

EASTERN GOLDFIELDS TRANSPORT BOARD ACT 1984.

(No. 5 of 1984.)

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SCHEDULE [S. 8 (2)].

EASTERN GOLDFIELDS TRANSPORT BOARD.

No. 5 of 1984

AN ACT to preserve and continue the Eastern Goldfields Transport Board as the operator of certain passenger road transport services.

[Assented to 17 May 1984.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY.

1. This Act may be cited as the *Eastern Goldfields Transport Board Act 1984*. Short title.
2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

Interpreta-
tion.

3. (1) In this Act, unless the contrary intention appears—

“Board” means the Eastern Goldfields Transport Board preserved and continued by section 4;

“elector”, in relation to the municipal district of the Town of Kalgoorlie or the Shire of Boulder, means a person whose name is registered as an elector on the electoral roll of that municipal district, or a ward of that municipal district;

“member” means the Chairman and the other members of the Board, and includes a member holding office pursuant to section 38, and an alternate member appointed under section 10;

“repealed Act” means the Act repealed by section 37;

“section” means a section of this Act;

“subsection” means a subsection of the section in which the reference occurs.

(2) If a question arises as to whether or not a person is a full time employee of the Board, the same shall be determined by the Board, and its decision shall be final.

(3) For the purposes of this Act, a person does not have a direct or indirect pecuniary interest in an agreement to which the Board is a party if—

(a) he has the interest as a director, manager or secretary of or as a member of and in common with other members of an incorporated company which has at least 20 members and which is a party to the agreement;

- (b) in the ordinary course of business and in good faith, he, or a company of which he is a director, manager, secretary or member, or a firm in which he is a partner—
 - (i) sells goods to, supplies services to, or does work for, the Board, or for any person who has entered into an agreement with the Board; or
 - (ii) uses any service provided by the Board;
- (c) he has the interest as a member of an association (as defined in section 67 (6) of the Local Government Act 1960), which interest arises out of an agreement made or purporting to be made by or on behalf of the association with the Board, being an interest which is held in common with all other members of the association;
- (d) he purchases land or chattels sold for or on behalf of the Board by public auction;
- (e) in the case of a member, prior to his having the interest, the Minister determines in writing that the interest is not one to which this Act applies; and
- (f) in the case of an intending candidate for election, or an intended appointee, to the Board, prior to his nomination as a candidate, or his appointment, the Minister determines in writing that the interest is not one to which this Act applies.

PART II—CONSTITUTION OF BOARD.

4. The body corporate constituted under the repealed Act by the name "The Eastern Goldfields Transport Board" is preserved and continues in existence for the purposes of this Act as a body corporate retaining the same corporate name and corporate identity.

Continuation
of the Board.

Perpetual
succession,
common
seal etc.

5. (1) The Board as a body corporate—

- (a) has perpetual succession and a common seal; and
- (b) is capable in law in its corporate name of suing and being sued.

(2) The Board is not an agent of the Crown and does not enjoy the status, immunities and privileges of the Crown.

Composition
of Board.

6. (1) The Board shall consist of 6 members of whom—

- (a) one shall be a person appointed by the Minister to be Chairman of the Board;
- (b) one shall be an elector of the Town of Kalgoorlie elected by the electors of that Town;
- (c) one shall be an elector of the Shire of Boulder elected by the electors of that Shire;
- (d) one shall be a member of the municipal council of the Town of Kalgoorlie appointed by that council;
- (e) one shall be a member of the municipal council of the Shire of Boulder appointed by that council; and
- (f) one shall be a full time employee of the Board elected by the full time employees of the Board.

(2) No person shall be a member in more than one of the capacities referred to in subsection (1).

Chairman.

7. (1) The Chairman shall hold office for such term, not exceeding 3 years, as is specified in the instrument of his appointment, but he may from time to time be re-appointed.

(2) The Chairman, unless he sooner resigns or is removed from office, shall continue in office until his successor comes into office, notwithstanding that the term for which he was appointed may have expired.

8. (1) The election of the members referred to in paragraphs (b) and (c) of section 6 (1) shall be conducted in every other year—

Election and
appointment
of members.

- (a) in accordance with Part IV of the Local Government Act 1960;
- (b) on the day of the year provided for by or under that Part; and
- (c) on the basis of the electoral rolls compiled under that Part,

and the provisions of that Part (including the provisions as to electoral offences and disputed returns) shall apply to the election of those members as if each office to be filled under those paragraphs were a vacancy in the office of a member of a council of the municipalities referred to in those paragraphs.

(2) The provisions of the Local Government Act 1960 applied by subsection (1) shall apply—

- (a) so far as they are capable of applying and with all necessary changes; and
- (b) subject to the modifications set out in the Schedule.

(3) The Governor may make regulations amending the Schedule or deleting the Schedule and substituting a new Schedule.

(4) The municipal councils referred to in paragraphs (d) and (e) of section 6 (1) shall appoint the members referred to in those paragraphs as soon as is practicable after—

- (a) the first Saturday in May; or

- (b) the later day on which the annual election for vacancies in membership of those councils is held,

in each year.

(5) The member referred to in section 6 (1) (f) shall be elected by an election conducted—

- (a) among the full time employees of the Board, in the manner prescribed by regulations and by an officer so prescribed; and

- (b) in sufficient time to enable the result of the election to be ascertained before 1 November in each year.

(6) The first elections under subsection (1) shall be held, and the first appointments under subsection (4) shall be made, in the year 1985.

Failure to
fill vacancy.

9. If a vacancy or extraordinary vacancy in the office of any member, other than the Chairman, is not filled within one month after it occurs it may, unless section 14 (6) applies, be filled by an appointment by the Minister of a person who has the same eligibility for membership of the Board as the former member and who is not disqualified under section 12.

Alternates of
municipal
council
appointees.

10. (1) Each of the municipal councils referred to in section 6 (1) (d) and (e)—

- (a) shall, at the time mentioned in section 8 (4), also appoint another member of that council as an alternate of the member appointed by it under that subsection; and

- (b) may from time to time—

- (i) revoke such appointment;
- (ii) make a new appointment.

(2) The office of an alternate member appointed under subsection (1) becomes vacant if he ceases to be a member of the municipal council by which he was appointed.

(3) The alternate of a member is—

- (a) in the event of the absence of that member from a meeting of the Board entitled to attend that meeting; and
- (b) during the period of any extraordinary vacancy in the office of that member entitled to attend meetings,

and when so attending, is deemed to be, and has all the powers and duties of, a member under this Act.

11. (1) Each of the members referred to in Terms of office. section 6 (1) (b) and (c)—

- (a) holds office for a period commencing on the day following the day on which he is declared to have been elected and expiring on the day on which his successor comes into office pursuant to an election under section 8 (1); and
- (b) may from time to time, so long as he continues to be qualified under section 12, be re-elected.

(2) Each of the members referred to in section 6 (1) (d) and (e)—

- (a) holds office for a period of one year commencing on the day following the day on which he is appointed; and
- (b) may from time to time, so long as he continues to be qualified under section 12, be re-appointed.

(3) The member referred to in section 6 (1) (f)—

- (a) holds office for the period from 1 November in the year of his election until 31 October of the following year;
- (b) may from time to time, so long as he continues to be qualified under section 12, be re-elected.

Qualifica-
tions for
election as
member.

12. (1) An elector is ineligible to be elected as a member of the Board for the purposes of section 6 (1) (b) and (c) if—

- (a) he is an undischarged bankrupt or a person whose property is subject to an order or arrangement under the laws relating to bankruptcy;
- (b) he is a person convicted of or under sentence for a crime;
- (c) he is of unsound mind;
- (d) he is the holder of an office of profit of the Board; or
- (e) subject to section 3 (3), he is a person who has a direct or indirect pecuniary interest in an agreement to which the Board is a party.

(2) A member of a municipal council is ineligible for appointment as a member of the Board for the purposes of section 6 (1) (d) or (e) if he is a person to whom subsection (1) (d) or (e) of this section applies.

(3) A full time employee of the Board is ineligible to be elected as a member of the Board for the purposes of section 6 (1) (f) if—

- (a) he is a person to whom subsection (1) (a), (b) or (c) applies;

- (b) he is a person to whom subsection (1) (d) or (e) applies otherwise than by virtue of his being an employee of the Board; or
- (c) he holds, or is acting in, the office of Secretary of the Board.

13. (1) A member may resign his office by notice in writing delivered, in the case of the Chairman, to the Minister and, in any other case, to the Chairman. Resignation,
removal etc.

(2) A member may be removed from office at any time by the Minister—

- (a) for mental or physical disability, incompetence, neglect of duty or misconduct proved to the satisfaction of the Minister;
- (b) subject to section 3 (3), if he has a direct or indirect pecuniary interest in an agreement to which the Board is a party;
- (c) not being the member referred to in section 6 (1) (f), if he is the holder of an office of profit of the Board;
- (d) if he is an undischarged bankrupt or a person whose property is subject to an order or arrangement under the laws relating to bankruptcy; or
- (e) if he is absent without leave of the Board from 3 consecutive meetings of the Board of which he has had notice.

(3) The office of a member becomes vacant if—

- (a) in the case of a member referred to in section 6 (1) (b) or (c)—
 - (i) he is ousted from office by a Court of Disputed Returns under section 150 of the Local Government Act 1960 as applied by section 8 (1); or

- (ii) he ceases to be an elector of the municipality in respect of which he was elected;
- (b) in the case of a member referred to in section 6 (1) (d) or (e), he ceases to be a member of the municipal council by which he was appointed; or
- (c) in the case of a member referred to in section 6 (1) (f)—
 - (i) he ceases to be a full time employee of the Board; or
 - (ii) he is appointed to, or acts in, the office of Secretary of the Board.

Filling
extra-
ordinary
vacancies.

14. (1) If a member dies, resigns, is removed from office or his office otherwise becomes vacant, the vacancy shall be deemed to be an extraordinary vacancy and shall be filled as soon as is practicable after it occurs in accordance with this section.

(2) In the case of the Chairman the vacancy shall be filled by an appointment made by the Minister.

(3) In the case of a member referred to in section 6 (1) (d), (e) or (f), the vacancy shall be filled in the same manner as it would be if it had occurred by effluxion of time.

(4) In the case of a member referred to in section 6 (1) (b) or (c), the vacancy shall be filled by an elector of the municipal district of which the former member was an elector appointed by the council of the municipality for that district.

(5) A person who fills an extraordinary vacancy shall, subject to this Act, hold office for the residue of the former member's term of office but shall be eligible for re-appointment or re-election.

(6) Notwithstanding anything in this section, if an extraordinary vacancy occurs in the office of a member referred to in section 6 (1) (f), within 3

months before the expiry of his term of office by effluxion of time, that vacancy shall not be filled for the residue of the term of the office unless the Board resolves that the circumstances require that the vacancy be filled.

(7) This section has effect subject to section 38 (8).

15. (1) The Board may, from time to time, determine that members shall be paid remuneration out of the general fund of the Board, and may revoke or vary any such determination. Remuneration.

(2) Such remuneration shall not exceed the rate from time to time fixed by the Minister.

16. (1) The Chairman shall preside at all meetings of the Board at which he is present. Meetings.

(2) If the Chairman is absent from a meeting, the members present shall appoint one of their number to preside.

(3) No business shall be transacted at any meeting of the Board unless there shall be present not less than 4 members including at least each of the members referred to in section 6 (1) (d) and (e) or his alternate.

(4) If at any meeting of the Board a quorum is not constituted, the meeting shall be adjourned for one week at the same time and place, and if at such adjourned meeting 3 members at least are present, including each of the members referred to in section 6 (1) (d) and (e) or his alternate, such members shall constitute a quorum.

(5) At any meeting of the Board, the Chairman or other person presiding shall have a deliberative vote and, if that vote has been exercised and there is an equality of votes, shall also have a casting vote.

(6) The Board may allow a person whom the Board considers may assist it with professional or technical advice on any matter to attend a meeting of the Board and contribute to the discussion of that matter, but any such person shall not take part in any decision of the Board with respect to that matter, or be counted for the purpose of determining the existence of a quorum.

Proceedings
not affected
by irregularities.

17. An act, decision or proceeding of the Board shall not be invalid or called in question by reason of—

- (a) any vacancy in the membership of the Board;
- (b) any defect or irregularity in an appointment or election to membership of the Board; or
- (c) the disqualification of a person acting as a member of the Board.

PART III—FUNCTIONS AND POWERS.

Functions of
Board.

18. (1) The functions of the Board are to undertake and operate—

- (a) principally, a service for the carriage of passengers and luggage within—
 - (i) the municipal districts of the Town of Kalgoorlie and the Shire of Boulder and any adjoining municipal district;
 - and
 - (ii) with the approval of the Minister, any other municipal district in which, in the opinion of the Board, it is practicable and expedient to undertake and operate such a service; and

- (b) charter services, whether within or outside the State, as required to meet the needs of any district in which the Board is, for the time being, permitted to operate a service under paragraph (a).

(2) The Board may, in performing its functions, use such trading name or names as it thinks suitable.

19. (1) The Board may do such things as are necessary or convenient to be done for or in connection with the performance of its functions. Powers of Board.

(2) Without limiting the generality of subsection (1) the Board may—

- (a) subject to subsection (3), acquire and dispose of any real or personal property and any right or privilege which the Board considers necessary or convenient for the purpose of its operations;
- (b) improve, develop or alter any real or personal property held by it;
- (c) enter into, assign or accept the assignment of, and vary or rescind any contract or obligation.

(3) The Board shall not, except with the consent of the Minister, dispose of or abandon its undertaking or by the disposal or abandonment of any part thereof render itself unable to carry out its functions.

20. (1) The Board may maintain an account or accounts at any bank and draw and endorse cheques and other bills of exchange thereon. Bank account.

(2) All cheques, bills of exchange and endorsements shall be signed by at least 2 members of the Board and countersigned by the employee of the Board who holds, or is acting in, the office of Secretary of the Board.

Borrowing
by Board.

21. (1) The Board may—

- (a) obtain advances by overdraft of any current account, or by way of any other unsecured loan, but not exceeding at any time \$40 000 or such greater sum as the Minister may authorize; and
- (b) with the approval of the Minister, otherwise borrow or raise money and mortgage or charge all or any part of its property and undertaking as security therefor.

(2) The powers conferred by subsection (1) may be exercised to provide the Board with such sums as it may require for its undertaking and the operation and conduct thereof, or to repay principal moneys owing on account of any other loan.

Staff.

22. (1) The Board may appoint such employees, either full time or part time, as it considers necessary to enable it to carry out its functions.

(2) Subject to any relevant award under the Industrial Arbitration Act 1979, the Board may determine the remuneration and other terms and conditions of service of its employees.

(3) The Board may engage under contract for services such professional and technical or other assistance as it considers necessary to enable it to carry out its functions.

(4) The Board may, in writing, delegate to the person who holds, or is acting in, the office of Secretary of the Board any of its powers under this section, and may—

- (a) do so subject to any condition, qualification or exception;
- (b) exercise any power notwithstanding that it has been so delegated; and
- (c) at any time revoke or vary the instrument of delegation.

23. (1) The Board may grant, or make provision for the grant of, pensions, gratuities and other benefits to its employees and for that purpose may establish, manage and control, or enter into an arrangement with any company approved by the Commissioner for the establishment, management and control by such company either alone or jointly with the Board of, any fund or scheme for the purpose of providing for such pensions, gratuities and benefits.

Superan-
nuation.

(2) The Board may make contributions to any fund or scheme referred to in subsection (1) but not, without the approval of the Commissioner, exceeding in any financial year the total contributions made by the employees of the Board in respect of that year.

(3) In this section—

- (a) “employee” includes former employees and the dependants of an employee or former employee; and
- (b) “Commissioner” means the Commissioner of Transport appointed under the Transport Act 1966.

PART IV—FINANCE.

24. All moneys received by the Board shall be carried to a general fund which shall be applied by the Board to the exercise and performance of its powers and functions.

General
fund.

25. Except where section 26 (3) applies, the Board may invest and deal with any of its funds not immediately required in such manner as it thinks fit.

Temporary
investment
of funds.

26. (1) The Board may in respect of its undertaking establish—

Reserve
funds.

- (a) a renewals reserve fund which shall be applicable only to meet expenses incurred on renewals, reconstructions or conversions; and

(b) a general reserve fund which shall be applicable to all or any of the following purposes—

- (i) to provide working capital;
- (ii) to meet a part or the whole of any deficit;
- (iii) to meet a part or the whole of any moneys expended by the Board on alterations or extensions of the undertaking of the Board, or any part thereof (including the purchase of omnibuses);
- (iv) to meet the expenses of such special works or maintenance as the Board thinks fit;
- (v) to meet the cost of providing long service leave and other benefits which accrue to its employees; and
- (vi) to provide for the repayment of the amounts of principal and interest of any loans raised by the Board.

(2) The Board may in every year carry to a reserve fund such sum as it thinks fit.

(3) Moneys standing to the credit of a reserve fund may be invested in any form of investment authorized by law for the investment of trust funds.

Profits and
losses of
the Board.

27. (1) The Governor may make regulations prescribing—

- (a) the source or sources from which, and the manner and extent to which, any loss sustained by the Board in carrying out its functions shall be made good to the Board;
- and

- (b) the person or fund that shall receive any net profit, or any part thereof, made by the Board.

(2) Until provision is made under subsection (1) and during any period when no provision is in force under that subsection, the municipal councils of the Town of Kalgoorlie and of the Shire of Boulder shall from time to time in equal shares—

- (a) contribute, by way of grant, to make good any loss; and

(b) receive any net profit,
referred to in subsection (1).

(3) In determining the net profit or loss of the Board in any year for the purpose of this section the Board shall bring into account—

- (a) the net returns to it from any investments made under sections 25 and 26 (3); and
- (b) any contribution to a reserve fund made by it under section 26.

28. The Board shall cause true accounts to be kept of the money received by it and expended by it in connection with its undertaking and the conduct and operation thereof and of the several matters in respect of which such expenditure is incurred, and of the assets and liabilities of the undertaking.

Accounts of
Board.

29. (1) The Board shall at its meeting during the month of July, in each year, appoint a person or persons, being a member or members of the Institute of Chartered Accountants in Australia or of the Australian Society of Accountants, to be the auditor or auditors for the purposes of this Act, for that year, and shall at that time fix his or their remuneration.

Audit.

(2) The accounts of the Board shall be made up to 30 June, and the auditor or auditors shall examine the Board's accounts during the month of August, in every year.

Access to
books,
accounts and
records of
Board.

30. The auditor or auditors shall at all reasonable times have access to the books and accounts and all records of the Board and he or they may, in relation thereto, examine the members of the Board or its employees.

Copy of
accounts and
other
documents
to be
supplied to
Minister
and local
authorities.

31. A copy of the statement of accounts and balance sheet together with a copy of the report and certificate of the auditor or auditors in relation thereto shall on or before 30 September in every year be furnished to the Minister and the municipal councils of the Town of Kalgoorlie and of the Shire of Boulder.

PART V—BY-LAWS.

Power to
make
by-laws.

32. The Board may make by-laws, not inconsistent with this Act or regulations made under section 36—

- (a) prescribing the conditions under which omnibuses or other vehicles used in the undertaking of the Board may be hired and the charges for and conditions of such hire;
- (b) prohibiting the committing of any nuisance in or upon any such omnibus, or other vehicle or in or upon or against any part of the property of the Board;
- (c) prohibiting offensive or annoying behaviour in or upon any such omnibus, or other vehicle or in or upon any part of the property of the Board;

- (d) prohibiting smoking in any such omnibus or other vehicle or any part thereof;
- (e) providing for the holding and disposal by sale or otherwise of unclaimed or lost goods or luggage;
- (f) regulating the time, place and management of, and the proceedings at, meetings of the Board or of any committee and the management and transaction of the business of the Board or of any committee;
- (g) prescribing and making provision for the powers and duties, and the control, supervision, guidance, regulation and discipline of its employees;
- (h) providing for the issue, revocation and conditions of use of any free passes issued by the Board;
- (i) providing that a contravention or failure to comply with a by-law constitutes an offence and providing for penalties not exceeding \$200 for offences against the by-laws; and
- (j) generally for carrying out the purposes of this Act relating to the undertaking of the Board and the operation and conduct thereof, and regulating the conduct of all persons travelling on vehicles of the Board or being on any of its premises.

33. If a contravention or failure to comply with a by-law is attended with any danger or annoyance to the public or hindrance to the Board, or any employee of the Board, in the conduct of its undertaking, any employee of the Board may summarily interfere to obviate, remove or stop such danger, annoyance or hindrance, and that without affecting any punishment of the offender for an offence against the by-laws of the Board.

Summary
interference
by employee
of Board.

PART VI—GENERAL.

Execution of
documents.

34. (1) A document is duly executed by the Board if—

- (a) it is sealed with the seal of the Board in accordance with subsections (2) and (3); or
- (b) it is signed on behalf of the Board by the member or members or employee or employees of the Board authorized to do so.

(2) The common seal of the Board shall not be affixed to any document except by resolution of the Board.

(3) The common seal shall be affixed to a document in the presence of at least 2 members and each shall sign the document to attest that the common seal was so affixed.

(4) A document purporting to be executed in accordance with this section shall be presumed to be duly executed until the contrary is shown.

(5) Where a document is produced bearing a seal purporting to be the common seal of the Board it shall be presumed that the seal is the common seal of the Board until the contrary is shown.

Board not
to be rated.

35. Section 537 of the Local Government Act 1960 does not apply to the Board, and the Board and its undertaking is not liable to be rated.

Regulations.

36. (1) The Governor may make regulations, not inconsistent with this Act, prescribing such things as are required or permitted by this Act to be prescribed or as it is necessary or expedient to prescribe for the purposes thereof.

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(2) Without limiting subsection (1), regulations made under this Act may provide—

(a) for the incidence of the cost of elections held for the purposes of section 6 (1) (b) and (c) and for the manner in which such costs shall be assessed and determined;

(b) that a contravention or failure to comply with a regulation constitutes an offence;

and

(c) for penalties not exceeding a fine of \$500 for offences against the regulations.

37. The Eastern Goldfields Transport Board Act 1946 is repealed. Repeal.

38. (1) The term of office of the person who is Chairman immediately before the appointed day shall expire on the coming into operation of this Act. Transitional provisions as to Board members.

(2) The terms of office of each of the members elected under section 22 (1) (b) of the repealed Act and holding office immediately before the appointed day shall expire on the coming into operation of this Act.

(3) Each of the municipal councils referred to in section 6 (1) (d) and (e) shall appoint a member whose term of office expires pursuant to subsection (2), and an alternate for him, to hold office as a member of the Board and alternate member respectively until a member and his alternate are appointed pursuant to section 8 (4) and section 10 respectively.

(4) Section 10 (1) (b), (2) and (3) shall apply to an alternate member appointed under subsection (3).

(5) The term of office of each of the members elected under section 22 (1) (a) of the repealed Act in respect of a municipality and holding office immediately before the appointed day shall continue until the day following the day on which a member is declared to have been elected for that municipality in 1985 pursuant to the provisions applied by section 8 (1), and shall then expire.

(6) The Board shall appoint a full time employee of the Board to hold office as a member until a member elected pursuant to section 8 (5) takes up office on 1 November 1984.

(7) If an extraordinary vacancy occurs in the office of a member holding office by virtue of subsection (5) before an election referred to in that subsection is held, the vacancy shall be filled by an appointment under section 14 (4).

(8) The powers of appointment conferred by subsections (3) and (6) may, in the event of an extraordinary vacancy occurring before an appointment or election is made or held under section 8 (4) or (5) respectively, be exercised from time to time as occasion may require.

Further
transitional
provisions.

39. (1) Without limiting the operation of the Interpretation Act 1918, until by-laws are made under this Act in relation to any matter the by-laws applicable to that matter made under the repealed Act and in force immediately before the appointed day shall continue to apply, so far as they are not inconsistent with this Act.

(2) Without limiting the operation of the Interpretation Act 1918, unless the contrary intention appears in this Act, all appointments, things and circumstances made or created by or under the repealed Act and existing or continuing immediately before the appointed day shall, under and subject to this Act, continue to have the same status, operation and effect for the purposes of this Act as they had immediately before the appointed day.

(3) In this section and in section 38, "the appointed day" means the day on which this Act comes into operation.

SCHEDULE.

[S. 8 (2)]

MODIFICATIONS OF PART IV OF THE
LOCAL GOVERNMENT ACT 1960.

1. Provisions which shall not apply—

sections 65 to 71, 74, 75, 92, 137 (1) (c), 138 (2) and (3), 139 to 144, 148 and 149.

2. Provisions which shall be read as if they were amended as follows—

section 154F (1)—as if "or so acts before he has made and subscribed the oath or affirmation and declaration required by section 140" were deleted;

section 154H (1) and (2)—as if, in each subsection, "council shall pay out of the municipal fund" were deleted and "Board shall pay out of its general fund" were substituted;

section 154H (3)—as if "municipal fund" were deleted and "general fund of the Board" were substituted.

3. Provisions in which "prescribed" shall be read as meaning prescribed by regulations made under this Act—

sections 85 (1), 93, 103, 122 (1) and (4), 137 (1) (a), and 138 (1).

4. Provisions in which references to "council" shall be read as references to the Board—

sections 84 (b) and (c), 150, 154A, 154F, and paragraph (o) of the Table to section 154G.

5. The reference to "the Minister" in section 138 (1) shall be read as a reference to the Minister to whom the administration of this Act is for the time being committed by the Governor.