regulation 90 of the principal regulations is amended by adding paragraphs as follow:—

(c) Where at any time during the term of his cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(d) During the period of suspension no sustenance and living allowance payments and compulsory University tuition fees are payable to or on behalf of the cadet.

28. Regulation 93 of the principal regulations is amended-

- (a) by substituting for the words, "at the rate of seven pounds per week" in lines four and five of paragraph
 (b) the words, "at a rate determined from time to time by the Commissioner";
- (b) by deleting subparagraph (iii) of paragraph (b);
- (c) by adding after paragraph (b) the following paragraph---

(ba) During periods of leave without pay granted to a cadet during the first and second term vacation periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allowance at the rate determined from time to time by the Commissioner shall be paid to the cadet, but payment of sustenance allowance under this paragraph—

- (i) may be suspended at any time by the Commissioner on receipt of an unsatisfactory report from the University or the Director, Government Chemical Laboratories;
- (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation. ; and
- (d) by adding after paragraph (d) the following paragraph—

(e) Where, in order to attend at the University during the official terms and the annual examination period of any academic year in which he receives sustenance allowance pursuant to paragraph (b) of this regulation, a cadet is obliged to live away from his ordinary place of residence, he shall be paid a living allowance at the rate determined from time to time by the Commissioner but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance.

- 29. Appendix No. 8 of the principal regulations is amended—
 (a) by adding after the clause number "4" the subclause designation "(1)";
 - (b) by substituting for the passage, "equivalent to the sum total of sustenance allowance payments to the cadet by the Crown as specified in regulation 93 (b) of the said regulations" in the last three lines of clause 4, the passage, "equivalent to the sum total of all sustenance and living allowance payments made to the cadet, and compulsory University tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 93 of the said regulations, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause";
 - (c) by adding to clause 4 subclauses as follow:-

(2) (a) The sum total of all sustenance and living allowance payments made to the cadet and compulsory University tuition fees paid on behalf of the cadet,

Appendix No. 8 amended.

Reg. 93 amended. pursuant to paragraphs (b), (ba), (d) and (e) of regu-lation 93 of the said regulations shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause a fraction of a week shall be treated as one week. ;

(d) by adding after clause 4 a clause as follows:-

5. (1) Where at any time during the term of his cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance and living allowance payments and compulsory University tuition fees are payable to or on behalf of the cadet.

(3) Where the cadet is suspended for a period pursuant to this clause, if the cadetship is resumed the cadetship shall continue under and subject to this indenture and the period of suspension shall be disregarded in calculating the term of the cadetship.; and

(e) by renumbering clause 5 as clause 6.

30. Regulation 101 of the principal regulations is amended Reg. 101 by adding paragraphs as follow:

mended.

(c) Where at any time during the term of the cadet-ship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(d) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees are payable to or on behalf of the cadet. .

- 31. Regulation 104 of the principal regulations is amended— Reg. 104

 (a) by substituting for the words, "at the rate of seven pounds per week" in lines four and five of paragraph
 (b), the words, "at a rate determined from time to time by the Commissioner";
 - (b) by deleting subparagraph (iii) of paragraph (b);
 - (c) by adding after paragraph (b) the following paragraph:-

(ba) During periods of leave without pay granted to a cadet during the first and second term vacation periods of any academic year for the purpose of his studying full-time in the subjects being taken by him during that academic year, a sustenance allowance at the rate determined from time to time by the Com-missioner shall be paid to the cadet, but payment of sustenance allowance under this paragraph—

(i) may be suspended at any time by the Commissioner on receipt of an unsatisfactory report from the University or the Chief Inspector of Fisheries;

2293

 (ii) may be suspended in respect of any period of leave without pay for which the cadet is unable to furnish a satisfactory explanation; and

(d) by adding after paragraph (d) the following paragraph:---

(e) Where, in order to attend at the University of Western Australia during the official terms and the annual examination period of any academic year in which he receives sustenance allowance pursuant to paragraph (b) of this regulation, a cadet is obliged to live away from his ordinary place of residence, he shall be paid a living allowance at a rate from time to time determined by the Commissioner, but payment of living allowance shall not be made in respect of any period for which the cadet did not receive payment of sustenance allowance.

Appendix No. 9 amended. 32. Appendix No. 9 of the principal regulations is amended—

- (a) by adding after the clause number "4" the subclause designation "(1)";
- (b) by substituting for the passage, "equivalent to the sum total of sustenance allowance payments made to the cadet by the Crown as specified in regulation 104 (b) of the said regulations" in the last three lines of clause 4, the passage, "equivalent to the sum total of all sustenance and living allowance payments made to the cadet, and compulsory University tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 104 of the said regulations, less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause";

(c) By adding to clause 4 subclauses as follow-

(2) (a) The sum total of all sustenance and living allowance payments made to the cadet and compulsory tuition fees paid on behalf of the cadet, pursuant to paragraphs (b), (ba), (d) and (e) of regulation 104 of the said regulations shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause relates.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.;

(d) by adding after clause 4 a clause as follows:—

5. (1) Where at any time during the term of the cadetship the Director is of opinion that the progress of the cadet is unsatisfactory the Director may, if the Public Service Commissioner approves, suspend his cadetship for a period not exceeding twelve months.

(2) During the period of suspension no sustenance and living allowance payments and compulsory tuition fees are payable to or on behalf of the cadet.; and

(e) by renumbering clause 5 as clause 6.

- 33. Appendix No. 10 to the principal regulations is amended— Appendix No. 10

 (a) by adding after the clause number "4" the subclause amended. designation "(1)";
 - (b) by adding after the word, "cadet", being the last word in clause 4, the passage, "less the deductible amount, if any, ascertained in accordance with subclause (2) of this clause"; and
 - (c) by adding to clause 4 subclauses as follow:---

(2) (a) The sum total referred to in subclause (1) of this clause shall be divided by the number of weeks that the cadet is bound to serve under clause 3 of this indenture.

(b) The sum shown as the resultant quotient shall be multiplied by the number of weeks, if any, that the cadet has served of the period referred to in clause 3 of this indenture.

(c) The sum shown as the product shall be the deductible amount to which subclause (1) of this clause refers.

(3) In ascertaining the amount in accordance with subclause (2) of this clause, a fraction of a week shall be treated as one week.

Crown Law Department, Perth, 15th August, 1966.

THE following amendments to the Probate (Non-contentious Costs) Rules, 1949-1959, are published for general information.

R. C. GREEN, Under Secretary for Law.

PROBATE (NON-CONTENTIOUS COSTS) RULES 1949-1959.

WE, the Honourable Sir Albert Asher Wolff, K.C.M.G., Chief Justice of Western Australia, the Honourable Sir Lawrence Walter Jackson, Kt., Senior Puisne Judge, and the Honourable John Evenden Virtue, the Honourable Roy Vivian Nevile, the Honourable Gordon Bede D'Arcy, the Honourable John Hale and the Honourable Oscar Joseph Negus, Puisne Judges, of the Supreme Court of Western Australia, do hereby, in pursuance of the powers contained in the Supreme Court Act, 1935-1964, and in the Administration Act, 1903-1965, and of every other power enabling us in this behalf, amend the Probate (Non-contentious Costs) Rules, 1949-1959, as follows:—

1. Rule 6 is deleted and the following substituted:----

6. Any additional charges shall be governed by the General Order as to costs, made under the Legal Practitioners Act, 1893, in operation at the time the services are rendered. 2. The First Schedule is deleted and the following substituted:— First Schedule.

	First Schedule.	T (1) 1 (1) 0	
		For the obtaining of	
	For the obtaining of a	Letters of Administra-	
	Grant of Probate of a	tion or the Resealing	
	Will or the Resealing	in Western Australia	
Where the gross value	in Western Australia	of Letters of Adminis-	
of the property in	of a Probate granted	tration granted in	
Western Australia does	in another State or	another State or	
not exceed:	country:	country:	
\$	\$	\$	
2,000	22.00	28.00	
3,000	33.00	42.00	
4,000	38.00	46.00	
5,000	44.00	52.00	
6,000	49.00	60.00	
7,000	58.00	66.00	
8,000	60.00	72.00	
9,000	66.00	77.00	
10,000	71.50	82.50	
12,000	84.00	96.00	
14,000	90.00	102.00	
16.000	96.00	108.00	
18,000	102.00	114.00	
20,000	108.00	120.00	
30,000	134.00	147.00	
40,000	160.00	174.00	
60,000	200.00	214.00	
80,000	240.00	268.00	
Where the property			
exceeds \$80,000	240.00	268.00	
	plus \$1 for every \$2,000	plus \$1 for every \$2,000	
	or part thereof by	or part thereof by	
	which the property	which the property	
	exceeds \$80,000 with a	exceeds \$80,000 with a	
	maximum of \$540.	maximum of \$600.	

3. These Rules shall come into force forthwith upon publication thereof in the *Government Gazette*, and shall apply to all business commenced in the Court after the date of such publication.

4. The Probate (Nono-contentious Costs) Rules 1949-1959, as amended by these Rules may be cited as the Probate (Non-contentious Costs) Rules, 1949-1966.

Dated the fourth day of August, 1966.

A. A. WOLFF,

Chief Justice.

- L. W. JACKSON, Senior Puisne Judge.
- J. E. VIRTUE, Puisne Judge.

R. V. NEVILE, Puisne Judge.

- G. B. D'ARCY, Puisne Judge.
- JOHN HALE , Puisne Judge.

O. J. NEGUS, Puisne Judge.

.

AMENDMENT OF ORDER AS TO SUPREME COURT FEES, 1948.

WE, the Honourable Sir Albert Asher Wolff, K.C.M.G., Chief Justice of Western Australia, the Honourable Sir Lawrence Walter Jackson, Kt., Senior Puisne Judge, and the Honourable John Evenden Virtue, the Honourable Roy Vivian Nevile, the Honourable Gordon Bede D'Arcy, the Honourable John Hale, and the Honourable Oscar Joseph Negus, Puisne Judges of the Supreme Court of Western Australia, with the concurrence of the Honourable David Brand, Treasurer of the said State, do hereby in pursuance of the Supreme Court Act, 1935-1964, and all other powers enabling us in this behalf, order and direct that the Scale of Fees and Percentages contained in the First Schedule to the Order as to Supreme Court Fees, 1948, published in the Government Gazette on the 29th day of October, 1948, as amended by the Orders published in the Government Gazette on the 9th day of December, 1949, the 28th day of September, 1951, the 16th day of July, 1954, the 28th day of February, 1958, the 29th day of April, 1964, and the 4th day of May, 1965, be further amended by repealing Fees Nos. 164 to 207 (both inclusive) and inserting in lieu thereof the following items:-

FEES TO BE TAKEN BY THE SHERIFF AND THE MARSHAL.

Docu which	\$	(A) Fees to be taken by the Sheriff-	
to b Sched	2.00	Receiving and entering any writ of execution or Judge's order, and any writ of summons notice order or other document for service and (where necessary) issuing warrant on same	164
Sched	0.50	To cover postage on each writ when the defendant resides outside the Perth Bailiff's district	16
		 (a) For service of every writ citation order summons notice or other document— For each document or set of documents (other than a petition in the Matrimonial Causes Jurisdiction or similar process) in the same 	16
	3.00	cause or matter	
	4.00	(b) Service of a petition and notice or similar pro- cess in a matrimonial causes suit	
	2.00	(c) Where the process or document cannot be served, fee for enquiry (in addition to appropriate mile- age fee)	
	8.00	(a) For executing any writ or other process of execu- tion or for any arrest	16'
	4.00	(b) For enquiries concerning judgment debtor's pro- perty, or for attempted execution of a writ or process (when fee 167 (a) is not payable)	
	0.20	Mileage on execution of each warrant or other process, service of writ or summons, notice, order or other document, or on making an arrest, or on attending a view, for each mile (one way) from the Sheriff's Office or Bailiff's Office	16
		Where more than one process or document is to be executed or served at the same time on the same person, or on different persons at the same address, one mileage only shall be chargeable.	16
Sched	2.00	Drawing advertisement for sale, if required, and in- serting advertisement	17(
Sched	1.00	Return to any writ exclusive of fee paid for filing	17

172. (a) Poundage on executing any writ or fieri facias or other process under or by reason of which money is received by the Sheriff or by the judg-ment creditor, after seizure, five per cent. on the first \$1,000.00 and two and a half per cent. on the balance above that amount;

ument on fee or duty e noted.

ule B.

ule B.

ule B.

ule B.

- (b) When the sale of land, interest in land, or goods or chattels is conducted by a licensed auctioneer instructed by the Sheriff, poundage shall be charged at half the abovementioned rates;
- In the case of land, or an interest in land, service of the writ of fieri facias on the Registrar of Titles under section 133 of the Transfer of Land Act 1893-1959 shall be deemed to be "seizure" for the purpose of this item. (c)
- 173. When the sale, whether by public auction or otherwise, is conducted by the Sheriff or his officer without the intervention of an auctioneer or agent, the rates of poundage specified in paragraph (a) of item 172 shall be increased by one per cent. for the first \$2,000.
- 174. For auctioneer's or agent's commission, advertising and sundry expenses on account of sale by auction or otherwise of goods or chattels, or land or any interest in land, whether a sale does or does not interest in take place.
- 175. Where a sale takes place by auction or private contract, or when no sale takes place—
 (a) for advertising and giving publicity to any sale, or intended sale, printing catalogues and bills, and distributing and posting the same

 - (b) for labour (if any) employed in lotting and showing goods or chattels, preparing catalogue, and where a sale takes place by auction, attending the sale and superintending the re-moval of goods or chattels by purchaser
- (c) Travelling expenses 176 (a) Assistants required to execute a writ of possession
 - (b) Man in possession .. (c) Out-of-pocket expenses incurred by the Bailiff or officer while executing any process including post-age, telegraphic and telephonic messages, and travelling expenses of himself and assistants
 - (d) Clerical assistance when necessary
 - (e) (f) Removal or cartage expenses
 -
- 177. Drawing inventory • · · •
- Preparing particulars and conditions of sale, such sum as may be allowed on taxation, or agreed upon. 178.
- Keeping office open after hours—as directed by the Sheriff 179.
- 4.00 (b) If at a greater distance than ten miles 8.00 •···· 6.00
- 182. Striking a jury
- 183. Summoning each juror or the service of any notice to a juror
- 184. Mileage on the service of each jury summons—as provided by Fee No. 168. Where more than one juror in the same cause or action is, or could be, served at the same time in the same locality, one half only of the fees for mileage shall be allowed.

Document on which fee or duty to be noted.

\$

A fee fixed in accordance with the with the recognised scale of charges for auctioneers and agents in the State of Western Australia, or such other such other fee as the Master may allow.

The sums actually and reasonably paid.

2.00

4.00

to8.00

1.50

Schedule B.

2.00 Schedule B.

		\$	Document on which fee or duty to be noted.
185.	Every jury panel	2.00	Schedule B.
186.	For any duty or service not herein provided for, such sum as the Master may, upon special application allow.		
187.	In any case where the Sheriff, Sheriff's Officer, or other person employed under the Sheriff shall be necessarily put to and incur extra trouble and expense in the discharge of any duty incidental to his office or employment he shall be entitled to such reasonable extra payments as the Master may, on special application, allow.		
	(B) Fees to be taken by the Marshal in Admiralty		
188.	Receiving and entering any writ of summons, warrant, release, decree, order, commission or other instru- ment under the seal of the Court	2.00	Schedule B.
189.	For service of a writ of summons	8.00	
190.	For executing a warrant for the arrest of a ship or any property	20.00	
191.	Where a writ of summons is served at the same time as a warrant of arrest is executed, in lieu of Fees Nos. 189 and 190, a fee of	24.00	
192.	For the execution of an attachment-	8.00	
193.	For the release of any vessel, goods, or person, from		
194.	For attending the discharge of cargo, or removal of	4.00	
	a vessel or goods, per hour	·1.50	
195.	For the execution of a commission of appraisement, or sale, or appraisement and sale, in addition to the fees paid to the Appraiser or Auctioneer	10.00	
196.	For the execution of any decree or order, commission, or other instrument other than those herein pro- vided	10.00	
197.	On the gross proceeds of any vessel or goods, etc., sold		
	For every \$100.00 or part thereof up to \$10,000.00	2.00	
	For each Additional \$100.00 or part thereof	1.00	
198.	For retaining possession of a vessel with or without cargo, or of a cargo without a vessel, the expenses per day in respect of a shipkeeper or shipkcepers,		
	and in addition per day	4.00	
	fee may be reduced at the discretion of the Marshall.		
199.	Other actual and necessary payments made by the Marshall for the safe custody of property under arrest may be allowed in addition.		
200.	No fee shall be payable for the custody and possession of property under arrest if it consists of money in a bank, or of goods stored in a bonded warehouse, or if it is in the custody of a customs house officer, or other authorised person.		
201.	The Marshall or any of his officers, if required to travel for the purpose of discharging his duty shall be entitled to his reasonable expenses for travelling, board and maintenance, in addition to the above fees.		
202.	For any duty or service not herein provided for, or if the fee provided for is insufficient having regard to the circumstances of the case, such sum, or such extra sum, as the Registrar, upon special applica- tion, may allow.		

NOTE.—The Marshall may require a deposit of money on account of the fees applicable to any proceeding before such proceeding is commenced. He may also require an undertaking in writing to pay any further fees or charges which may become payable beyond the amount so deposited. This Order shall come into operation on the day following the publication thereof in the Government Gazette.

Dated this 4th day of August, 1966.

R. A. WOLFF, Chief Justice.

L. W. JACKSON, Senior Puisne Judge.

J. E. VIRTUE, Puisne Judge.

R. V. NEVILE, Puisne Judge.

G. B. D'ARCY, Puisne Judge.

JOHN HALE,

Puisne Judge. OSCAR NEGUS,

Puisne Judge.

I concur in the above Order,

r

DAVID BRAND, Treasurer.

By Authority: ALEX. B. DAVIES, Government Printer