



# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 18 ]

PERTH: WEDNESDAY, 6th MARCH

[ 1968

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PUBLIC SERVICE ACT, 1904-1967.

Public Service Commissioner's Office,

Perth, 29th February, 1968.

HIS Excellency the Governor in Executive Council, acting under the provisions of the Public Service Act, 1904-1967, 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 6th March, 1968.

R. H. DOIG,  
Public Service Commissioner.

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Schedule.

Regulations.

1. In these regulations the Public Service Regulations published in the *Government Gazette* on the 14th October, 1964, as amended by the notice published in the *Government Gazette* on the 29th September, 1967, are referred to as the principal regulations. Principal regulations.

2. Regulation 35 of the principal regulations is revoked and the following regulation substituted:— Reg. 35 substituted.

35. (1) A female officer intending to marry shall notify the Permanent Head in writing not later than six weeks before the proposed date of marriage and shall indicate therein the date of her proposed marriage and whether or not she desires to continue to hold office after her marriage.

(2) When a female officer notifies the Permanent Head of her desire to continue to hold office after her marriage, the Permanent Head shall report to the Commissioner, not later than four weeks before the proposed date of marriage, whether or not, in his opinion, the continued employment of the officer is warranted having regard to—

- (a) the level of the duties and responsibilities of the office in question and the officer's suitability to undertake those duties; and
- (b) the officer's record of conduct, diligence and efficiency.

(3) Upon receiving a report from a Permanent Head made concerning a female officer who desires to continue to hold office after her marriage, the Commissioner shall determine whether or not that officer will be continued in office and in so determining shall have regard to—

- (a) the report made by the Permanent Head in accordance with subregulation (2) of this regulation; and
- (b) any other factors which, in the opinion of the Commissioner, are relevant.

(4) A female officer who is continued in office after her marriage pursuant to the provisions of section 29A (1) of the Act, shall produce to the Commissioner a certificate of her marriage immediately on resuming duty following her marriage

(5) Where a female officer intends to marry and does not desire to continue in office, or where her continued employment after marriage is not approved by the Commissioner pursuant to section 29A of the Act, she shall resign from the Public Service prior to the date of her marriage.

**Reg. 35A  
added.**

3. The principal regulations are amended by adding after regulation 35 a regulation as follows:—

35A. (1) A female officer who has become pregnant, may on application made through the Permanent Head, be granted permission by the Commissioner to be absent from duty for a period not exceeding twelve months.

(2) Every application made in accordance with subregulation (1) of this regulation shall be supported by the certificate of a duly qualified medical practitioner and such certificate shall indicate the expected date of confinement.

(3) The minimum period of absence from duty which may be granted to an officer by the Commissioner in accordance with subregulation (1) of this regulation, is a period commencing eight weeks before the expected date of her confinement and ending at the expiration of eight weeks from the day on which her pregnancy terminates.

(4) An officer who has made application under subregulation (1) of this regulation may, at any time whilst she is absent from duty in accordance with this regulation, make further application so as to extend or reduce the period referred to in the original application, but so that the amended period complies with the requirements of subregulations (1) and (3) of this regulation, and the Commissioner may vary his permission in accordance with the amended application.

(5) Nothing contained in this regulation prevents the grant of annual recreation leave or long service leave to an officer in respect of the whole or any part of the period referred to in subregulation (1) of this regulation.

(6) Except by reason of a grant of annual recreation leave or long service leave with pay, an officer is not entitled to salary in respect of the period of absence from duty permitted in accordance with this regulation.

(7) Absence of an officer which has been permitted in accordance with the provisions of this regulation shall not be deemed absence by reason of illness for the purposes of section 54 of the Act. .

4. Regulation 59 of the principal regulations is revoked.

Reg. 59  
revoked.

5. The principal regulations are amended by adding after regulation 82 the following regulation:—

Reg. 82A  
added.

82A. (1) On application to the Commissioner through the Permanent Head, and with the approval of the Commissioner, a lump sum payment for the money equivalent of any *pro rata* long service leave based on continuous service of a lesser period than that prescribed by section 56 of the Act for a long service leave entitlement, shall, subject to subregulations (2), (3), (4) and (5) of this regulation, be made to a female officer who—

- (a) continues to hold office after her marriage, pursuant to subsection (1) of section 29A of the Act;
- (b) completes not less than three years of continuous service before the payment is made; and
- (c) produces to the Commissioner a certificate of her marriage.

(2) Where an officer completes not less than three years of continuous service before the date of her marriage, the lump sum payment shall be paid as soon as practicable after the officer has produced the certificate of her marriage to the Commissioner and shall be calculated having regard to—

- (a) the officer's salary rate as at the date of her marriage; and
- (b) subject to subregulations (4) and (5) of this regulation, the officer's period of continuous service up to the date of her marriage.

(3) Where the officer has not completed three years of continuous service before the date of her marriage, the lump sum payment shall be paid as soon as practicable after the date on which she completes three years of continuous service and shall be calculated having regard to—

- (a) the officer's salary rate as at the date on which she completes three years continuous service; and
- (b) three years of continuous service only.

(4) Any lump sum payment made in accordance with subregulation (1) of this regulation shall not include the money equivalent of any long service leave entitlement attained by an officer pursuant to subsections (1), (2) or (3) of section 56, or section 56A, of the Act.

(5) Where an officer has, prior to her marriage, become entitled to long service leave pursuant to subsections (1), (2) or (3) of section 56, or section 56A, of the Act, that officer shall, for the purposes of this regulation, be deemed to have commenced her period of continuous service for which payment may be made pursuant to this regulation immediately after the day on which she last became so entitled. .

## ELECTORAL ACT, 1907-1967.

Electoral Department,  
Perth, 6th March, 1968.

HIS Excellency the Governor in Executive Council, acting under the powers conferred by the Electoral Act, 1907-1967, has been pleased to make the regulations set out in the Schedule hereunder.

S. E. WHEELER,  
Chief Electoral Officer.

Schedule.  
Regulations.

- Principal regulations. 1. In these regulations the Electoral Act Regulations, 1949, published in the *Government Gazette* on the 10th August, 1949, as amended from time to time thereafter by notices published in the *Government Gazette* and reprinted as so amended in the *Government Gazette* on the 14th February, 1968 are referred to as the principal regulations.
- Reg. 2 amended. 2. Regulation 2 of the principal regulations is amended—  
(a) by deleting the sub-regulation designation "(1)";  
(b) by deleting the passage "Act No. 30 of 1918, s.39 expressions used shall have the same respective meanings as in the Act; Sections referred to are the sections of the Act; Regulations referred to are these regulations."; and  
(c) by revoking sub-regulation (2).
- Reg. 8 amended. 3. Regulation 8 of the principal regulations is amended by substituting for the word "print" in sub-regulation (2), the word "printed".
- Reg. 9 amended. 4. Regulation 9 of the principal regulations is amended by substituting for the figures "50" where occurring in the third and fourth lines, the figures "51", in each case.
- Reg. 21 amended. 5. Regulation 21 of the principal regulations is amended—  
(a) by deleting the heading "Objections to Claims and Enrolments (Sections 47 and 48)";  
(b) by substituting for the words "in writing" in the first line, the words "of hearing"; and  
(c) by substituting for the word "shall" in the fourth line, the word "may".
- Heading to Reg. 26 added. 6. Regulation 26 of the principal regulations is amended by inserting above that regulation the heading "Nominations."
- Regs. 61-64 revoked and substituted. 7. Regulations 61, 62, 63 and 64 of the principal regulations are revoked and the following regulations substituted—  
61. (a) Every person who is an officer within the meaning of that expression as used in the Public Service Act, 1904, may be required by the Governor to act, and when so required, shall act in the capacity of Returning Officer, Deputy or Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, Poll Clerk or Doorkeeper, pursuant to the provisions of the Act.  
(b) Those persons when so acting, and all officers appointed pursuant to the provisions of the Act, shall be entitled to receive and retain the appropriate fees or allowances prescribed in these regulations.  
(c) (i) The fees payable to Returning Officers, Deputy Returning Officers, Presiding Officers, Assistant Presiding Officers, Poll Clerks, Doorkeepers and other officials shall be as follows:—
- |   |        |
|---|--------|
| Returning Officer (Legislative Assembly)— | \$     |
| Contested Election                        | 120.00 |
| Uncontested Election                      | 30.00  |
| Returning Officer (Legislative Council)—  |        |
| Contested Election                        | 130.00 |
| Uncontested Election                      | 30.00  |

Deputy Returning Officer—	\$
Contested Election .....	115.00
Uncontested Election .....	25.00
Assistant Returning Officer who presides at a polling place appointed as a counting place (including fee for presiding). Plus 60 cents fee for each additional polling place from which ballot boxes are forwarded to his counting place .....	26.00
<p>The 60 cents fee for each additional polling place from which ballot boxes are forwarded to his counting place will not be payable to an Assistant Returning Officer at a polling place at which a count is conducted by the Returning Officer or Deputy Returning Officer.</p>	
Assistant Returning Officer appointed under the provisions of section 141 for the purpose of counting votes at a counting place at a conjoint election, and who does not preside at a polling place appointed as a counting place. This includes the fee for any other position held .....	24.00
Assistant Returning Officer appointed under the provisions of section 142A for the purpose of counting absent and postal votes and votes cast pursuant to section 122A of the Act—provided that this fee shall not be paid to officers of the State Electoral Department, who are paid overtime in accordance with regulation 62 .....	24.00
Presiding Officer in charge of Polling Place—	
Where there are more than eight tables .....	18.30
Where the number of tables exceeds two but does not exceed eight .....	17.30
Where the number of tables does not exceed two .....	16.30
Assistant Presiding Officer .....	14.30
Poll Clerk .....	12.30
Doorkeeper .....	11.30

(ii) Where, in any district, more than twenty polling places have been appointed for a Council or an Assembly Election, the Returning Officer or Deputy Returning Officer, as the case may be, shall be paid in addition to the fee prescribed in subparagraph (i) of this paragraph a further fee of \$1.30 for every polling place in excess of twenty.

(iii) Except as provided in sub-paragraph (vii) and (viii) of this paragraph, where an officer simultaneously holds more than one position under the Act in respect of each of which fees by way of remuneration are prescribed, he shall be entitled only to the fee for that position for which the highest fee is prescribed, where the duties of all of the positions can be performed simultaneously.

(iv) The fees prescribed in sub-paragraph (i) of this paragraph for Presiding Officers, Assistant Presiding Officers, Poll Clerks and Doorkeepers shall cover all services performed between the hours of 7.30 a.m. and 8.30 p.m. on polling day.

(v) Subject to the provisions of paragraph (e) of this regulation, the fees prescribed in subparagraph (i) of this paragraph for Returning Officers and Deputy Returning Officers shall cover all services required by the Act or by regulation, to be performed by the officer in connection with an election and includes subsistence for polling day and for an Assistant Returning Officer all services required on polling day.

(vi) Where an officer does not reside in the district for which he has been appointed as Returning Officer, Deputy Returning Officer or Assistant Returning Officer, if he is required to travel to the district to which he has been appointed prior to the day of the election for the purpose of performing his duties, he shall be paid a travelling allowance in accordance with regulation 64 for the whole period of his absence from his residence in connection with those duties.

(vii) When an election for the Legislative Council is held on the same day as an election for the Legislative Assembly, and the Returning Officer for the Legislative Assembly District is also Returning Officer or Deputy Returning Officer for the Legislative Council Province for the purposes of those elections, and he carries out duties in relation to both elections, the following provisions apply:—

- (a) If both elections are contested or uncontested he is entitled to be paid the appropriate fee prescribed in subparagraph (i) of this paragraph for a Returning Officer for the Legislative Assembly and 50 per cent. of the appropriate fee prescribed for his office in relation to the election for the Legislative Council.
- (b) If one of the elections is contested and the other is uncontested, he is entitled to be paid the fee prescribed in subparagraph (i) of this paragraph for his office in relation to the contested election and 50% of the appropriate fee prescribed for his office in relation to the uncontested election.

(viii) Where a Returning Officer or Deputy Returning Officer for a Legislative Council Province carries out duties in relation to two Legislative Council elections in the same day in respect of the same province:—

- (a) If both elections are contested or uncontested he is entitled to be paid the appropriate fee prescribed in subparagraph (i) of this paragraph for his office in relation to one of the elections and 50% of that fee in relation to the other election.
- (b) If one of the elections is contested and the other is uncontested, he is entitled to be paid the fee prescribed in subparagraph (i) of this paragraph for his office in relation to the contested election and 50 per cent. of the appropriate fee prescribed for his office in relation to the uncontested election.

(d) The fees payable to officers engaged on the scrutiny and count of votes shall be as follows—

Returning Officers, Deputy Returning Officers and Assistant Returning Officers—for every 100 votes counted or part thereof ... ..	\$ 0.20
---	---------

Assistant Returning Officers appointed under section 142A of the Act (but excluding officers of the State Electoral Department who are paid overtime in accordance with regulation 62) in addition to the fee prescribed in paragraph (c) of this regulation for every 100 votes counted or part thereof ... ..	0.20
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Where preference votes are counted they shall be regarded as additional votes for the purpose of assessing the fee to be paid.

Per  
Hour.  
\$

Presiding Officers, Assistant Presiding Officers and Poll Clerks, but when the work is performed on a Sunday the rate shall be increased to \$2.20 per hour.	1.65
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Assistant Returning Officers engaged on the scrutiny and count of votes on a Sunday or on any other day following polling day shall be paid the rate prescribed for a Presiding Officer, but the fee shall not be paid to officers of the State Electoral Department who are paid overtime in accordance with regulation 62.

Doorkeepers ... ..	1.30
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Calculation of payment for time worked shall be made on a half-hourly basis.

Telephonists and other Officers.—Telephonists and other officers engaged in the reception and recording of the results of the poll at the Head Office Tally Room, with a minimum payment for four hours ... ..	1.65
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(e) (i) For the purposes of this paragraph, "authorised service" means service for which an application has been made through the Chief Electoral Officer to the Minister and by him approved, and after authority has been duly communicated by the Chief Electoral Office in writing or by telegraph to the officer making application.

(ii) Where officers are required prior or subsequent to the day of an election to perform in relation to the election, any authorised service referred to in this paragraph, those officers shall be entitled for the service to a special fee in accordance with the following scale:—

Officers.		
Returning Officers and Deputy Returning Officers—		\$
Per hour	.....	1.65
Assistant Returning Officers, Presiding Officers and Assistant Presiding Officers—		
Per hour	.....	1.35
Poll Clerks—		
Per hour	.....	1.05

(f) Persons who are officers within the meaning of that expression as used in the Public Service Act, 1904, when acting as Returning Officers, Deputy Returning Officers, Assistant Returning Officers, Presiding Officers, Assistant Presiding Officers, Poll Clerks, or Doorkeepers on the day of an election shall be deemed to be absent from their public service offices on leave of absence with payment of salary in respect of those officers.

62. When on the day of an election or on any Sunday next following the election, or after the ordinary working hours as provided by Public Service Regulations on any subsequent day, until the result of the election has been ascertained any member of the staff of the State Electoral Department is instructed by the Chief Electoral Officer to be and remain at the State Electoral Department to carry out his normal duties, or such other duties in connection with the election that may be allotted to him, he shall be paid overtime or granted time off in lieu, as the case may be, as prescribed under the industrial agreement for the time being in force, or from time to time in force, between the Civil Service Association of Western Australia (Incorporated) and the Public Service Commissioner of Western Australia.

In all other cases, when any person is engaged on the staff of the State Electoral Department on the day of an election, he shall, with the approval of the Chief Electoral Officer, be paid the same fees as prescribed by paragraph (c) of the last preceding regulation as those to which he would have been entitled if he had in fact been specially appointed as Presiding Officer, Assistant Presiding Officer, Poll Clerk, or Doorkeeper, for the election.

63. Where in accordance with the provisions of section 156 Returning Officers are required after an election to prepare a list of the electors who failed to vote at the election contrary to the requirements of that section, the Returning Officers shall be entitled to receive and retain for preparing the list a special fee calculated at the rate of \$2.40 for every 500 or portion of 500 votes polled.

64. Officers who are required to travel outside the metropolitan area for the purpose of performing their duties as Electoral Officers shall be entitled to such travelling allowance as is prescribed under the industrial agreement for the time being in force or from time to time in force between the Civil Service Association of Western Australia (Incorporated) and the Public Service Commissioner of Western Australia.

Provided, subject to subparagraph (v) of paragraph (c) of regulation 61, that no transport or meal allowance shall be paid to any officer in respect of the day of the election, but if approved by the Chief Electoral Officer, any expense necessarily incurred by an officer for transport on the day of the election may be recouped to the officer.

8. The Appendix to the principal regulations is amended— Appendix amended.  
 (a) by deleting Form 5 and substituting the following Form:—

(Front)

FORM 5.

STATE ELECTORAL CLAIM FOR LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY ENROLMENT.

Surname.....  
 (in block letters)

Christian Names.....  
 (in full)

Place of Living.....  
 (Give full address, including name and street number (if any) or lot, or Location Number and where situated)

Occupation..... Sex.....

Date and Year of Birth..... Place of Birth.....  
 See back hereof. Particulars relating to birth will not appear on the Roll.

To the Electoral Registrar for the..... Electoral District.

1.—I have lived in the Commonwealth of Australia for six months continuously.  
 2.—I am an inhabitant of Western Australia and have lived therein for three months continuously, and I claim to have my name placed on the Electoral Roll for the abovementioned District as an elector for the Legislative Council and the Legislative Assembly. I now live and have lived in that District for a continuous period of one month immediately preceding the date of this claim.  
 3.—I am not under the age of 21 years. I am a natural-born or naturalised subject of the Queen and am not disqualified for enrolment.  
 4.—I am enrolled for the following address.....

I declare that the whole of the statements made in this claim are true to the best of my knowledge and belief.

*If you claim to have resided in the District for one month when you have not done so, or if you state you are a natural-born or naturalised British Subject when you are not, you are liable to a penalty of not less than \$10 nor more than \$100.*

Personal Signature of Claimant..... Date...../...../19.....

CERTIFICATE OF WITNESS.—I, the undersigned, being an elector or person qualified to be an elector of the Commonwealth or of the Legislative Assembly of Western Australia, certify that I have seen the abovenamed claimant sign this claim, and that I either know the statements contained in the claim to be true, or have satisfied myself by enquiry of the claimant or otherwise that the said statements are true. (Penalty on witness for failure to fully comply with this requirement—\$100.)

Signature of Certifying Witness.....  
 Occupation and Place of Living.....

Before filling in or witnessing this claim carefully read instructions on reverse side.

(Reverse)

Form No. 5 WESTERN AUSTRALIA (Section 42).  
 Electoral Act, 1907-1967

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY ELECTORAL CLAIM

This form must be used only by a qualified person not under the age of 21 years, (a) when claiming enrolment or transfer of enrolment, or (b) when notifying a change of address within the same District, or applying for the correction of any particular of an existing enrolment.

Enrolment may be claimed only for the Electoral District in which the claimant lives.

INSTRUCTIONS TO BE OBSERVED WHEN FILLING IN PARTICULARS ON THE OTHER SIDE OF THIS CLAIM—

1. PLACE OF LIVING.—Full address, including name and street number (if any) of residence, or other particulars which will enable the exact locality of the claimant's place of living to be ascertained, must be inserted.
2. OCCUPATION should be briefly stated, and a female claimant having no definite occupation should fill in "married", "widow", or "spinster" as the case may be.
3. DATE AND YEAR OF BIRTH.—If the date of birth is not known to the claimant and a statement to that effect is made on the claim, the year of birth will be sufficient if it establishes that the claimant is not under 21 years of age.
4. PARAGRAPH 4 should be struck out if claimant is NOT already enrolled.
5. PERSONAL SIGNATURE OF CLAIMANT.—The signature of the claimant must be his personal signature. If unable to sign his name in his own handwriting, he may make his mark as his signature, but such signature must be made in the presence of the person who signs as witness.

DIRECTIONS TO THE PERSON WITNESSING THE SIGNATURE ON THIS CLAIM. THE ELECTORAL ACT, 1907-1967, provides—

Sec. 193.—The person witnessing any claim or application to change the qualification of an elector under this Act shall, if he is not personally acquainted with the facts, satisfy himself by enquiry from the claimant or applicant, that the statements contained in the claim or application are true.

Sec. 207—(1).—The signatures to claims or other forms may be witnessed by an elector, or person qualified to be enrolled as an elector of the Commonwealth Parliament or of the Legislative Assembly of Western Australia.

Any person who witnesses the signature of a claimant without being personally acquainted with the facts, or satisfying himself by enquiry from the claimant or otherwise that the statements contained in the claim are true, is guilty of an offence and liable to a penalty of not exceeding One Hundred Dollars.

	Date Received	Entered on Habitation Index	Date Approved and Enrolled	Registrar's Initials
Registrar's } Notations }				



(b) by deleting Form No. 19 and substituting the following Form:—  
Form 19.

[Regulation 22]

WESTERN AUSTRALIA  
STATE. ELECTORAL ACT, 1907 (AS AMENDED)

To the State Chief Electoral Officer, Perth.

In compliance with the provisions of section 57 of the Electoral Act, 1907 (as amended), I forward a List containing the name of each person not under the age of twenty-one years who—

- (a) during the last preceding three months has been reported under Part VI of the Mental Health Act, 1962, to be incapable of managing his affairs; and
- (b) on the date of the list is an inmate of an approved hospital under that Act.

SURNAME	CHRISTIAN NAMES IN FULL	SEX	AGE	ADDRESS (immediately prior to date of admission)	OCCUPATION (immediately prior to date of admission)

Dated at..... the..... day of....., 19.....  
....., Director, Mental Health Services.

(c) by deleting Form 26 and substituting the following Form:—  
(Front)  
Form 26.

ELECTORAL ACT, 1907-1967

WESTERN AUSTRALIA

SECTION 99A

ABSENT VOTER'S FORM OF DECLARATION

Note.—The term "Election" in this declaration means a Legislative Assembly Election, a Legislative Council Election or a Conjoint Election (i.e., a general election for the Legislative Assembly and the Legislative Council that are both to be held on the same day pursuant to writs issued on the same day).

In the case of a Conjoint Election, only one declaration is required to be made by an elector and that elector is to be issued with the prescribed ballot paper (or ballot papers) for the Conjoint Election.

I declare that I am the person enrolled as—

Surname..... Christian Names in full.....  
(In Block Letters) (In Block Letters)

Residence as enrolled..... Occupation.....  
on the electoral roll for the..... Electoral District; that I am still qualified to vote for that District, and for the..... Electoral Province of which that District forms part; that I have not already voted at either this or any other polling place, or by post, in connection with the election being held this day, and I further declare that if I am permitted to vote at this polling place as an Absent Voter I will not vote elsewhere at this election.

.....  
(Personal signature of elector)

Declared before me this.....day of.....19.....  
at.....  
(Name of Polling Place) Presiding Officer.

Penalty.—If any person wilfully makes any false statement in this declaration he shall be liable to imprisonment for a term not exceeding twelve months.

(Reverse)

ABSENT VOTER'S ENVELOPE  
NOT TO BE OPENED UNTIL SCRUTINY

CHIEF ELECTORAL OFFICER, PERTH

To be deposited in the Ballot Box by the Presiding Officer when he has enclosed herein the envelope containing the Absent Voter's Ballot Paper (or Papers).

## STATE ELECTRICITY COMMISSION ACT, 1945-1966.

## Resolution of Commission.

WHEREAS it is provided by section 29F of the State Electricity Commission Act, 1945-1966, that the Commission may, subject to the approval of the Governor, from time to time amend any term or condition or both of the superannuation scheme established under section 29A of that Act, including any term or condition set out in sections 29A to 29D, inclusive, of the Act: Now, therefore, the Commission hereby resolves that the terms and conditions of the scheme be amended, in the manner, and to the extent, shown in the schedule to this resolution and that those terms and conditions, as so amended, have effect on and after the 1st July, 1967.

## Schedule.

1. For the purposes of this Schedule, "the scheme" means the scheme set forth in the Second Schedule to the City of Perth Scheme for Superannuation (Amendments Authorisation) Act, 1941, and subsequently amended by Acts Nos. 30 of 1946 and 54 of 1947 and by by-laws made pursuant to Act No. 14 of 1934 and by resolutions of the Commission made pursuant to S.29F of the State Electricity Commission Act, 1945-1966.

2. Clause 8 of the scheme is amended—

(a) by adding, immediately after paragraph (d) of subclause (1), the following paragraph:—

(e) Without affecting any supplementary allowance granted under the provisions of section 29B of the State Electricity Commission Act, 1945, on and after the 1st day of July, 1967, the superannuation allowance calculated in accordance with paragraphs (a) to (d), inclusive, of this subclause is increased by 33½ per centum of the allowance obtaining prior to that date. ;

(b) by revoking subclause (2) and substituting the following subclause:—

(2) The superannuation allowance to be made to a wages employee who is a contributor under the scheme shall be made out of the superannuation fund, at the rate of one dollar and sixty-seven cents, per week. ;

(c) by substituting for the word, "which", in paragraph (A) of subclause (3), the following passage, " , calculated in accordance with subclause (1) of this clause, that" ;

(d) by substituting for the passage, "under subclause (1) of this clause", in paragraph (B) of subclause (3), the passage, " , calculated in accordance with subclause (1) of this clause," ; and

(e) by substituting for the words, "seventy-eight cents", in subclause (4), the words, "one dollar and four cents".

Passed at a meeting of the State Electricity Commission of Western Australia this 8th day of February, 1968.

ALEX REID,  
Chairman.

J. G. BLOCKLEY,  
Secretary.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Albany.

By-laws Relating to Zoning.

Amendment—By-law No. 19.

L.G. 548/66.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned municipality hereby records having resolved on the 14th day of August 1967 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* of the 19th July, 1956, be amended as follows:—

Seventh Schedule—Rural Areas: Insert new clause (k). "All that portion of land being Lot 2 of Lot 1 of Location 222 Albany Highway and Chester Street."

Dated this 24th day of January, 1968.

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

S. H. KNIGHT,  
Mayor.  
F. R. BRAND,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

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IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned municipality hereby records having resolved on the 14th day of August 1967 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* of the 19th July, 1956, be amended as follows:—

Eleventh Schedule—Drive-In Theatre Area: Amendment contained in Government Gazette No. 45 dated 31st May, 1960, be further amended to insert after the word "area" in line ten the words "Lot 3 of".

Dated this 24th day of January, 1968.

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

S. H. KNIGHT,  
Mayor.  
F. R. BRAND,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
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LOCAL GOVERNMENT ACT, 1960.  
The Municipality of the Town of Albany.  
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Amendment—By-law No. 19.

L.G. 548/66.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned municipality hereby records having resolved on the 14th day of August 1967 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* of the 19th July, 1956, be amended as follows:—

Add to Twelfth Schedule—Motel Area: "all land being Albany Lots 29 and 31 and 50 and 51 of Location 220 South Coast and Albany Highways."

Dated this 24th day of January, 1968.

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

S. H. KNIGHT,  
Mayor.  
F. R. BRAND,  
Town Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.  
The Municipality of the Shire of Canning.

By-laws Amending By-laws Classifying South, Central, North and West Wards.  
L.G. 539/66.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 26th September, 1967, to make and submit for confirmation of the Governor, the following by-laws:—

The by-laws of the Shire of Canning published in the *Government Gazette* on the 13th February, 1957, as amended from time to time thereafter, be amended as follows:—

The First Schedule (Residential Zones) is amended by the addition of the words "and eleventh" before the word "schedules".

The Eleventh Schedule (Special Zones) is amended by the addition thereto of the following:—

Manning Road—Portion of Canning Location 2 and being Lots 33, 34 and 35, on Diagram 20904 to be used as a Nursery and Plant Farm.

Dated the 18th day of December, 1967.

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

[L.S.]

E. CLARK,  
President.  
J. GLENNIE,  
Acting Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Broome.

Adoption of Draft Model By-laws (Control of Hawkers) No. 6.

L.G. 392/66.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 15th day of August, 1966, to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 23rd day of July, 1962, Local Government Model By-law (Control of Hawkers) No. 6, with such alterations and additions as are here set out:—

1. In these by-laws—

- “Council” means the Council of the Shire of Broome;
- “District” means the Municipal District of the Shire of Broome;
- “Hawker” means a person as defined in Section 217 of the Local Government Act, 1960 (as amended);
- “Licensee” means a person to whom a license is granted under these by-laws;
- “License” means a Hawker’s License issued pursuant to these by-laws; and
- “Clerk” means the Shire Clerk or the person acting for the time being in that capacity.

2. Clause 9—Sub-clause (1) to read “The Council shall not in any Financial Year issue more than 8 licenses and shall not issue licenses for hawking special classes of goods in excess of the following:—

In Townsites.		No. of Licenses.
(a) Clothing, clothing materials and manchester goods	....	1
(b) Electrical goods	....	1
(c) Other merchandise	....	2
Outside Townsites.		No. of Licenses.
(a) Clothing, clothing materials and manchester goods	....	1
(b) Electrical goods	....	1
(c) Other merchandise	....	2

3. Clause 11 to be amended by deleting subclause (a) and that subclauses (b), (c), (d) and (e) become subclauses (a), (b), (c), (d), respectively.

4. The first schedule is amended by deletion in line 7 of the word “year” and substituting for it the word “Period”.

5. The Second Schedule is amended to read: —

Second Schedule.  
FEES FOR HAWKER’S LICENSES.

Class of License.	6-monthly within Shire.
	\$
(a) Clothing, clothing material and manchester	20
(b) Electrical goods	20
(c) Ice cream, ice blocks, ices	20
(d) Other	20

Dated this 6th day of February, 1968.

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

[L.S.]

P. A. HAYNES, J.P.,  
President.  
O. D. DRYSDALE,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,

**LOCAL GOVERNMENT ACT, 1960.**  
Municipality of the Shire of Broome.

Adoption of Draft Model By-laws Relating to Standing Orders (No. 4).  
L.G. 391/66.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 21st day of March, 1966, to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 12th day of December, 1961, 25th day of January, 1962, and the 8th day of May, 1962, Local Government Model By-laws (Standing Orders), No. 4 with such alterations and additions as are here set out:—

1. The word "President" to be substituted for the word "Mayor" wherever appearing.
2. Clause 6 in line 3 the words "of two minutes" to be deleted and replaced with the words "At the President's discretion".
3. Clause 10 is deleted and re-enacted as follows:—
  10. The order of business at an Ordinary Meeting of Council shall, unless for the greater convenience of the Council altered by resolution to that effect, be as nearly as is practicable as follows, that is to say:—
    - (i) Announcements by President without discussion.
    - (ii) Confirmation of Minutes.
    - (iii) Report of Medical Officer of Health.
    - (iv) Shire Clerk's Report.
    - (v) Engineer's Report.
    - (vi) Report of Committees and/or Officers.
    - (vii) Correspondence.
    - (viii) Accounts for payment.
    - (ix) General Business.
4. Clause 36, subclause (1) to read "Any member may of right require the production of any of the documents, books of account or records of the Council relating to the question or matter under discussion".
5. Clause 88 (2) Before word "Councillors" insert word "Two".
6. Clause 51 (2) Delete.
7. Clause 88 (5) Delete.
8. Clause 90 (5) Delete.
9. Clause 93, subclause (1) to read "At any meeting of a Committee, a quorum shall consist of not less than the chairman and one Member".
10. A new clause 100 is inserted to read—
 

Officers—Complaints.

100. All complaints, whether by a member of the Council or by any other person, concerning the ability, character or integrity of any officer of the Council or of any act or omission of such officer, shall be made in writing to the President, signed by the person or persons complaining. The President shall direct the complaint to the appropriate standing committee for investigation and report to the Council. The Officer concerned shall be permitted to reply to the complaint either personally or in writing to the Committee, and, with the consent of the Council, to the Council itself.

A summary of any such complaint, and any reply thereto, shall be entered in the appropriate minutes.
11. Repeal of By-Laws—All By-laws for Standing Orders in existence prior to this date are hereby repealed.

Dated this Sixth day of February, 1968.  
The Common Seal of the Shire of Broome was  
affixed hereto in the presence of—

P. A. HAYNES, J.P.,  
President.  
O. D. DRYSDALE,  
Shire Clerk.

[L.S.]

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Exmouth.

Adoption of Amendment to by-law No. 1 of the abovementioned Municipality, Relating to the Control and Management of Caravan Parks and Camping Areas.

L.G. 324/64.

IN pursuance of the powers conferred upon it by the above Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 16th day of November, 1967, to make and submit for confirmation of the Governor, the following amendments to By-law No. 1:—

1. Delete the whole of subclause (a) of clause 5 and substitute the following new subclause (a):—

The licensee named therein shall pay to the Council a fee equal to the sum of Seven Dollars in respect of every period of seven days or part thereof during which the license is to be current, with the addition of the sum of twenty-five cents to cover the cost of license. Provided, however, that if the period during which such license is to be current is less than five days, the fee to be paid hereunder shall be One Dollar in respect of every day or part thereof comprised in such period, with the addition of the sum of twenty-five cents. The fees will be paid in advance for periods of fourteen days, and for periods of less than five days for the period of stay in the Caravan Park. In addition to the fees prescribed a deposit of Two Dollars is payable on the following items if provided by the Council.

- (a) Rubbish Receptacles.
- (b) Tie Down Ropes.

2. Delete the whole of subclause (a) of Clause 6 and substitute the following new clause (a):—

The Licensee named therein shall pay to the Council a fee equal to the sum of Seven Dollars in respect of every period of seven days or part thereof during which the license is to be current, with the addition of the sum of twenty-five cents to cover the cost of license. Provided, however, that if the period during which such license is to be current is less than five days, the fee to be paid hereunder shall be One Dollar in respect of every day or part thereof comprised in such period, with the addition of the sum of twenty-five cents. The fees will be paid in advance for periods of fourteen days, and for periods of less than five days for the period of stay in the Caravan Park. In addition to the fees prescribed a deposit of Two Dollars is payable on the following items if provided by the Council.

- (a) Rubbish Receptacles.
- (b) Tie Down Ropes.

The Common Seal of the Municipality was

hereunto affixed on the 3rd day of January, 1968, in the presence of—

[L.S.]

J. K. MURDOCH,  
Commissioner.  
S. J. DELLAR,  
Shire Clerk.

Recommended—

L. A. LOGAN,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of February, 1968.

W. S. LONNIE,  
Clerk of the Council.

## INDUSTRIAL ARBITRATION ACT, 1912-1966.

Department of Labour,  
Perth, 27th February, 1968.

HIS Excellency the Governor in Executive Council, acting in pursuance of the provisions of section 179 of the Industrial Arbitration Act, 1912-1966, has been pleased to make the regulations set forth in the schedule hereunder.

C. A. REEVE,  
Secretary for Labour.

## Schedule.

## Regulations.

- |  |   |
|--|---|
| Citation.  | 1. These regulations may be cited as the Industrial Arbitration Act (Industrial Magistrates) Regulations, 1968.   |
| Interpretation.  | 2. In these regulations, unless the contrary intention appears—<br>“Court” means the Western Australian Industrial Appeal Court constituted under the Act;<br>“Industrial Magistrate” means a stipendiary magistrate appointed under section 103 of the Act to be an Industrial Magistrate for the purposes of the Act;<br>“Registrar” means the Registrar of Industrial Unions under the Act;<br>“the Act” means the Industrial Arbitration Act, 1912.   |
| <i>Vide s. 14<br/>Act No. 30 of<br/>1918.</i><br>Proceedings before Industrial Magistrate. | 3. (1) Subject to the Act and subregulation (2) of this regulation, proceedings before an Industrial Magistrate and in particular the making of a complaint, the issue of a summons, the summoning of witnesses, the fees to be paid relating to any matter, the taking of evidence, the hearing and determination of a complaint and the costs and allowances to parties and witnesses shall be, with such modifications as circumstances require, those prescribed by the Justices Act, 1902, in respect of proceedings before justices for a simple offence.<br>(2) A complaint for hearing by an Industrial Magistrate may be made before and a summons may be issued by the Registrar or Clerk to the Industrial Magistrate, or any Justice of the Peace or Clerk of Petty Sessions, irrespective of his jurisdiction. |
| Forms of complaint and summons.  | 4. (1) A complaint shall be in the form or to the effect of Form 1 in these regulations.<br>(2) A summons to a defendant shall be in the form or to the effect of Form 2 in these regulations.<br>(3) A summons of a witness shall be in the form or to the effect of Form 3 in these regulations.  |
| Certificate required if complainant an industrial union.                                   | 5. Where the person making a complaint to be heard by an Industrial Magistrate is an industrial union, the complaint shall be accompanied by a certificate in the form or to the effect of Form 4 in these regulations.   |
| Representation before Industrial Magistrate. Praecipe for warrant of execution.            | 6. The provisions of the Act as to representation of parties before the Court apply to proceedings before an Industrial Magistrate.<br>7. Before issuing a warrant of execution or a warrant of commitment the person issuing the warrant may require the person applying for its issue to furnish to him a praecipe in the form or to the effect of Form 5 in these regulations.   |
| Execution.   | 8. (1) Any fine, penalty, or costs directed to be levied by execution, and also any sum of money or costs payable under any award, order or judgment of an Industrial Magistrate, shall be recoverable by warrant of execution in the form of Form 6 or 7 in these regulations, as the case requires.   |



(2) A police officer, under a warrant of execution, may seize and take and cause to be sold any goods (which term includes cheques, bills of exchange, promissory notes, specialties, or other securities for money) that the person against whom the warrant was issued is or may be possessed of or entitled to or has power to assign or dispose of, except that the following goods to the value of \$60 are protected from seizure, namely—

wearing apparel of that person and of his wife and each member of his family dependent on him; household furniture and effects; implements of trade; all beds and bedding and family photographs and portraits.

(3) (a) The police officer shall hold any cheques, bills of exchange, promissory notes, specialties, or other securities for money that are seized or taken under the warrant of execution, as a security for the amount directed to be levied under the warrant, or so much thereof as has not been otherwise levied or raised for the benefit of the execution creditor, and may receive any moneys payable by virtue of any such instrument from the person liable under it.

(b) The police officer may sue in the name of the person against whom the warrant of execution was issued, or in the name of any person in whose name the debtor might sue, for the recovery of the sums secured or made payable by any such instrument when the time of payment thereof arrives.

(c) Any money paid to the police officer or recovered in an action brought by him in respect of any such instrument shall be paid into the Registrar by him.

(4) (a) A sale of goods that are taken in execution shall not, unless the goods are of a perishable nature, be made until after the expiration of the five days at least next following the day on which the goods were taken, except upon the request in writing of the person whose goods are taken.

(b) Until the sale, the goods shall be deposited by the police officer in some fit place or they may remain in the custody of a fit person approved by the police officer to be put in possession by him.

(5) The police officer may deduct out of the amount realised by the sale, the costs incurred in the execution of any warrant of execution and all costs and charges actually incurred in effecting the sale, and shall render to the owner the surplus (if any) after retaining the amount of the sum for which the warrant was issued and the proper costs and charges of the execution of the warrant.

(6) A written account of the costs and charges incurred in respect of the execution of any warrant of execution shall be sent by the police officer to the Registrar, and the person against whom the warrant was issued may, at any time within one month after the levy, inspect the account at any reasonable time and take a copy thereof.

(7) (a) A writ or warrant of execution issued under the Act has the same effect against any property (including land under the Transfer of Land Act, 1893) as a writ of *feri facias* issued out of the Supreme Court.

(b) Section 133 of the Transfer of Land Act, 1893 applies to a sale under a writ or warrant of execution issued under the Act, and that section and the schedules therein referred to shall, in relation to any such sale, be read as if the words "warrant of execution issued out of the Court" were inserted in place of "writ of *feri facias* issued out of the Supreme Court"; and as if the word "sheriff" included the police officer effecting the sale.

9. (1) When the police officer has returned that he can find no goods or no sufficient goods to satisfy a warrant of execution issued under regulation 8 of these regulations, and that the sum to be levied remains wholly or partially unsatisfied, then a warrant may be issued in the form of Form 8 or Form 9 in these regulations as the case requires for the imprisonment of the offender in accordance with the scale set forth in section 167 of the Justices Act, 1902.

Commitment.

(2) Where the Court has ordered that a person be committed to prison—

- (a) in default of payment of a penalty or fine, then a warrant shall be issued in the form of form 10 in these regulations;
- (b) upon making a conviction, then a warrant shall be issued in the form of Form 11 in these regulations.

(3) The police officer to whom a warrant is directed shall convey the person therein named or described to the prison or other place mentioned in the warrant and there deliver him, together with the warrant, to the superintendent or keeper of such prison or place, who shall thereupon give the police officer delivering the prisoner into his custody a receipt for the prisoner in the form of Form 12 in these regulations setting forth the state and condition in which the prisoner was at the time he was delivered into the custody of the superintendent or keeper.

(4) The superintendent of any prison to which any person has been committed under a warrant in Form 8 or 9 shall discharge the person—

- (a) on payment to him of the fine or penalty or costs or such part thereof as remains unpaid;
- (b) on receipt of a certificate from the Registrar that the fine or penalty or costs, or the part remaining unpaid, has been paid or realised;
- (c) if the fine or penalty or costs, or any part thereof remains unpaid or unrealised after he has suffered the period of imprisonment set forth in the warrant of commitment or such portion thereof corresponding with the unpaid part of the fine or penalty or costs.

Procedure for issue of warrants of execution and commitment.

10. A warrant of execution and commitment shall be prepared by the person seeking to issue it, and shall be presented in duplicate to the Registrar who shall procure the signature of the Industrial Magistrate, or sign it, and shall affix the seal of the Court thereto, and issue a duplicate for lodgment with the police officer or other official to whom it may be directed.

Crown not bound by regulations.

11. Nothing in regulations, 8, 9, and 10 of these regulations applies to the Crown in right of the State.

Order for sum of money or costs enforceable by warrant of execution.

12. Where an order is made by an Industrial Magistrate directing the payment of any sum of money or costs, he may direct that the order shall be enforced in the manner provided by regulation 8 of these regulations and thereupon the proceedings provided for in that regulation may be taken.

Warrants in relation to industrial unions.

13. Where it is made to appear to an Industrial Magistrate that the party entitled to payment has made all due efforts by the methods of execution hereinbefore provided to recover payment of a fine, penalty, sum of money or costs adjudged to be paid by an industrial union, the Industrial Magistrate may, on application, if satisfied that the party so applying is entitled to execution, make an order in such terms as may appear to him to be proper, granting leave to the applicant to proceed under any of the foregoing regulations against any member or members of the industrial union (or the members of an industrial union represented on an association) or may order any issue or question necessary to determine the rights of the parties to be tried as may to him appear best, but no member shall be made liable under any such order to a contribution of more than twenty dollars.

Enforcement of orders against members of union.

14. Any order under regulation 13 of these regulations shall be enforced in the same way as if such member or members had been convicted by an Industrial Magistrate of an offence and ordered to pay a fine or penalty of the amount mentioned in the order, and the Industrial Magistrate may make all orders and give all directions necessary for this purpose.

Form 1 (Reg. 4).

Industrial Arbitration Act, 1912, as amended.

Before the Industrial Magistrate at.....

No.....

Between

.....

.....

Complainant,

and

.....

.....

Defendant.

COMPLAINT.

(Breach of Award or Industrial Agreement)



The Complaint of.....of....., in the State of Western Australia made this.....day of..... 19....., before.....one of Her Majesty's Justices of the Peace (or the Registrar of Industrial Unions or a Clerk of Petty Sessions or Clerk to Industrial Magistrate) who says that on the.....day of....., 19....., at.....\*..... of..... †..... being a party bound by Award (or Industrial Agreement) No.....of.....19....., has committed a breach thereof in that

(Here set out breach complained of.)

Now, therefore, the Complainant hereby applies to the Industrial Magistrate sitting at.....for the enforcement of the said Award (or Industrial Agreement).

Signed by or on behalf of the abovenamed Complainant.

.....

.....

Made before me the day and year first abovementioned at..... in the said State.

.....

Justice of the Peace.

(Or the Registrar of Industrial Unions or a Clerk of Petty Sessions or Clerk to Industrial Magistrate.)

\* Name in full and occupation of Defendant to be stated.

† Set out full address of Defendant.

Form 2 (Reg. 4).

Industrial Arbitration Act, 1912, as amended.

Before the Industrial Magistrate at.....

No.....

Between

.....

.....

Complainant,

and

.....

.....

Defendant.

SUMMONS TO DEFENDANT.

Breach of Award or Industrial Agreement.

To.....of.....

Whereas a Complaint has on the.....day of.....19....., been made before the undersigned, one of Her Majesty's Justices of the Peace (or the Registrar of Industrial Unions or a Clerk of Petty Sessions or Clerk to Industrial Magistrate), by.....that you being a party bound by Award (or Industrial Agreement) No.....of....., on the.....day of....., 19....., at..... committed a breach thereof in that (here set out breach complained of) and the Complainant applies for the enforcement of the said Award (or Industrial Agreement).

These are therefore to command you in Her Majesty's name to appear at.....on the.....day of....., 19....., at.....o'clock in the.....noon before the Industrial Magistrate to answer the said Complaint and to be further dealt with according to law.

Given under my hand at.....this.....day of....., 19.....

Justice of the Peace.

(Or the Registrar of Industrial Unions or a Clerk of the Petty Sessions or Clerk to Industrial Magistrate.)

ENDORSEMENT OF SERVICE.

On the.....day of....., 19....., at..... I served the within named.....with the within Summons by delivering a duplicate of it to him personally (or by leaving a duplicate of it for him with.....at.....his last known place of abode).

(Signature.)

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

Form 3 (Reg. 4).  
Industrial Arbitration Act, 1912, as amended.  
Before the Industrial Magistrate at.....

Between ..... No.....  
.....  
.....  
Complainant,  
and  
.....  
Defendant.

SUMMONS OF A WITNESS.  
(Breach of Award or Industrial Agreement.)

To ..... of.....  
Whereas a Complaint was on the ..... day of.....  
19....., made before one of Her Majesty's Justices of the Peace (or the  
Registrar of Industrial Unions or a Clerk of Petty Sessions or Clerk to Indus-  
trial Magistrate) by..... that..... of.....  
committed a breach of Award (or Industrial Agreement) No..... of  
..... in that (here set out breach complained of).

These are therefore to require you to appear at..... on  
the..... day of....., 19....., at.....  
o'clock in the..... noon before the Industrial Magistrate to testify  
what you know concerning the matter of the said Complaint: And you are  
further required to bring with you and produce at the same time and place  
abovenamed the following documents:—  
.....

Given under my hand at..... in the said State this .....  
day of....., 19.....

Justice of the Peace.

(Or the Registrar of Industrial Unions or a Clerk of the Petty Sessions or  
Clerk to Industrial Magistrate.)

ENDORSEMENT OF SERVICE.

On the..... day of....., 19....., at.....  
I served the within named..... with the within Summons by  
delivering a duplicate of it to him personally (or by leaving a duplicate of  
it for him with..... at..... his last known place of  
abode).

(Signature.)

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

Form 4 (Reg. 5).  
Industrial Arbitration Act, 1912, as amended.  
Before the Industrial Magistrate at.....

CERTIFICATE.

I, ....., of....., do hereby certify  
as follows:—

1. I am the..... of the.....  
Industrial Union.

2. On the..... day of....., 19.....,  
a meeting of the governing body of the said union was duly held at.....  
at which the following resolution was submitted and passed by a majority of  
the members thereof qualified to vote who were present at the said meeting:—  
.....

(Here insert copy of resolution.)

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

(Signature.)

Form 5 (Reg. 7).

Industrial Arbitration Act, 1912, as amended.

PRAECIPE FOR WARRANT OF EXECUTION OR COMMITMENT.

No.....of 19.....

In the Western Australian Industrial Appeal Court.

FEEES.

		\$
Warrant	....	
Execution	....	
Mileage	....	
Receipt No.	....	_____

Between

.....  
 .....  
 Complainant,  
 and  
 .....  
 Defendant.

PLEASE ISSUE Warrant of Execution (or Commitment) against the above-named Complainant (or Defendant) for the sum of \$..... as under, being the amount of Order or part of same made the.....day of .....19....., before.....Industrial Magistrate at.....

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

.....  
Complainant or Defendant.

Amount of Order:

		\$	\$
Fine	....		
Wages	....		
or			_____

In the following periodical payments, namely:—

Payment due on	....	
Payment due on	....	
Payment due on	....	

In payment for costs of the sum of ....

Deduct amount paid since Order ....

Total overdue .... \$

Received at.....a.m./p.m. on the.....day of.....19.....

With fees as above.

Warrant issued...../...../19.....

.....  
Registrar of Industrial Unions,

Form 6 (Reg. 8).  
Industrial Arbitration Act, 1912, as amended.  
IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT.

Between .....  
.....  
Complainant,  
and  
.....  
Defendant.

WARRANT OF EXECUTION AGAINST DEFENDANT.

TO the principal police officer at.....in the State of Western Australia, and to all other police officers in the said State.

Whereas on the.....day of.....19..... on the hearing of a complaint made by the complainant against the defedant that\*

\* Nature of complaint briefly.

the Industrial Magistrate convicted the defendant and adjudged that for his offence he should forfeit and pay the sum of \$.....and should pay to....., the worker, the sum of \$....., the difference between the amount paid and that which should have been paid to the worker under the said Award (Industrial Agreement) and should also pay the sum of \$.....for costs, and it was thereby ordered that if the said several sums were not paid forthwith (on or before the.....day of.....19.....) the same should then be levied by execution against the goods and chattels of the defendant. And whereas default has been made in payment of the order (or part thereof) THESE ARE THEREFORE TO COMMAND YOU THE SAID POLICE OFFICERS FORTHWITH to make and levy by distress and sale of the goods of the defendant wheresoever they may be found (excepting so much of the goods of the defendant as are protected by Section 102 of the Act†) the sum stated at the foot of this warrant being the amount due to the complainant under the said conviction, including the costs of this execution; and to pay what sum you shall have so levied to the Registrar of Industrial Unions, and make return of what you have done under this warrant immediately upon the execution thereof.

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

By the Court,

.....  
Industrial Magistrate/Registrar of  
Industrial Unions.  
(See over.)

(Seal)

(Reverse Side.)

Amount directed to be paid under conviction	.....	.....	.....	.....	\$
Since paid	.....	.....	.....	.....	.....
Remaining due	.....	.....	.....	.....	.....
Fees for issuing and executing this warrant	.....	.....	.....	.....	.....
Any additional fees for executing this warrant	.....	.....	.....	.....	.....
Total amount to be levied	.....	.....	.....	.....	\$

NOTICE: The goods are not to be sold until after the end of five days next following the day on which they were seized, unless they be of a perishable nature, or at the request in writing of the defendant.

Application was made to the Registrar for this warrant.....minutes past the hour of.....in the.....noon of the.....day of.....19.....

.....  
Industrial Magistrate/Registrar of  
Industrial Unions.

† The following goods to the value of \$60 are protected from seizure by section 102:—  
(a) Wearing apparel of the defendant and of his wife and of each member of his family dependent upon him.  
(b) Household furniture and effects.  
(c) Implements of trade.  
(d) Family photographs and portraits.

Form 7 (Reg. 8).
Industrial Arbitration Act, 1912 as amended.
IN THE WESTERN AUSTRALIAN INDUSTRIAL
APPEAL COURT.

No.....of 19.....
Between
Complainant,
and
Defendant.

WARRANT OF EXECUTION FOR COSTS AGAINST COMPLAINANT.
TO the Principal Police Officer at ..... in the State of Western
Australia, and to all other police officers in the said State.
WHEREAS on the ..... day of ..... 19....., on the
hearing of a complaint made by the Complainant against the defendant that
..... (identify case) ..... the Industrial Magistrate
dismissed the complaint and ordered that the complainant should pay the
defendant forthwith (or on or before the ..... day of .....
19.....), the sum of \$..... for defendant's costs in connection with the
said complaint. And whereas default has been made in payment according to
the said order THESE ARE THEREFORE TO REQUIRE AND ORDER YOU
FORTHWITH to make and levy by distress and sale of the goods of the com-
plainant wheresoever they may be found within the State (excepting so much
of the goods of the complainant as are protected by Section 102 of the Act\*), the
sum stated at the foot of this warrant being the amount due to the defendant
under the said order, including the costs of this execution, and to pay what you
shall have so levied to the Registrar, and make return of what you may have
done under this warrant immediately upon the execution thereof.

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

By the Court,

(Seal).

Industrial Magistrate/Registrar of
Industrial Unions.
(See Over).

(Reverse side)

Table with columns for descriptions and amounts. Rows include: Amount of the order, Since paid, Remaining due, Fees for issuing and executing this warrant, Any additional fees for executing this warrant, Total amount to be levied.

NOTICE: The goods are not to be sold until after the end of five days next
following the day on which they were seized, unless they be of a perishable
nature or at the request in writing of the complainant.

Application was made to the Registrar for this warrant .....
minutes past the hour of ..... in the ..... noon of
the ..... day of ..... 19.....

Industrial Magistrate/Registrar of
Industrial Unions.

\* The following goods to the value of \$60 are protected by section 102:—
(a) Wearing apparel of the complainant, of his wife and of each member of his family
dependent upon him.
(b) Household furniture and effects.
(c) Implements of trade.
(d) Family photographs and portraits.



Form 8 (Reg. 9).  
Industrial Arbitration Act, 1912 as amended.  
IN THE WESTERN AUSTRALIAN INDUSTRIAL  
APPEAL COURT.

Between ..... No..... of 19.....  
.....  
Complainant,  
and  
.....  
Defendant.

WARRANT OF COMMITMENT FOR WANT OF EXECUTION.

TO the principal police officer at ..... in the State of Western  
Australia, and to all other police officers in the said State, and to the Super-  
intendent of Her Majesty's Prison at ..... in the said State.

Whereas ..... of ..... in the State of Western  
Australia was on the ..... day of ..... 19....., con-  
victed before ..... Industrial Magistrate at ..... for  
that he did \* .....

and it was adjudged that the defendant ..... for his offence should  
forfeit and pay the sum of \$ ..... and should pay to .....  
the worker, the sum of \$ ....., the difference between the amount paid  
and that which should have been paid to the worker ..... under  
the said Award (or Industrial Agreement), and should also pay the sum of  
\$ ..... costs, and it was directed .....

And whereas a warrant of execution was issued against the said .....  
and the officer entrusted with its execution has returned the warrant with a  
report that he was unable to find sufficient goods and chattels of the defendant  
whereon to pay the sum therein mentioned, which said sums (or \$ .....  
being portion thereof) still remain due and owing.

\* State offence for which convicted.

(See Over.)

(Reverse Side)

These are therefore to command you the said Police Officers to apprehend  
the defendant and convey him to the Prison at ..... aforesaid, and  
deliver him to the Superintendent thereof together with this warrant, and you  
the said Superintendent of the said Prison are hereby commanded to receive  
the defendant ..... into your custody in the said Prison there to  
imprison him (and keep him to hard labour) for the term of .....  
unless the said several sums and the costs and charges of conveying him to  
the said Prison amounting to the further sum of \$ ..... are sooner paid.

The total amount payable under this warrant is \$ ..... made up as  
follows:—

	\$
Amount ordered to be paid	.....
Since paid	.....
Remaining Due	.....
Costs and charges this warrant	.....
Total	.....

Provided that if the defendant shall pay any portion of the total amount  
(namely, \$ ..... ) payable under this warrant, then the period of  
imprisonment shall be thereby reduced by a period which shall bear the same

ratio to the period of imprisonment as the portion paid bears to the total payable, and the prisoner is to be released on the expiry of the reduced period, and in calculating any such reduction fractional parts of days are to be disregarded.

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

By the Court,

(Seal.)

.....  
Industrial Magistrate/Registrar of  
Industrial Unions.

Form 9 (Reg. 9).

Industrial Arbitration Act, 1912, as amended.

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT.

No.....of 19.....

Between

.....  
.....  
Complainant,  
and  
.....  
.....  
Defendant.

WARRANT OF COMMITMENT FOR WANT OF EXECUTION FOR COSTS  
ON DISMISSAL OF A COMPLAINT.

TO the principal police officer at.....in the State of Western  
Australia, and to all other police officers in the said State, and to the  
Superintendent (or keeper) of Her Majesty's prison (or gaol) at.....  
in the said State.

Whereas on the.....day of .....19....., at.....  
upon the hearing of a complaint made by the complainant against the  
defendant, .....Industrial Magistrate, dismissed the complaint  
and adjudged that the complainant should pay to the defendant the sum  
of \$.....for costs and that if the said sum was not paid forthwith (on  
or before the.....day of .....19.....) the same should  
be levied by execution against the goods and chattels of the complainant.  
And it was adjudged that in default of sufficient goods and chattels the  
complainant should be imprisoned for the term of.....unless the  
said sum and all costs and charges of the execution and of taking and convey-  
ing the complainant to prison should be sooner paid: And whereas on the  
.....day of .....19....., a warrant was issued to the  
principal officer of police commanding him to levy the sum of \$.....  
by execution against the goods and chattels of the complainant: And whereas  
it appears to me by the return of the police officer to the warrant of execution  
that no sufficient goods and chattels could be found whereon to levy the sum  
abovementioned:

(See over.)

(Reverse Side.)

THESE ARE THEREFORE TO COMMAND YOU the said police officers to  
apprehend the complainant and convey him to prison or gaol and deliver him  
to the superintendent or keeper thereof, together with this warrant, and you,  
the superintendent or keeper, are hereby commanded to receive the complainant  
into your custody in the prison or gaol, there to imprison him and keep him  
for a term of.....unless the sum and all the costs and charges  
of the execution and of the commitment and conveying of the complainant

to prison or gaol amounting to the further sum of \$.....are sooner paid to you.

	\$
Costs ordered to be paid .....	.....
Fees for issue of warrant of execution and execution thereof .....	.....
Paid under warrant of execution and/or otherwise .....	.....
Remaining due .....	.....
Fees for issuing and executing this warrant .....	.....
Costs and charges of conveying complainant to prison or gaol .....	.....
Total amount due .....	\$ .....

Provided that if the complainant shall pay any portion of the amount payable under this warrant, then the period of imprisonment shall be thereby reduced by a period which shall bear the same ratio to the period of imprisonment as the portion paid bears to the total payable, and the prisoner is to be released on the expiry of the reduced period, and in calculating any such reduction fractional parts of days are to be disregarded.

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

By the Court,

Industrial Magistrate/Registrar of Industrial Unions.

(Seal.)

Form 10 (Reg. 9).

Industrial Arbitration Act, 1912, as amended.

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT.

No.....of 19.....

Between

Complainant,

and

Defendant.

WARRANT OF COMMITMENT UPON CONVICTION FOR A PENALTY IN THE FIRST INSTANCE.

TO the principal police officer at.....in the State of Western Australia, and to all other police officers in the said State, and to the Superintendent (or keeper) of Her Majesty's prison (or gaol) at.....in the said State.

Whereas....., of.....in the State of Western Australia, was on the.....day of.....19.....convicted before.....Industrial Magistrate at.....for that he did \*.....

and it was adjudged that the defendant for his offence should forfeit and pay the sum of \$....., and should pay to.....the worker, the sum of \$.....the difference between the amount paid and that which should have been paid to the worker,....., under the said Award (or Industrial Agreement), and should also pay the sum of \$.....costs, and it was directed.....

And whereas the time in and by the said conviction appointed for payment of the said several sums has elapsed, but the defendant has not paid the same

except to the extent of \$.....paid off the penalty, \$.....paid off the amount ordered to be paid as due under the Award (or Agreement) and \$.....paid off the costs.

\* State offence for which convicted.

(See over.)

(Reverse Side.)

These are therefore to command you, the said police officers, to apprehend the defendant and convey him to the prison (or gaol) at..... and deliver him to the superintendent (or keeper) thereof together with this warrant; and I hereby command you, the said superintendent (or keeper) of the said prison (or gaol) to receive the defendant into your custody in the said prison (or gaol), there to imprison him (and keep him to hard labour) for the term of .....unless the said several sums and the costs and charges of conveying him to the said prison (or gaol) amounting to the further sum of \$ .....are sooner paid.

The total amount payable under this warrant is \$..... made up as follows:—

Table with 2 columns: Description and Amount. Rows include: Amount ordered to be paid, Since paid, Costs and charges this warrant, and Total.

Provided that if the defendant shall pay any portion of the amount payable under this warrant, then the period of imprisonment shall be thereby reduced by a period which shall bear the same ratio to the period of imprisonment as the portion paid bears to the total payable, and the prisoner is to be released on the expiry of the reduced period, and in calculating any such reduction fractional parts of days are to be disregarded.

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

By the Court,

Industrial Magistrate/Registrar of Industrial Unions.

(Seal.)

Form 11. (Reg. 9.)

Industrial Arbitration Act, 1912, as amended.

IN THE WESTERN AUSTRALIAN INDUSTRIAL APPEAL COURT.

No.....of 19.....

Between

Complainant, and Defendant.

WARRANT OF COMMITMENT ON A CONVICTION WHERE THE PUNISHMENT IS BY IMPRISONMENT.

To the principal police officer at ..... in the State of Western Australia, and to all other police officers in the said State, and to the Superintendent (or keeper) of Her Majesty's prison (or gaol) at ..... in the said State.

Whereas ..... of ..... was this day duly convicted before the undersigned an Industrial Magistrate

that\* .....  
and it was adjudged that the said .....  
should be imprisoned in Her Majesty's prison (or gaol) at .....  
(there to be kept to hard labour) for the term of.....

These are therefore to command you, the said police officers, to convey the  
said ..... to prison (or gaol) at ..... afore-  
said, and deliver him to the Superintendent (or keeper) thereof, together with  
this warrant, and I command you, the said Superintendent (or keeper) of the  
said prison (or gaol) to receive the said.....in your custody  
in the said prison (or gaol) there to imprison him and keep him to hard labour  
for the term of .....

Given under my hand at ..... in the said State  
this ..... day of ..... 19.....

.....  
Industrial Magistrate.

\* State the offence.

Form 12. (Reg. 9.)

Industrial Arbitration Act, 1912, as amended.

GAOLER'S RECEIPT FOR PRISONER.

I hereby certify that I have this day received from .....  
police officer of ..... in the State of Western Australia, the  
body of ..... in good health (or as the case may be) together  
with a warrant of commitment directing the imprisonment of the said  
.....issued out of the Western Australian Industrial Appeal  
Court of the said State.

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

.....  
Superintendent of the Prison.