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PERTH: FRIDAY, 29th SEPTEMBER

[1967

STRATA TITLES ACT, 1966.

Crown Law Department,
Perth, 2nd October, 1967.

HIS Excellency the Governor in Executive Council, acting in pursuance of the provisions of section 23 of the Strata Titles Act, 1966 and section 11 of the Interpretation Act, 1918-1962, has been pleased to make the regulations set forth in the schedule hereunder.

R. C. GREEN,
Under Secretary.

Schedule.

Regulations.

- | | |
|--|-------------------------|
| 1. These regulations may be cited as the Strata Titles Act Regulations, 1967. | Citation. |
| 2. These regulations shall come into operation as from the date of the coming into operation of the Strata Titles Act, 1966. | Commence-
ment. |
| 3. In these regulations, unless the contrary intention appears, "the Act" means the Strata Titles Act, 1966. | Interpre-
tation. |
| 4. The Registrar of Titles shall keep a register of strata plans and shall record therein particulars of each strata plan lodged in the Office of Titles, pursuant to the Act. | Strata
plans. |
| 5. Every plan lodged in the Office of Titles for registration as a strata plan shall comply with the following requirements:— | Form of
strata plan. |
| (a) (i) it shall be prepared on one side on plan paper supplied for the purpose by the Registrar of Titles and bearing the seal referred to in regulation 9 of these regulations; | |
| (ii) the paper shall not be creased and shall be free from discolouration or blemishes; | |
| (iii) all writing and drawings and other matter appearing on the plan shall be of sufficient strength to bear photographic reproduction and writing and drawings on the plan shall be in a recognised water-proof ink; | |
| (b) it shall comprise— | |
| (i) a first sheet (using annexures thereto where necessary) on which are set out the matters prescribed by paragraphs (a), (b), (g), (h) and (i) of subsection (1) of section 5 of the Act; and | |
| (ii) further sheets containing the particulars required by paragraphs (c), (d), (e), (f) and (j) (if any) of subsection (1) of section 5 of the Act; | |

- (c) (i) each further sheet of a strata plan shall be endorsed on the top right-hand corner as follows—
“Sheet.....of.....sheets” and shall be signed by the town clerk or shire clerk of the appropriate local authority and the Chairman of the Town Planning Board constituted under the Town Planning and Development Act, 1928;
- (ii) where the common boundary of a lot with another lot or with common property is not intended to be the centre of the floor, wall or ceiling that divides them, a provision to that effect shall be set out in writing on the relevant further sheet of the strata plan;
- (d) (i) the diagram prescribed by paragraph (a) of subsection (1) of section 5 of the Act shall be drawn with the North point directed upwards and shall be to a scale that will admit of all details and notations being clearly shown;
- (ii) the diagram shall show offsets in any case where part of the building is within six feet of a boundary of the parcel but no other dimensions are necessary;
- (iii) if the Registrar of Titles so requires, define the external surface boundaries of the parcel shown in any such diagram and the location of the building in relation thereto by a plan made from actual survey and certified by a licensed surveyor registered under the Licensed Surveyors Act, 1909;
- (e) any floor plan prepared for the purposes of paragraph (d) of subsection (1) of section 5 of the Act shall be drawn with the North point directed upwards and shall be of a size that will admit of details and notations being clearly shown;
- (f) (i) the lots shall be numbered consecutively, commencing with lot 1 and terminating with a lot numbered to correspond to the total number of lots comprised in the strata plan;
- (ii) different parts of a building that constitute a single lot shall bear the same lot number but in such case the abbreviation “Pt” shall appear before the number;
- (iii) where different parts of a building constitute a single lot reference shall be made on each sheet of the plan that depicts part of that lot to any other sheet of the plan that also refers to that part or another part of that lot;
- (g) in preparing the schedule of the unit entitlement of each lot pursuant to section 18 of the Act, a column of not less than one and a half inches in width shall be retained to the immediate right of that schedule to enable the insertion of references to the certificates of title to be issued in respect of the lots in the strata plan, and the vertical interval between items in the schedule shall be not less than three-tenths of an inch;
- (h) (i) typewriting may be used provided a dense black non-copying record ink is used and the lines of typewriting do not overlap;
- (ii) a carbon copy, or a copy in which the typewritten characters blur or spread, or are liable to mark or damage an adjacent sheet, shall not be accepted;
- (i) all handwriting on any sheet shall be clear and legible;
- (j) the printing, writing or drawing on any sheet shall not extend in any margin thereof; and
- (k) any alteration made with respect to any matter on a sheet shall be made by striking through the matter intended to be rejected and not by rubbing, scraping or cutting the surface of the paper.

6. The Registrar of Titles may reject for registration a strata plan that does not comply with these regulations.

Power of Registrar of Titles to reject plan not complying with regulations.

7. (1) The first sheet of every plan intended to be lodged as a strata plan shall be in or to the effect of Form 1 to these regulations.

Form of first sheet of strata plan.

(2) For the purposes of paragraph (b) of subsection (1) of section 5 of the Act—

- (a) the parcel comprised in a strata plan shall be defined by reference to the relevant certificate of title or Crown grant;
- (b) such parcel shall further be defined by reference to a lot, allotment or portion illustrated in a plan on public record in the Office of Titles.

8. Every application for registration of a strata plan shall indicate the name and postal address of the registered proprietor and of the party by whom the plan is lodged, and the plan shall be produced by hand to the proper officer at the Office of Titles, accompanied by the amount of prescribed fee payable on lodgement for registration of a strata plan together with the certificate of title or Crown grant for the parcel to which the strata plan relates.

Details in application for registration of strata plan.

9. For the purposes of the Act registration of a strata plan shall be effected by notifying under the seal kept by the Registrar of Titles, pursuant to section 10 of the Transfer of Land Act, 1893, on the first sheet thereof the fact and date of such registration.

Registration of strata plan.

10. The Registrar of Titles shall indorse on each certificate of title issued for a lot in a strata plan a notification that by virtue of the provisions of the Strata Titles Act, 1966, the proprietor holds his lot and his share in the common property subject to any interests affecting the same for the time being notified on the registered strata plan and subject to any amendments to lots or the common property shown in that plan.

Indorsement on certificate of title for a lot.

11. The Registrar of Titles may after giving notice to such persons concerned as he deems necessary—

- (a) number or renumber any lots in a strata plan; and
- (b) supply omissions and correct patent errors in a strata plan.

Power of Registrar of Titles to renumber lots and correct omissions in strata plan.

12. (1) All documents presented for registration or lodgement—

- (a) shall be prepared on paper of good quality;
- (b) shall be clearly and legibly written, printed or typewritten.

Documents.

(2) All transfers shall be engrossed on demy paper and all other documents on paper of not less size than quarto.

(3) The signature of any party to a document and that of any witness to that signature shall be written in iron gall ink of good permanence.

(4) Where a document consists of more than one page the pages shall be bound together.

13. A certificate of a licensed surveyor given pursuant to paragraph (a) of subsection (6) of section 5 of the Act, shall be in or to the effect of Form 2 to these regulations, and if indorsed on the strata plan shall be so indorsed thereon in the appropriate place shown in Form 1 to these regulations.

Certificate of licensed surveyor.

14. A certificate of a local authority given pursuant to paragraph (c) of subsection (6) of section 5 of the Act, shall be on paper supplied by the Registrar of Titles in or to the effect of Form 3 of these regulations and shall be attached to the strata plan to which it relates.

Certificate of local authority.

- Notice of change of address. 15. Notice of a change in the address endorsed on a strata plan at which documents may be served on a company shall be in or to the effect of Form 4 to these regulations.
- Certificate by company. 16. A certificate by the company given pursuant to—
 (a) subsection (4) of section 10 of the Act shall be in or to the effect of Form 5 of these regulations; and
 (b) paragraph (c) of subsection (3) of section 11 of the Act or paragraph (b) of subsection (2) of section 12 of the Act shall be in or to the effect of Form 6 to these regulations.
- Notification of destruction of building. 17. A notification of destruction of a building given by the company pursuant to subsection (1) of section 11 of the Act shall be in or to the effect of Form 7 to these regulations.
- Notification of amendment, repeal or addition to a by-law by company. 18. A notification given by the company pursuant to subsection (4) of section 15 of the Act shall be in or to the effect of Form 8 to these regulations.
- Certificate by company certifying copies of strata plan. 19. Every copy of a registered strata plan or of any amendment of a registered strata plan, furnished pursuant to subsection (3) of section 21 of the Act shall be identified as an annexure to a certificate in or to the effect of Form 9 to these regulations.
- Administrator to lodge appointment with Registrar of Titles. 20. (1) Any person or corporation appointed as administrator pursuant to section 23 of the Act may lodge with the Registrar of Titles an office copy of the Order of the Supreme Court making such appointment.
 (2) The company may lodge with the Registrar of Titles an office copy of any Order made by the Supreme Court pursuant to subsection (3) of section 19 of the Act.
 (3) On receipt of any office copy of an Order of the Supreme Court referred to in this regulation, the Registrar of Titles shall indorse on the registered strata plan to which the Order relates, a notification referring thereto and the notification shall—
 (a) contain such particulars as the Registrar of Titles directs; and
 (b) be signed by the Registrar of Titles.
- Lodgment of office copy of Court Order and notification thereof. 21. On the lodgment of an instrument executed by the company pursuant to section 10, 11 or 12 of the Act there shall be indorsed on the registered strata plan to which the instrument relates, a memorial stating the nature of the instrument and such other particulars as the Registrar of Titles directs and the memorial shall be signed by the Registrar of Titles.
- Memorial of instrument to be indorsed on strata plan. 22. On the lodgment at the Office of Titles of a plan of subdivision of the common property comprised in a registered strata plan, it is not necessary to produce to the Registrar of Titles the certificates of title for the lots comprised in the registered strata plan.
- Production of certificates of title not necessary in certain cases. 23. (1) Upon receipt of a notice in or to the effect of Form 7 to these regulations the Registrar of Titles shall indorse on the registered strata plan to which the form relates a notification of the destruction of the building and of the vesting of the parcel in the proprietors.
 (2) The notification shall contain such particulars as the Registrar of Titles directs, and shall be signed by him.
- Notification of destruction of building on strata plan. 24. Where a parcel has been transferred by the company pursuant to section 11 of the Act, the Registrar of Titles—
 (a) shall enter on the registered strata plan to which the parcel relates, a notification of the cancellation of that strata plan; and
 (b) shall indicate by appropriate charting upon any relevant plan that the registered strata plan has been cancelled.
- Cancellation of registered strata plan.

25. (1) Upon receipt of a notification in or to the effect of Form 8 to these regulations, the Registrar of Titles shall indorse on the registered strata plan to which the notification relates, a memorial of the notification. **Memorial of notification of change of by-laws.**

(2) The memorial shall contain such particulars as the Registrar of Titles directs, and shall be signed by him.

26. (1) In respect of any matter for which a fee is prescribed by regulation 6 of the Transfer of Land Act Regulations, then subject to this regulation, that fee is payable in respect of that matter under the Act as if prescribed by these regulations. **Fees.**

(2) No fee is payable in respect of easements created by virtue of sections 6, 7 and 8 of the Act.

(3) The registration fee on any dealing executed by the company pursuant to the powers conferred by section 10, 11 or 12 of the Act shall be assessed as if the dealing related to the land comprised in a single certificate of title.

(4) The following fees shall be paid to the Registrar of Titles in respect of the following matters—

	\$
(a) on lodgment for registration of a strata plan	10.00
and in addition, for each lot shown therein	1.00
(b) on lodgment of a notification of destruction of the building	6.00
(c) on lodgment of an office copy of an Order of the Court made pursuant to subsection (3) of S.19 of the Act	6.00
(d) on lodgment of a notification of change of by-laws	6.00
(e) on lodgment of an office copy of an Order appointing an administrator pursuant to S.23 of the Act	6.00
(f) for each sheet of plan paper supplied by the Registrar of Titles under regulation 5 of these regulations	0.20
(g) for entering notice of change of address on strata plan	1.00

Reg. 7.

Form 1.
STRATA PLAN.
Strata Titles Act, 1966.

Parcel of Land..... Certificate of title: Vol..... Fol..... Local Authority..... Locality.....Index Plan..... Name of Building..... Address for serving of Notices on company.....	STRATA PLAN. Lodged: Examined: Registered. Registrar of Titles.
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Scale:.....links to an inch.

Schedule of Unit Entitlement		OFFICE USE ONLY		Surveyors' Certificate I hereby certify that the building shown on the plan is within the external surface boundaries of the parcel and where eaves or guttering project beyond those boundaries, that a registered easement has been granted as an appurtenance of the parcel or, where the projection is over a road that the local authority has consented thereto. Date..... Licensed Surveyor. Approved by the Town Planning Board for the purposes of the Strata Titles Act, 1966. Date..... Chairman.
Lot No.	Unit Entitlement	Current C's of T.		
		Vol.	Fol.	
AGGREGATE				

Sheet No.....of.....Sheets

STRATA PLAN No.....

.....FLOOR.

SCALE: FEET TO AN INCH	APPROVED
	For the purposes of the Strata Titles Act, 1966. Local Authority..... Shire/Town Clerk. Town Planning Board Chairman.

Reg. 13.

Form 2.
LICENSED SURVEYOR'S CERTIFICATE.
Strata Titles Act, 1966.

Description of parcel.....

I, of
a licensed surveyor registered under the Licensed Surveyors Act,
1909, as amended, hereby certify that—

- (1) the building erected on the parcel described above is within the external boundaries of the parcel *subject to clause (2) or (3) of this certificate;
- * (2) eaves or guttering of the building project beyond such external boundaries and an appropriate easement has been granted as an appurtenance of the parcel by registered Transfer No.....
- * (3) eaves or guttering of the building project over a road and the appropriate local authority has consented thereto.

* Omit if inappropriate.

Dated
Signature

* Omit if inappropriate.

Form 3.

Reg. 14 STRATA PLAN No.....
CERTIFICATE OF LOCAL AUTHORITY.
Strata Titles Act, 1966.

....., the local authority, hereby certifies that—

- (1) the building shown on the plan has been inspected and that it is consistent with the building plans and specifications in respect thereof that have been approved by the local authority;
- (2) the proposed subdivision shown on the plan has been approved by the local authority under the Local Government Act, 1960;
- (3) the building complies with the by-laws of the local authority for the time being in force, relating to building and buildings.

Description of Building.

.....
Shire/Town Clerk.

Reg. 15.

Form 4.
NOTICE OF CHANGE OF ADDRESS.
Strata Titles Act, 1966.

IN pursuance of section 5 (4) of the Strata Titles Act, 1966 notice is hereby given that the address endorsed on Strata Plan No. at which documents may be served on the Company has now been changed to—

.....
The Common Seal of The Owners
Strata Plan No. was
hereunto affixed on
in the presence of—

.....
Members of the Council.

Reg. 16(a).

Form 5.

CERTIFICATE OF COMPANY.

Strata Titles Act, 1966.

IN pursuance of the provisions of the Strata Titles Act, 1966, the Owners—Strata Plan No. hereby certifies that the proprietors of the lots in that strata plan by unanimous resolution, duly passed, directed the company to execute the instrument hereunder recited and that all persons having registered interests in the parcel and all other persons having interests (other than statutory interests) which have been notified to the company have consented in writing to the release of those interests in respect of the land comprised in that instrument* and that the instrument conforms with the terms of the resolution.

Instrument: ‡ Transfer (or as the case may be) dated to of

(Brief description of land disposed of).

The Common Seal of The Owners of Strata Plan No. was hereunto affixed on in the presence of—

.....
.....
Members of the Council.

* If, in the case of a lease, interested parties have approved in writing of the execution of the lease but have not consented in writing to the release of their interests in respect of the demised land, delete the words "have consented in writing to the release of those interests in respect of the land comprised in such instrument" and substitute the words "have approved in writing of such instrument".

‡ Insert a description of the nature and date of the instrument and the names of the parties thereto.

Reg. 16(b).

Form 6.

CERTIFICATE OF COMPANY.

Strata Titles Act, 1966.

IN pursuance of the provisions of the Strata Titles Act, 1966, the Owners—Strata Plan No. hereby certifies that the proprietors of lots in that strata plan by unanimous resolution, duly passed, directed the company to execute the instrument hereunder recited and that all persons having registered interests in the parcel and all other persons having interests (other than statutory interests) which have been notified to the company have consented in writing to the release of those interests in respect of the land comprised in such instrument.

Instrument: *Transfer (or as the case may be) dated..... to of.....

(Brief description of land affected)

The Common Seal of The Owners of Strata Plan No..... was hereunto affixed on..... in the presence of—

.....
.....
Members of the Council.

* Insert a description of the nature and date of the instrument and the names of the parties thereto.

Reg. 17.

Form 7.

NOTIFICATION OF DESTRUCTION OF BUILDING.

Strata Titles Act, 1966.

IN pursuance of section 11 (1) of the Strata Titles Act, 1966. The Owners—Strata Plan No. hereby certifies that the building illustrated on that strata plan has been destroyed.

*A certified copy of the unanimous resolution of the proprietors pursuant to section 19 (1) (a) of the Act:

*An office copy of the declaration made by the Court pursuant to section 19 (1) (b) of the Act, is produced herewith.

The Common Seal of The Owners of Strata Plan No..... was hereunto affixed on..... in the presence of—

Members of the Council.

* Delete if inappropriate.

Reg. 18.

Form 8.

NOTIFICATION OF CHANGE OF BY-LAWS.

Strata Titles Act, 1966.

IN pursuance of section 15 (4) of the Strata Titles Act, 1966, The Owners—Strata Plan No. hereby certifies that by unanimous resolution, duly passed on the the by-laws in the First Schedule to the Act, as they applied to the building referred to in that strata plan, were added to, amended, or repealed as follows:—

(Set out terms of resolution.)

The Common Seal of The Owners of Strata Plan No..... was hereunto affixed on..... in the presence of—

Members of the Council.

Reg. 19.

Form 9.

CERTIFICATE VERIFYING COPIES OF STRATA PLAN.

Strata Titles Act, 1966.

IN pursuance of section 21 (3) of the Strata Titles Act, 1966, The Owners—Strata Plan No. hereby certifies that the plans annexed hereto and marked..... and..... are true copies of a strata plan lodged in the office of the Registrar of Titles, or an amendment of a strata plan so lodged, which strata plan was registered on the....., as Strata Plan No.....

The Common Seal of The Owners of Strata Plan No..... was hereunto affixed on..... in the presence of—

Members of the Council.

PUBLIC SERVICE ACT, 1904-1966.

Public Service Commissioner's Office,
Perth, 29th September, 1967.

HIS Excellency the Governor in Executive Council, acting under the provisions of the Public Service Act, 1904-1966, and on the recommendation of the Public Service Commissioner, has been pleased to make the regulations set out in the schedule hereunder to have and take effect on and after the 1st October, 1967.

R. H. DOIG,
Public Service Commissioner.

Schedule.
Regulations.

Principal regulations. 1. In these regulations the Public Service Regulations published in the *Government Gazette* on the 14th October, 1964 are referred to as the principal regulations.

Reg. 83 amended. 2. Regulation 83 of the principal regulations is amended—
(a) by adding after the expression, "1951," in line one of sub-regulation (15), the expression, "but before the first day of October, 1967,"; and
(b) by adding after subregulation (15), the following sub-regulation—
(15a) Where, on or after the first day of October, 1967, a person is appointed to the permanent staff of the Public Service and that person was, immediately prior to the date of his appointment, a temporary employee thereof, any sick leave to his credit immediately prior to his appointment shall remain to his credit on that appointment.

Reg. 113 substituted. 3. Regulation 113 of the principal regulations is revoked and the following regulation substituted:—

113. (1) The basis for determining the leave of absence on grounds of illness that may be granted to a temporary employee who commences employment as such on or after the first day of October, 1967, shall be ascertained by crediting the temporary employee with the following periods, and the leave shall be cumulative:—

	Leave on Full Pay. Working Days.	Leave on Half Pay. Working Days.
On commencement date of employment	5	—
On completion of the first six months' continuous service	5	—
On completion of twelve months' continuous service and on completion of each further period of twelve months' continuous service thereafter	10	5

(2) The basis of determining the leave of absence on grounds of illness that may be granted to a temporary employee whose continuous period of employment as such commenced on or after the second day of April, 1967, but not after the thirtieth day of September, 1967, shall be ascertained by crediting the temporary employee with the period of leave to his credit on the first day of October, 1967 and with the following periods, and the leave shall be cumulative—

	Leave on Full Pay. Working Days.	Leave on Half Pay. Working Days.
On the date on which he completes his first six months' continuous service	7	—
On completion of twelve months' continuous service and on every occasion on which he completes a further period of 12 months' continuous service	10	5

(3) The basis of determining the leave of absence on grounds of illness that may be granted to a temporary employee whose continuous period of employment as such commenced before the second day of April, 1967, shall be ascertained by crediting that employee with the period of leave to his credit on the first day of October, 1967, and with the following periods, and the leave shall be cumulative—

	Leave on Full Pay.	Leave on Half Pay.
	Working Days.	Working Days.

On every occasion, occurring on or after the first day of October, 1967 on which he completes a period of twelve months' continuous service 10 5

(4) The provisions of subregulations (1), (2), (3), (4), (8), (10), (11), (12) and (13) of regulation 83 of these regulations apply to a temporary employee as if he were an officer, and for the purposes of this subregulation any reference to an officer in those subregulations as so applied shall read as a reference to a temporary employee.

(5) Where a temporary employee, whose services as such had previously been dispensed with under the Act, is again employed as a temporary employee credit for leave of absence on grounds of illness at the date of the termination of his previous period of service shall—

- (a) be reinstated if the Commissioner is satisfied that the termination of that previous service was due solely to the ill health of the employee;
- (b) in any other case, not be reinstated.

CITY OF PERTH PARKING FACILITIES ACT, 1956.

The Municipality of the City of Perth.

By-law No. 60—Care, Control and Management of Parking Facilities.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Municipality of the City of Perth hereby records having resolved on the 18th day of September, 1967, that the abovementioned by-law be amended as follows:—

1. By inserting after the word "duty" in subclause (1) of Clause 15 thereof the words: "or (if parked in a metered space) inserted in the meter appurtenant to that space".

2. By inserting after the word "inspector" in Clause 18 thereof the words: "or (if the vehicle has been parked in a metered space) inserted in the meter appurtenant to that space".

3. By inserting at the end of paragraph 1 of the First Schedule thereto the following new subparagraph:—

(v) Three hour periods:

In No. 1, No. 2 and No. 3 Parking Stations—in the metered zones.

Between Terrace Road and Riverside Drive—Governor's Avenue (both sides).

Between Milligan Street and Citron Street—Wellington Street (north side).

Between Milligan Street and southern prolongation of the western alignment of Citron Street—Wellington Street (south side).

4. By inserting at the end of paragraph 5, of the said First Schedule the following new subparagraph:—

(e) Three-hour meter—For a period of three quarters of an hour—Five cents. For a period of one and a half hours—Ten cents. For a period of two and a quarter hours—Fifteen cents. For a period of three hours—Twenty cents.

5. By repealing the Second Schedule and substituting therefore:—

SECOND SCHEDULE.

(Clause 15.)

Parking Stations—Descriptions—Periods—Fees.

1. No. 1 Parking Station—situated west of Victoria Avenue and south of Terrace Drive.

No. 2 Parking Station—situated west of William Street and south of Mounts Bay Road.

No. 2B Parking Station—situated west of Harper Square and south of Riverside Drive.

No. 3 Parking Station—situated west of Milligan Street and north of Wellington Street.

No. 4A Parking Station—situated west of Hale Street and north of Nelson Crescent.

No. 8 Parking Station—situated east of Lake Street and south of James Street.

2. (a) A full day period is between 6.30 a.m. and 5 p.m., Monday to Friday inclusive.

(b) A half day period is between 6.30 a.m. and 12 noon, Saturday only.

(c) A day and night period is between 10 a.m. and 11 p.m.

3. (a) In No. 1, No. 2, No. 2B and No. 3 Parking Stations:—

(i) For a full day period—30 cents.

(ii) For a half day period—20 cents.

(b) In No. 4A Parking Station:—

For a day and night period—20 cents.

Dated this 19th day of September, 1967.

The Common Seal of the City of Perth was hereunto affixed in the presence of—
[L.S.]

A. C. CURLEWIS,
Deputy Lord Mayor.
G. O. EDWARDS,
Town Clerk.

Recommended—

J. F. CRAIG,
Minister for Police and Traffic.

Approved by His Excellency the Governor in Executive Council this 28th day of September, 1967.

W. S. LONNIE,
Clerk of the Council.