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No. 29]

PERTH: WEDNESDAY, 18th APRIL

[1962

HOSPITALS ACT, 1927-1955.

Northcliffe Hospital Board.

M.D. 6055/61, Ex. Co. No. 676.

WHEREAS under the provisions of section 23 of the Hospitals Act, 1927-1955, a Board may itself establish and manage a medical fund the object of which shall be to secure for its subscribers medical attendance, hospital treatment, or other similar benefits; and may by by-laws provide for the regulation and control of such fund: Now, therefore, the Northcliffe Hospital Board, being a Board within the meaning of the Act, doth hereby make the following by-laws:—

By-laws.

1. These by-laws may be cited as the Northcliffe Hospital Fund By-laws, 1961.

2. In these by-laws, unless inconsistent with the context—

“dependant” means the wife of a subscriber or female relative of a subscriber standing in place of a wife in his household and any brother, sister or child of a subscriber under the age of sixteen years and actually resident and wholly dependent on the subscriber, at the time of receiving treatment at Northcliffe General Hospital;

“subscriber” means any person who has paid a current subscription to the fund;

“the Board” means the Northcliffe Hospital Board established under the Hospitals Act, 1927-1955;

“the fund” means the fund established by these by-laws.

3. (1) A medical fund known as the Northcliffe Hospital Fund is established.

(2) The fund shall be controlled by the Board.

4. (1) A subscriber to the fund shall pay the following annual subscription, that is to say:—

(a) A subscriber without dependants, 13s.

(b) A subscriber with dependants, £1 6s.

(2) A subscriber shall, on joining the fund, pay in advance a subscription, *pro rata*, for the period to the 30th June next following his joining and thereafter annually in advance on the 1st July in each year.

(3) Any subscriber to the Northcliffe Hospital Fund, established under the Charitable Collections Act, 1946-1949, whose subscription to that fund is paid at the commencement of these by-laws is a subscriber to the fund.

(4) A person employed by any timber company which, or other employer who, has undertaken the collection of subscribers to the fund from its or his employees at the rates prescribed by sub-by-law (1) of this by-law is a member of the fund on and from the date of his being so employed.

5. Any subscriber being one month in arrear of payment of his subscription is not entitled to any benefit under the fund.

6. (1) The fund is established to make provision towards the cost of and maintenance of an outpatient clinic.

(2) The fund shall be administered by an officer appointed by the Board and that officer shall keep all proper and necessary accounts of the fund.

(3) The Board may require of any officer handling any moneys of the fund such guarantee of fidelity as the Board may decide or the Medical Department may require.

7. (1) Subject to sub-by-laws (2) and (3) of this by-law, every subscriber and every dependant of a subscriber is entitled to medicines, dressings and the usual appliances provided to out-patients, at the Northcliffe District Hospital, free of charge.

(2) A subscriber or dependant is not entitled to receive benefits, free of charge, in respect of the cost of treatment incurred for—

(a) x-ray;

(b) any venereal disease;

(c) alcoholism or inebriation or any condition arising therefrom;

(d) dentistry;

(e) any complaint or injury indemnified by Workers' Compensation, Repatriation Benefits or Service or Third Party Insurance;

(f) use of an operating theatre or administration of a general anaesthetic;

(g) the supply of patent medicines or medicines sold under a proprietary name, other than those medicines which the Board may from time to time include as a benefit; or

(h) sera or vaccines.

(3) A subscriber or dependant is entitled to benefits for the cost of hospital charges only for out-patient treatment and any charge made by a medical practitioner for that treatment shall be borne by the subscriber or dependant, subject to any supplementary benefits he may obtain by reason of his membership of any other medical or hospital benefit fund.

Passed by a resolution of the Northcliffe Hospital Board at a meeting of the Board held the 1st day of February, 1962.

H. R. PRATT,
Chairman.

O. SMITH,
Secretary.

Recommended—

ROSS HUTCHINSON,
Minister for Public Health.

Approved by His Excellency the Governor in Executive Council this 30th day of March, 1962.

(Sgd.) R. H. DOIG,
Clerk of the Council.

HEALTH ACT, 1911-1960.

Shire of Wanneroo.

P.H.D. 1743/56.

WHEREAS under the provisions of the Health Act, 1911-1960, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted: Now, therefore, the Wanneroo Shire Council, being a local authority within the meaning of the Act, and having adopted Model By-laws described as Series "A" as reprinted pursuant to the Reprinting of Regulations Act, 1954, in the *Government Gazette* on the 9th August, 1956, doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

PART IX.—OFFENSIVE TRADES.

Section C.—Piggeries.

By-laws 1A and 1B as published in the *Government Gazette* on the 11th May, 1961, are repealed and the following by-laws substituted:—

1A. (1) Except as provided by sub-by-law (2) of this by-law in respect to lot 3 of Swan Location 1221, no person shall erect, keep or maintain or suffer, permit or allow to be erected, kept or maintained any piggery or piggeries on any land within the following areas:—

Within a distance of 20 chains of the boundary line of either side of the main Wanneroo Road, being road No. 3, for a distance commencing on the said road at the southern boundary of the municipal district of the Shire of Wanneroo and extending along the said road to the 13-mile peg thereon; nor within a distance of 30 chains of the boundary line of either side of the said main Wanneroo Road, being road No. 3, for a distance commencing on the said road at the 13-mile peg and extending along the said road to the 16-mile peg; nor within a distance of 20 chains of the boundary line of either side of the said road for a distance commencing at the 16-mile peg thereon and extending along the said road to the southern boundary of the State Gardens Board Reserve at Yanchepp. The distance of 20, 30 and 20 chains herein referred to being ascertained by measuring at right angles to the course of the said road.

(2) No person shall erect, keep or maintain or suffer, permit or allow to be erected, kept or maintained, any piggery or piggeries within a distance of 15 chains of Wanneroo Road on lot 3 of Swan Location 1221.

1B. The erection, keeping and maintenance of piggeries within the municipal district of the Shire of Wanneroo in areas other than those prohibited in the last preceding by-law shall be lawful; subject to the provisions of the following by-laws.

Passed by the Wanneroo Shire Council at a meeting held on 17th day of January, 1962.

N. H. MARTIN,
President.

S. W. REES,
Shire Clerk.

Approved by His Excellency the Governor in Executive Council, this 29th day of March, 1962.

(Sgd.) R. H. DOIG,
Clerk of the Council.

TRAFFIC ACT, 1919 (AS AMENDED).

Office of the Commissioner of Police,
Perth, 5th April, 1962.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919 (as amended), has been pleased to make the regulations set out in the schedule hereunder.

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

Schedule.

Regulations.

- Principal Regulations.
1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by the regulations amending the same published in the *Gazette* on the 9th February, 1955, 1st April, 1955, 11th May, 1955, 17th June, 1955, 9th August, 1955, 30th September, 1955, 30th December, 1955, 24th April, 1956, 23rd October, 1956, 16th November, 1956, 23rd November, 1956, 21st December, 1956, 22nd February, 1957, 8th March, 1957, 1st April, 1957, 26th April, 1957, 17th May, 1957, 1st July, 1957, 30th August, 1957, 25th September, 1957, 5th November, 1957, 20th December, 1957, 23rd December, 1957, 24th January, 1958, 19th February, 1958, 17th April, 1958, 29th April, 1958, 13th May, 1958, 5th June, 1958, 25th June, 1958, 15th July, 1958, 18th July, 1958, 1st August, 1958, 12th September, 1958, 10th October, 1958, 24th November, 1958, 3rd March, 1959, 9th April, 1959, 15th May, 1959, 26th May, 1959, 12th June, 1959, 23rd June, 1959, 30th June, 1959, 30th September, 1959, 16th October, 1959, 29th October, 1959, 30th October, 1959, 21st December, 1959, 28th January, 1960, 12th February, 1960, 29th February, 1960, 1st April, 1960, 21st April, 1960, 20th May, 1960, 26th May, 1960, 31st May, 1960, 21st June, 1960, 15th July, 1960, 1st August, 1960, 28th September, 1960, 25th November, 1960, 8th December, 1960, 27th January, 1961, 31st January, 1961, 2nd March, 1961, 24th May, 1961, 29th June, 1961, 1st August, 1961, 20th September, 1961, 1st November, 1961, and 12th December, 1961, are referred to as the principal regulations.
- Reg. 114A added.
2. The principal regulations are amended by adding after regulation 114 the following regulation:—
- 114A. The owner of every omnibus shall fit or cause to be fitted thereto an efficient speedometer which shall be kept at all times in good working order and capable of registering correctly the speed at which the vehicle is travelling.
- reg. 242 substituted.
3. The principal regulations are amended by substituting for regulation 242 the following regulation:—
242. (1) Where a road or portion of a road—
- (a) is being constructed, repaired or maintained by a municipality or the Commissioner of Main Roads, or the work of construction, repair or maintenance is not complete; or
 - (b) is subject to work being executed about, upon, under or over it, by any department of the State or the Commonwealth,
- the municipality, the Commissioner of Main Roads or other department, as the case may be,
- (c) may barricade, the road or portion of a road under construction, repair or maintenance or which is subject to work being executed, and having done so, shall at each end of the barricade, erect or place a notice as prescribed by this regulation; or
 - (d) may, without barricading the road or portion of road under construction, repair or maintenance, or which is subject to work being

executed, at each end of the road or portion of road, erect or place a notice as prescribed by this regulation.

(2) The notice referred to in subregulation (1) of this regulation is required to bear the words

SLOW
10 MILES PER HOUR

and the municipality, the Commissioner of Main Roads or other department causing such a notice to be placed or erected on a road shall ensure that the words are adequately illuminated between sunset and the following sunrise.

(3) Where prescribed notices are erected pursuant to subregulation (1) of this regulation, a person shall not drive on that road or portion of road, between the notices, a vehicle at a speed exceeding 10 miles per hour, notwithstanding that it shall, but for this regulation, be lawful to drive that vehicle at a speed exceeding 10 miles per hour.

Heading to Div. 5 of Part XII amended.

4. The principal regulations are amended by substituting for the words, "Meter Taxi-cars" in the heading to Division 5 of Part XII preceding regulation 441 the words, "Taxi-cars other than Private Taxi-cars".

Reg. 449 amended.

5. Regulation 449 of the principal regulations is amended—

(a) by deleting the word, "meter" in line one of subregulation (1);

(b) by substituting for subregulation (3) the following subregulation:—

(3) A For Hire sign shall, when during the hours of darkness, the taxi-car is available or plying for hire, be illuminated by a lamp showing a white light only of a power not exceeding 7 watts and capable of being extinguished when the taxi-car is not available for hire; and

(c) by deleting the words, "and the words prescribed for the flag of a taxi-meter" in lines three and four of subregulation (4).

Reg. 450 amended.

6. Regulation 450 of the principal regulations is amended—

(a) by deleting the word, "meter" in line three of subregulation (1);

(b) by substituting for paragraph (c) of subregulation (1) the following paragraph:—

(c) the word "TAXI" painted on the doors and the cover of the boot of the vehicle;

and

(c) by substituting for the passage, "7 watts, if that light is capable of being extinguished upon the setting in operation of the taxi-meter.", being the final passage of subregulation (2), the passage, "7 watts."

Reg. 451 substituted. Rates and charges to be displayed.

7. The principal regulations are amended by substituting for regulation 451 the following regulation:—

451. (1) The owner of a taxi-car shall not cause or suffer it to stand, or be driven, for hire, unless there is displayed on that vehicle, by painting or other durable method, gilt letters and figures, of at least one inch in height and one quarter inch in thickness, showing—

(a) in the case of a meter taxi-car, the word "flagfall" and the words "per mile", in each case preceded by the respective rates prescribed by the Appendix to Division 11 of this Part; and

- (b) in the case of a taxi-car (other than a private taxi-car) not fitted with a meter, the words "minimum charge" and "per mile", in each case preceded by the charge or rate prescribed by the Appendix to Division 11 of this Part.
- (2) The respective letters and figures mentioned in subregulation (1) of this regulation shall be conspicuously displayed—
- (a) on the front door panel, on the left hand side of the vehicle;
 - (b) at the rear of the vehicle, at the lower edge of the left hand side of the rear window; and
 - (c) within the vehicle, near the taxi-meter (if any).
- (3) The driver of a taxi-car shall not stand or ply it for hire, unless the provisions of this regulation have been complied with, in respect of that vehicle.
- Heading to Div. 6 of Part XII amended. 8. The principal regulations are amended by deleting the word, "Meter" where appearing in the heading to Division 6 of Part XII, preceding regulation 452.
- Reg. 455 amended. 9. Regulation 455 of the principal regulations is amended—
- (a) by deleting the word, "meter" in line one of subregulation (1); and
 - (b) by substituting for the passage, "the flag and the 'Taxi' sign, if the latter sign is fitted.", being the final passage of subregulation (1), the passage, "and the flag (if any).".
- Reg. 457 amended. 10. Regulation 457 of the principal regulations is amended by substituting for paragraph (a) the following paragraph—
- Driver to charge prescribed fare. (a) demand, or accept, any amount other than the fare prescribed by these regulations; or.
- Reg. 466 amended. 11. Regulation 466 of the principal regulations is amended—
- (a) by substituting for subregulation (1) the following subregulation:—
 - (1) The hirer of a taxi-car shall on demand, at the termination of the hiring, pay to the driver of that vehicle the prescribed fare or the charge agreed upon at the time of the hiring (as the case may be).; and
 - (b) by inserting after the word, "fare" in line two of subregulation (3), the words, "or the agreed charge".
- Reg. 487 amended. 12. Regulation 487 of the principal regulations is amended by substituting for the word, "lesser" where appearing in line five, the word, "other" in each case.

LOCAL GOVERNMENT ACT, 1960.

Municipality of the Shire of Perth.

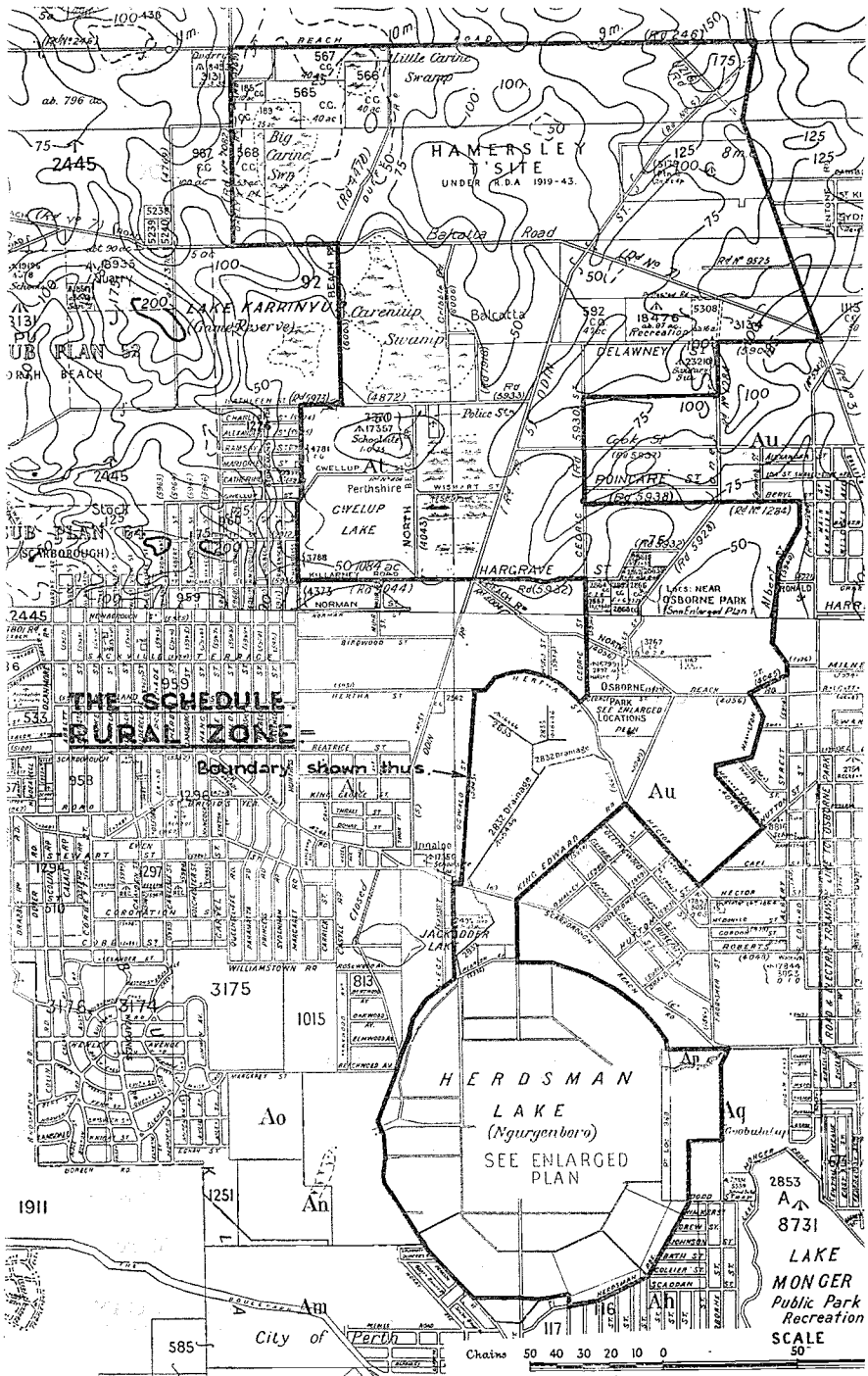
By-laws Relating to Zoning.

L.G. 827/61.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of August, 1961, to make and submit for confirmation by the Governor the following by-laws:—

The by-laws of the Shire of Perth published in the *Government Gazette* on the 19th day of June, 1960, are hereby amended in the following manner:—

Section 8 of the Fifth Schedule is altered by the deletion therefrom of the map and by the insertion in its place of the map hereunder.



Dated this 15th day of August, 1961.
The Common Seal of the Shire of Perth was
hereunto affixed by authority of a resolution
of the Council in the presence of—

[L.S.]

HERBERT R. ROBINSON,
President.

L. A. EASTON,
Acting Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th
day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Wongan-Ballidu.

Amended By-laws Relating to Hire Charges of the Cadoux Hall.

L.G. 150/59.

IN pursuance of the powers conferred upon it by the abovementioned Act and
of all other powers enabling it, the Council of the abovementioned Municipality
hereby records having resolved on the 17th day of August, 1961, to make and
submit for confirmation by the Governor the following by-law:—

1. The by-laws published on 1st April, 1957, are amended as follows:—

By deleting the Schedule of Fees published on 1st April, 1957,
in *Government Gazette* at page 1019 and substituting therefore a
new schedule which is set out below.

	£	s.	d.
Cabarets	5	0	0
Per hour after 12 midnight	5	0	0
Dances	4	0	0
Per hour after 12 midnight	5	0	0
Public Meetings in Hall—			
Before 6 p.m.	1	0	0
After 6 p.m.	1	10	0
Meetings in Meeting Room Only—			
Before 6 p.m.	10	0	0
After 6 p.m.	15	0	0
Supper Room and Kitchen	2	0	0
Per hour after 12 midnight	5	0	0
Hire for Movie Pictures	2	0	0
Concession Rates—			
Junior Farmers' Club, Masonic Lodge and Bad- minton Club	1	10	0

Full hire charge to be paid when booking hall and refunds
to be at discretion of the Council on the recommendation of
the Committee.

Dated this 8th day of November, 1961.

The full text of the by-law may be inspected by members of the public
free of charge at the office of the Council.

C. J. McJENKIN,
Acting President.

T. E. JENSEN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th
day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Bunbury.

Adoption of Draft Model By-laws Relating to Regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 275/61.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 22nd day of January, 1962, to adopt such Draft Model By-laws published in the *Gazette* of the 20th day of September, 1961, as are here set out:—

Local Government Model By-laws (Motels) No. 3.

The whole of the by-laws.

Dated the 22nd day of February, 1962.

The Common Seal of the Town of Bunbury
was affixed hereto in the presence of—

[L.S.]

F. R. HAY, Mayor.
A. L. SCOTT, Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Cockburn.

By-laws Relating to the Classifying of the District.

L.G. 455/57.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 24th day of January, 1962, to make and submit for confirmation by the Governor the following by-laws:—

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

1. Schedule 1, Residential Zones:—

(a) After the figures "2331" delete "full stop" and insert after the said figures the following words and symbols ", with the exception of Jandakot Town Lot 67."

2. Schedule 4, General Industry, add new paragraph as follows:—

3. Jandakot Town Lot 67.

Dated this 25th day of January, 1962.

[L.S.]

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

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Cockburn.

By-laws Relating to the Classifying of the District.

L.G. 455/57.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 24th day of January, 1962, to make and submit for confirmation by the Governor the following by-laws:—

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

1. Schedule 6—Shopping Areas—add new paragraph as follows:—
 - (13) That portion of Cockburn Sound Location 10 being part of lots 1 and 2 on Plan 4489 and being lot 67 on Plan 7719 which land shall however be limited to use for hotel purposes only.

Dated this 25th day of January, 1962.

[L.S.]

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

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Kalgoorlie.

Adoption of Draft Model By-laws Relating to Caravan Parks.

L.G. 204/62.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of February, 1962, to adopt such Draft Model By-laws published in the *Gazette* of 28th day of September, 1961, and designated Local Government Model By-law (Caravan Parks) No. 2. The whole of the by-law.

Dated this 12th day of February, 1962.

[L.S.]

R. G. MOORE,
Mayor.
D. MORRISON,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Kalgoorlie.

Adoption of Draft Model By-laws Relating to Regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 807/60.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 12th day of February, 1962, to adopt such Draft Model By-laws published in the *Gazette* of the 20th day of September, 1961, and designated Local Government Model By-laws (Motels) No. 3. The whole of the by-law.

Dated this 12th day of February, 1962.

[L.S.]

R. G. MOORE,
Mayor.
D. MORRISON,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 24th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Shire of Tableland.

Adoption of Draft Model By-laws Relating to (Prevention of Damage to Streets) No. 1.

L.G. 921/61.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 11th day of November, 1961, to adopt such of the Draft Model By-laws published in the *Government Gazette* of the 7th day of September, 1961, without alterations as are here set out:—

Local Government Model By-law (Prevention of Damage to Streets) No. 1.

The whole of the by-law.

Dated the 17th day of March, 1962.

[L.S.]

O. A. ALLAN,
President.
M. F. SHEEHAN,
Shire Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Mosman Park.

Adoption of Draft Model By-laws Relating to the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 84/62.

IN pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 25th day of January, 1962, to adopt the whole of the Draft Model By-laws cited as Local Government Model By-laws (Motels) No. 3, which were published in the *Government Gazette* on 20th September, 1961.

Dated 14th day of March, 1962.

[L.S.]

E. G. SMITH,
Mayor.J. A. SMALLMAN,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

LOCAL GOVERNMENT ACT, 1960.

The Municipality of the Town of Mosman Park.

Adoption of Draft Model By-laws Relating to Caravan Parks.

L.G. 85/62.

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on the 25th day of January, 1962, to adopt the whole of the Draft Model By-laws cited as Local Government Model By-laws (Caravan Parks) No. 2, which were published in the *Government Gazette* on 28th September, 1961.

Dated 14th day of March, 1962.

[L.S.]

E. G. SMITH,
Mayor.J. A. SMALLMAN,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March, 1962.

R. H. DOIG,
Clerk of the Council.

BANANA INDUSTRY COMPENSATION TRUST FUND ACT, 1961.

Department of Agriculture,
South Perth, 12th April, 1962.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Banana Industry Compensation Trust Fund Act, 1961, and section 11 of the Interpretation Act, 1918-1957, has been pleased to make the regulations set forth in the schedule hereunder, to have and take effect from and including the day upon which the Banana Industry Compensation Trust Fund Act, 1961, comes into operation.

T. C. DUNNE,
Director of Agriculture.

Schedule.

Regulations.

Citation.

1. These regulations may be cited as the Banana Industry Compensation Trust Fund Act Regulations, 1962.

Interpretation.

2. In these regulations, unless the context requires otherwise—

“Committee” means The Banana Industry Compensation Committee constituted under the Act;

“Minister” means the Minister for Agriculture;

“the Act” means the Banana Industry Compensation Trust Fund Act, 1961;

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

Elections.

3. (1) An election of the elective member of the Committee shall be held as and whenever necessary, and for the purposes of such election the Minister shall appoint a returning officer and other officers as he may deem necessary for the conduct of the election.

(2) The returning officer shall be paid such fees as are prescribed by regulations made under the Electoral Act, 1907, as amended, for returning officers at parliamentary elections, and the officers employed by him shall, while engaged on the scrutiny and count of votes, be paid for their services the fees prescribed for similar duties by those regulations for presiding officers at parliamentary elections.

Notice of Election.

4. (1) (a) For the purposes of the election of the elective member of the Committee, the returning officer shall fix a day for such election and also a day to be the last day upon which nominations of candidates for election to the office of elective member will be received and shall cause notice thereof in Form No. 1 in the Appendix to these regulations to be published in the *Government Gazette* and in a newspaper circulating in the district.

(b) The day fixed as nomination day under this sub-regulation shall be a day not less than twenty-one nor more than thirty days after the date of the later of the publications referred to in paragraph (a) of this subregulation.

(2) (a) For the purpose of every subsequent election of the elective member of the Committee, the Minister shall not less than three months prior to the expiration of the term of office of that member, direct the returning officer to fix a day for the election and also a day to be the last day upon which nominations of candidates for election to the office of member will be received.

(b) The returning officer shall fix the respective days for the election and the nominations and shall cause notice in Form No. 1 in the Appendix to these regulations of the election and of the days so fixed to be published in the *Government Gazette* and in a newspaper circulating in the district.

(c) The day fixed as nomination day under this sub-regulation shall be a day not less than twenty-one nor more than thirty days after the date of the later of the publications referred to in paragraph (b) of this subregulation.

(3) The day upon which each election referred to in this regulation shall be held shall be not less than twenty-one nor more than thirty days after the nomination day.

(4) A notice published in accordance with this regulation shall specify the address of the returning officer to which all nominations, applications and other documents under these regulations are required to be sent or delivered.

Electoral Roll and Electors.

5. (1) As soon as practicable after publication in the *Government Gazette* of the notice referred to in regulation 4 of these regulations, the returning officer shall prepare a roll of electors for use at the election.

(2) Only persons who are growers within the meaning of section 5 of the Act are eligible to be registered as electors and until so registered shall not be entitled to vote at the election.

(3) A person who is eligible for enrolment on the roll of electors and is desirous of being enrolled thereon shall make application in writing to the returning officer in the Form No. 2 in the Appendix to these regulations and send or deliver the same to the returning officer so as to reach him not later than the hour of 12 o'clock noon fourteen days before the day fixed for the close of nominations.

(4) An application for enrolment under this regulation shall be accompanied by evidence satisfactory to the returning officer of the eligibility of the applicant for enrolment as an elector on the roll of electors, and the returning officer shall reject any such application which is not accompanied by such evidence or which is received after the time specified in subregulation (3) of this regulation.

(5) When the returning officer has prepared the roll of electors in accordance with this regulation, he shall sign each page thereof, and thereupon that roll shall be the electoral roll to be used at the election.

6. (1) Where any grower eligible for enrolment on the electoral roll is a company or other corporate body, the board of directors or other management authority thereof may authorise any director, trustee or other member of that board or management authority or its manager, secretary or other officer (being a person not already enrolled or entitled to be enrolled on the electoral roll) to represent the company or other corporate body as an elector, and upon receipt of an application for enrolment from such representative person, together with a certificate in writing of such authorisation signed by the managing director of the company or, as the case may be, the president or chairman of the management authority of such other corporate body, the returning officer may, subject to all other requirements of these regulations being satisfied, enrol that representative person on the electoral roll as an elector.

(2) In the case of a partnership, any one of the partners, but not more than one, at any one time may apply for enrolment and be enrolled on the electoral roll as an elector.

(3) A person shall not be entitled to be enrolled on the electoral roll more than once at any one time, whether as an elector in his own right or as the representative of a company or other corporate body, or as a partner in a partnership, or otherwise.

(4) A company or other corporate body may revoke any authority given by it under this regulation by notice in writing signed by the board of directors or other management authority sent or delivered to the returning officer, and upon receipt of such notice the returning officer shall forthwith remove from the electoral roll the name of the representative person whose authority has been so revoked:

Provided that any such revocation shall not invalidate any vote given by the representative person enrolled and voting by virtue of such authority at an election held prior to that revocation.

(5) Every authority given under subregulation (1) of this regulation shall remain effective for all subsequent elections and electoral rolls until written notice of revocation is sent or delivered to the returning officer.

Nominations.

7. (1) A person is not eligible to be nominated as a candidate for election as the elective member of the Committee unless at the time of the nomination he is a grower within the meaning of section 5 of the Act, and is not—

- (a) of unsound mind; or
- (b) an undischarged bankrupt under the laws relating to bankruptcy; or

- (c) a person who has been convicted of an indictable offence for which a sentence of imprisonment for not less than twelve months may be imposed.
- (2) A nomination may be in the Form No. 3 in the Appendix to these regulations, but has no effect unless it—
- (a) contains the full name of the candidate;
 - (b) is signed by at least two persons eligible to vote at the election for which the nomination is made;
 - (c) is signed by the candidate consenting to act if elected; and
 - (d) is addressed to the returning officer, and is sent or delivered to him so as to reach him not later than the hour of 12 o'clock noon on the day fixed for the close of nominations.

Withdrawal of Nomination.

8. Any candidate may by notice in writing signed by him and witnessed by a grower, addressed to the returning officer and lodged with him not later than the hour of 12 o'clock noon on the day fixed for the close of nominations, withdraw his consent to his nomination, and thereupon that candidate shall be considered as not having been nominated, and the returning officer shall omit the name of that candidate from the ballot paper.

Polling.

9. Where one candidate only is duly nominated for election pursuant to these regulations, that candidate shall be duly elected.

10. (1) Where more than one candidate is duly nominated, the returning officer shall as soon as possible after the close of nominations—

- (a) cause the full names of the candidates and the date and hour fixed for the close of the poll to be published in the *Government Gazette* and in a newspaper circulating in the district;
- (b) cause to be printed ballot papers setting out the full names of the candidates arranged in alphabetical order of their surnames in accordance with the Form No. 4 in the Appendix to these regulations, and counterfoils in accordance with the Form No. 5 in that Appendix;
- (c) send by post or otherwise to each person whose name appears on the electoral roll—
 - (i) one ballot paper initialled by the returning officer or a person authorised by him in that behalf;
 - (ii) one counterfoil;
 - (iii) one ballot paper envelope; and
 - (iv) one envelope addressed to the returning officer.

(2) Each ballot paper, counterfoil, ballot paper envelope, and addressed envelope shall be enclosed by the returning officer in a covering envelope which shall be fastened, addressed and forwarded to the person for whom it is intended.

11. If a voter makes and transmits to the returning officer a statement in writing setting out his full name and his official address, and stating that he has not received his ballot paper, or that the ballot paper received by him has been destroyed and that he has not already voted the returning officer may issue a new ballot paper to that voter.

12. (1) A person to whom a ballot paper and counterfoil is addressed, if desirous of voting, shall record his vote on the ballot paper issued to him in the manner following—

- (a) where there are only two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes;
- (b) where there are more than two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference and shall give contingent votes for all the remaining candidates by placing the numerals "2," "3," and so on, opposite their names as the case requires, so as to indicate by such numerical sequence the order of his preference.

(2) A voter having marked his ballot paper in accordance with subregulation (1) of this regulation shall then—

- (a) enclose the ballot paper alone in the envelope marked "ballot paper" and fasten the envelope;
- (b) complete and sign the counterfoil in the presence of a witness who shall also sign the counterfoil; and
- (c) return the ballot paper envelope with the ballot paper contained therein and the completed counterfoil to the returning officer by post or otherwise in the envelope addressed to the returning officer so as to be received by him not later than the day and time appointed by the notice of election for the closing of the poll at such election.

Scrutiny and Count.

13. (1) The returning officer shall place and keep in a locked and sealed ballot box all envelopes purporting to contain ballot papers received by him up to the close of the poll.

(2) An envelope containing a ballot paper received after the close of the poll shall not be admitted to the scrutiny.

(3) As soon as practicable after the hour fixed for the close of the poll, the returning officer shall in the presence of a scrutineer proceed with the scrutiny and count the votes received, and ascertain and declare the result of the poll.

(4) Subject to these regulations, each election shall be conducted and the candidate to be elected ascertained in accordance with the provisions of the law for the time being regulating elections for the Legislative Assembly as far as they can with necessary adaptations be made applicable.

(5) Each candidate at an election shall be entitled to appoint in writing one scrutineer who shall be present when the envelopes containing ballot papers relating to the election are being opened at the commencement of the scrutiny and who may remain during the scrutiny.

(6) (a) Where the right of a person to vote is not established, or the counterfoil is not signed by the voter and by the witness, the returning officer shall replace the counterfoil and the envelope marked "ballot paper" in the outer envelope, endorse that envelope "rejected" and set it aside for safe keeping, together with any other outer envelopes which have been rejected.

(b) A ballot paper shall be informal—

- (i) if it does not bear the initials or signature of the returning officer or a person authorised in that behalf by the returning officer;
- (ii) if the voter has not marked it in accordance with the directions set out therein; or
- (iii) if no mark is indicated on it.

Recount of Votes.

14. (1) At any time before the gazettal of the results of the election as provided in regulation 17 of these regulations, the returning officer may, if he thinks fit, on the written request of any candidate setting forth the reasons for the request, or of his own motion, make a recount of the ballot papers.

(2) If the returning officer refuses a request of a candidate to make a recount of the ballot papers, the candidate may within the period referred to in subregulation (1) of this regulation appeal in writing to the Minister to direct a recount, and the Minister may at his discretion either direct a recount or refuse to direct a recount, and where the Minister directs a recount the returning officer shall make a recount as soon as practicable after being notified of that direction.

Disputes.

15. Any dispute arising out of the conduct of an election shall be referred by the returning officer to the Minister, and the decision of the Minister in that regard shall be final and conclusive.

Equal Number of Votes.

16. If on any count two or more candidates have an equal number of votes, the returning officer shall decide by lot which candidate shall be declared defeated, and the other candidate shall thereupon be declared elected.

Result of Election.

17. (1) The returning officer shall prepare and forward forthwith to the Minister a statement showing the result of each election and the name of the candidate elected and the office for which he is elected and shall cause the result of the election to be notified in the *Government Gazette*.

(2) On completion of the scrutiny and count of votes the returning officer shall enclose in one packet all used ballot papers, in another packet all counter-foils, and in a third packet all rejected votes, and shall seal up the several packets, endorse on each packet a description and a number of the contents and the date of the poll, and sign the endorsements.

(3) The returning officer shall preserve and hold in custody the sealed packets referred to in subregulation (2) of this regulation together with all other documents used at or in connection with the election until that election may no longer be questioned, when the sealed packets and documents shall be destroyed.

Common Seal.

18. (1) The Common Seal of the Committee shall be in the design of a circle and bear thereon the inscription "The Banana Industry Compensation Committee" and the words "Common Seal."

(2) The Common Seal shall be kept in safe custody by the secretary of the Committee and shall not be affixed to any document unless—

- (a) the Committee has directed by a resolution at a regular meeting that the Common Seal be so affixed; and
- (b) it is affixed to the document by the secretary in the presence of the chairman of the Committee, or in his absence another member of the Committee.

Returns.

19. (1) The return required to be prepared and furnished to the Committee by a wholesaler pursuant to section 20 of the Act shall be in the Form No. 6 in the Appendix to these regulations.

(2) The return required to be furnished annually to the Committee by each grower pursuant to section 32 of the Act shall be in the Form No. 7 in the Appendix to these regulations.

Compensation.

20. (1) A grower who suffers loss by destruction of bananas and by reason thereof claims to be entitled to payment of compensation under the Act shall make application for compensation to the Committee in the Form No. 8 in the Appendix to these regulations within thirty days after the destruction of the bananas.

(2) Every application for compensation shall—

- (a) be in writing signed by the applicant;
- (b) set out the full name of the applicant and his place of residence, and the description, situation and area of the land upon which he is producing bananas;
- (c) specify the portions of the land of the applicant upon which bananas have been destroyed and the area of each portion, the date, cause and nature of the destruction, and the respective stages of growth of the bananas destroyed;
- (d) show the amount of compensation claimed in respect of the destruction and how that amount is ascertained; and
- (e) be accompanied by a statutory declaration made by the applicant verifying the correctness of the particulars contained in the application.

False Statements.

21. Any person who, not being entitled to be enrolled as an elector for the purpose of an election held under the Act and these regulations, makes a claim to be enrolled, and any person who makes any statement which is to his knowledge false in any application for enrolment, or in any statement accompanying a ballot paper verifying the right of the voter to vote, commits an offence against these regulations.

Penalty: Twenty pounds.

Penalties.

22. Any person who commits a breach of any of the provisions of these regulations commits an offence against these regulations and is liable on summary conviction, where no specific penalty is expressed for that offence, to a penalty not exceeding fifty pounds.

Appendix.

Form No. 1.

Western Australia.

Banana Industry Compensation Trust Fund Act, 1961.

(Regulation 4 (2) (b).)

NOTICE OF ELECTION.

NOTICE is hereby given that an election of the elective member of The Banana Industry Compensation Committee under section 7 of the Banana Industry Compensation Trust Fund Act, 1961, will take place at the office of the returning officer hereunder mentioned on the.....day of.....19....., closing at the hour of 12 o'clock noon on that date.

Nominations of candidates must be made in accordance with the Banana Industry Compensation Trust Fund Act Regulations, 1961, and must be received by the returning officer at his office specified hereunder not later than the hour of 12 o'clock noon on the.....day of.....19.....

The address of the returning officer to which nominations are required to be sent or delivered is.....

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

Returning Officer.

Form No. 2.

Western Australia.

Banana Industry Compensation Trust Fund Act, 1961.

(Regulation 5 (3).)

APPLICATION FOR ENROLMENT.

To the Returning Officer,
c/o The Banana Industry Compensation Committee,
Department of Agriculture,
South Perth:

I, (a).....of (b).....
in the State of Western Australia (c).....hereby
apply to have my name enrolled as an elector on the electoral roll under
subregulation (3) of regulation 5 of the Banana Industry Compensation Trust
Fund Act Regulations, 1961, on the ground that—

(1) I am a grower within the meaning of the Banana Industry Com-
pensation Trust Fund Act, 1961.

or

I am a partner in the firm of (d).....
of (b).....which firm is a grower within the
meaning of the Act aforesaid, and all the other partners have
consented to my making this application as evidenced by their
written consent lodged herewith.

or

I am a (e).....of (f).....
which is a grower within the meaning of the Act aforesaid and
I have been authorised by it to be enrolled on its behalf by the
written authority lodged herewith.

(2) I (or the said firm, company or other corporate body) am (or is) a
grower within the meaning of the Act aforesaid by reason of the
following facts, namely:—

(g).....
.....
.....

- (3) I am not enrolled upon the said electoral roll or upon any other electoral roll under the regulations aforesaid, and I am not disqualified under those regulations from being enrolled upon the electoral roll.
- (4) I supply the following particulars concerning myself:—
 - Surname (block letters).....
 - Christian names (in full).....
 - Residence (full address).....
 - Occupation

I, the abovenamed (a)..... hereby state that the particulars furnished above in this application are true and correct, and I make this statement knowing that any wilfully false statement herein is punishable under the regulations.

Dated the..... day of..... 19.....

(h)..... Applicant.

- (a) Full name of applicant; (b) address; (c) occupation; (d) trade name or firm or partnership; (e) director, trustee, member or officer; (f) name of company or other corporate body; (g) here set out particulars to satisfy the returning officer that the applicant is a grower; (h) signature of applicant.

Note.—(1) The applicant must complete and sign the above application, and satisfy the returning officer that he, or the partnership, company, or other corporate body, which he represents, is a grower within the meaning of the abovementioned Act by furnishing such particulars as the returning officer may require.

(2) The application must be sent by prepaid letter post, or delivered, to the returning officer at his address.

Form No. 3.

Western Australia.

Banana Industry Compensation Trust Fund Act, 1961.

(Regulation 7 (2).)

NOMINATION FORM.

WE, the undersigned, being growers within the meaning of the Act abovementioned and entitled to vote at the election of the elective member of The Banana Industry Compensation Committee do hereby nominate

..... for election as the elective member of that Committee.

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

Signature of each Nominator. Address of each Nominator.

(To be signed by at least two persons eligible to vote at the election for which the nomination is made.)

I, (a)..... of (b)..... the person nominated hereby consent to the above nomination and to act if elected in the capacity abovementioned.

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

Signature of Person Nominated.

Received the above nomination this..... day of..... 19..... at..... o'clock in the..... noon.

Returning Officer.

- (a) Name in full of nominee in block letters.
- (b) Address of nominee.

Form No. 4.

Western Australia.

Banana Industry Compensation Trust Fund Act, 1961.

(Regulation 10 (1) (b).)

BALLOT PAPER.

Election of a Candidate as the Elective Member of The Banana Industry Compensation Committee.

Date of Close of Poll.....

Initials of Returning Officer.....

Directions for Voting.

(1) Where there are only two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes. Where there are more than two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference and he shall give contingent votes for all the remaining candidates by placing the numerals "2," "3" and so on, opposite their names as the case requires, so as to indicate by such numerical sequence the order of his preference.

(2) The voter shall then—

- (a) enclose the ballot paper alone in the envelope marked "ballot paper" and fasten the envelope;
- (b) complete and sign the counterfoil in the presence of a witness who shall also sign the counterfoil;
- (c) return the ballot paper envelope with the ballot paper contained therein and the completed counterfoil to the returning officer by post or otherwise in the envelope addressed to the returning officer so as to be received by him not later than the day and time appointed by the notice of election for the closing of the poll.

Full Names of Candidates

(in alphabetical order of surnames).

.....
.....

Form No. 5.

Western Australia.

Banana Industry Compensation Trust Fund Act, 1961.

(Regulation 10 (1) (b).)

COUNTERFOIL.

Election of Elective Member of The Banana Industry Compensation Committee.

Date of Close of the Poll:

.....at 12 o'clock noon.

Name in Full of Voter.....

Address of Voter.....

Usual Signature of Voter.....

Witness to Signature.....

Address of Witness.....

Form No. 8

Western Australia.

Banana Industry Compensation Trust Fund Act, 1961.
(Regulation 20.)

The Chairman,
Banana Industry Compensation Trust Fund Committee:

APPLICATION FOR COMPENSATION.

Name
Address
Address of Plantation
(Including Lot Number)
Cause of Destruction
Date of Destruction 19.....

Applicant is required to Answer Questions on Pages 2 and 3.

Compensation Authorised £ : :
(Signature)
Authorising Officer.

(Page 2.)

Particulars of Land on which Bananas have Suffered Destruction.
Extent of Destruction: in acres to nearest 1/10th of an acre.

	Area	Particulars of Destruction		Assessment of Destruction (To be filled in by Assessors)	
		Area	Percentage	Area	Percentage
A. Mature Plants					
B. Plants which are not over 2 feet 6 inches in height					
C. Plants which are over 2 feet 6 inches but under 5 feet in height					
D. Plants which are 5 feet and over and up to bunching stage, but having no bunches showing					
E. Plants which have reached stage of early bunching					

Signature-Officer, Dept. of Agric.
Signature-Representative of Grower
Date 19.....

Particulars of acreage and production over the previous five (5) years—excluding any year in which compensation was paid. In the event of full records not being available over the above period, all available information should be supplied:—

Year	Area	Production (in cases)
1		
2		
3		
4		
5		
Weighted Average		

(To be left blank.)

(Page 3.)

The following statutory declaration is to be completed and signed:—

I the said.....do solemnly and sincerely declare that I am the owner of the above banana plants described in the foregoing compensation claim, and that the information contained therein is to the best of my knowledge and belief, correct in every particular and I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

If not the registered owner, state full particulars of tenancy, owner's name, lot No., whether lease, agreement, contract of sale, and where agreement or document may be sighted.

Declared at.....in the State of Western Australia, the.....day ofone thousand nine hundred and.....

Signature.....
Owner of Banana Plants.

Before Me,
Signature.....
Justice of the Peace.

or any other person authorised to witness a Statutory Declaration.

MINE WORKERS' RELIEF ACT, 1932-1961.

Department of Mines,
Perth, 11th April, 1962.

HIS Excellency the Governor in Executive Council acting pursuant to the provisions of the Mine Workers' Relief Act, 1932-1961, has been pleased to make the regulations set forth in the schedule hereunder.

(Sgd.) A. H. TELFER,
Under Secretary for Mines.

Schedule.

Regulations.

Principal regulations. 1. In these regulations the Mine Workers' Relief Regulations, published in the *Government Gazette* of the 12th July, 1935, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

Second Schedule amended. 2. The Second Schedule to the principal regulations is amended by inserting between the heading, "Scale 1" and the words, "Per Week", being the second line in that scale, a paragraph as follows:—

A person—

- (a) who has been prohibited under section thirteen of the Act on the ground that he is suffering from both tuberculosis and silicosis;
- (b) who has been notified of silicosis in the advanced stage under section sixteen of the Act;
- (c) who has been notified that he is suffering from silicosis in the advanced stage or from tuberculosis and silicosis under section fifty-one of the Act; or
- (d) to whom section fifty-six A of the Act applies, and any dependant of that person is entitled to the following benefits, if the person or the dependant is not receiving, is not entitled to receive, or is unable to recover as provided in section forty-eight or fifty-three of the Act, workers' compensation under the Workers' Compensation Act, 1912:—

TOTALISATOR AGENCY BOARD BETTING ACT, 1960-1961.

ERRATUM.

THE amendments to the Totalisator Agency Board Betting Regulations, 1961, published on pages 855-6 of *Government Gazette* (No. 26) of 5th April, 1962, are amended by substituting for paragraph (a) of subregulation (2) of regulation 34A the following paragraph—

- (a) may from time to time establish on all or any of its totalisator agencies a totalisator pool with respect to all double event bets made with the Board; and

TOTALISATOR AGENCY BOARD BETTING ACT, 1960-1961.

Totalisator Agency Board,
Perth, 29th March, 1962.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the schedule hereunder, made by the Totalisator Agency Board pursuant to the provisions of section 57 of the Totalisator Agency Board Betting Act, 1960-1961.

J. P. MAHER,
Chairman, Totalisator Agency Board.

Schedule.

Regulations.

Principal regulations. 1. In these regulations the Totalisator Agency Board Betting Regulations, 1961, published in the *Government Gazette* on the 8th February, 1961, and amended from time to time thereafter by notices published in the *Government Gazette* are referred to as the principal regulations.

Reg. 40 and heading added. 2. The principal regulations are amended by adding after regulation 39 a heading and a regulation as follows:—

Bets transmitted by Board to be Registered on Totalisator.

40. (1) Whenever bets received by the Board are transmitted to a racing club for registration in respect of any horse race on the totalisator operating on the race course of that club, those bets that are so transmitted up to the time when in respect of that horse race the totalisator is officially closed shall be accepted for registration, and registered, on the totalisator.

(2) The bets registered on the totalisator pursuant to subregulation (1) of this regulation shall form part of the total amount invested on the totalisator in respect of the horse race for which the bets were transmitted, and shall be taken into account in the calculation of the dividends to be declared payable on the result of that horse race.