

MUNICIPAL CORPORATIONS.

8° Elizabeth II., No. XVII.

No. 17 of 1959.

**AN ACT to amend the Municipal Corporations
Act, 1906-1956.**

[Assented to 8th October, 1959.]

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:—

Short title
and citation.

1. (1) This Act may be cited as the *Municipal Corporations Act Amendment Act, 1959.*

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(2) In this Act the Municipal Corporations Act, 1906-1956, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Municipal Corporations Act, 1906-1959.

2. Subsection (2) of section thirty-nine of the principal Act is amended—

S. 39
amended.

(a) by substituting for paragraph (b) the following—

(b) his selling, in the ordinary course of business and in good faith, goods to the municipality or to or for any person who has entered into a contract with the municipality, or doing work for the municipality that is not done pursuant to a written contract; or ;

(b) by adding after the word, “advertisements” being the last word in paragraph (e), the following—

; or

(f) being an officer or member whether appointed by the council or not, of any club or association incorporated or otherwise that is not formed for the purpose of securing pecuniary profit to the members from the transactions thereof, and has for its object the physical recreation or cultural activities of its members or other persons, notwithstanding that the club or association leases or rents any land or building from the municipality for the object.

(i) In this paragraph, “physical recreation” includes the games of cricket, tennis, football, golf, bowling or other sport; and

(ii) “cultural activities” includes social, religious, charitable, educational, literary, musical, scientific, agricultural, horticultural, or other like activities and the supply of services or commodities in connection with any of those activities; or

- (g) being entitled to any remuneration payable by the municipality under the provisions of section thirty-eight or forty of the Bush Fires Act, 1954, but the exemption provided under this paragraph continues so long only as the remuneration is not paid to the person or at his request or direction paid to another person; or
- (h) being insured against personal injury under a policy of insurance effected by the municipality pursuant to section thirty-seven of the Bush Fires Act, 1954 .

S. 51
amended.

3. Subsection (1) of section fifty-one of the principal Act is amended by adding after the word, "company" being the last word in the subsection, the passage, "until such time as the corporation or joint stock company appoints another person to be so registered in place of that person, or the town clerk is satisfied that the person registered in the place of the corporation or joint stock company no longer represents the corporation or company".

S. 180
amended.

4. Section one hundred and eighty of the principal Act is amended—

- (a) by adding after paragraph (19) a paragraph as follows—

(19A) For requiring the owner or occupier of any land within the district to remove within a time specified in a notice given by the municipality and served on the owner or occupier of the land, refuse, rubbish or other material of any kind whatsoever, which in the opinion of the council is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof. ; and

- (b) by adding after paragraph (24) a new paragraph as follows—

(24A) For regulating the establishment, operation and maintenance of motels.

5. Section three hundred and thirty-eight of the principal Act is amended by inserting after paragraph (1) of subsection (1) new paragraphs as follows—

S. 338
amended.

(1A) Providing for the regulation of the construction of buildings to be used as motels.

(1B) Providing for the regulation of the construction of television masts and antennae whether attached to buildings or not.

6. Section three hundred and eighty of the principal Act is amended—

S. 380
amended.

(a) by adding after the section designation, “380” the subsection designation, “(1)”;

(b) by adding after the word, “Land” in line one of paragraph (7), the words “or portion of a parcel of land”;

(c) by substituting for the word, “subsections” in line one of paragraph (a) and in line two of paragraph (b) of the second proviso the word, “paragraphs”.

(d) by substituting for the word, “section” in line two of paragraph (a) and in line three of paragraph (b) of the second proviso the word, “subsection”.

(e) by adding a subsection as follows—

(2) The Governor may from time to time—

(a) by subsequent declaration cancel or vary any declaration made by the Governor under paragraph (7) of subsection

(1) of this section or any repealed Act which declaration exempts land from being rateable;

(b) declare that any portion of a parcel of land is exempt from municipal rates.

S. 442
amended.

7. Section four hundred and forty-two of the principal Act is amended by adding after paragraph (21) the following paragraph—

(21A) The establishment either alone or in conjunction with any other local authority of kindergartens, community centres, maternal health centres, infant health centres, creches, day nurseries, dental clinics and ambulance services, whether within the district or otherwise, if in the opinion of the municipality the establishment thereof will directly or indirectly benefit persons residing in the district.
