



Local Government Standards Panel

Complaint Number	20230277E
Legislation	<i>Local Government Act 1995</i>
Complainant	Gary Tuffin - Chief Executive Officer
Respondent	Councillor Xavier Carr
Local Government	Town of Cambridge
Regulation	Regulation 23 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Panel Members	Ms Emma Power (Presiding Member) Ms Suleila Felton (Member) Cr Peter Rogers (Member)
Heard	20 September 2023 Determined on the documents
Finding	1 x Breach of Regulation 23

FINDING AND REASONS FOR FINDING

28 November 2023

DEFAMATION CAUTION

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Summary of the Panel's decision

1. On 20 September 2023, the Panel found that Councillor Xavier Carr, a councillor for the Town of Cambridge (**"the Town"**), did commit a minor breach pursuant to the *Local Government Act 1995 (WA)* (**"the Act"**) and Division 4, regulation 23 of the *Local Government (Model Code of Conduct) Regulations 2021* (**"the Regulations"**) when he did not comply with a plan required by the local government in respect to a breach of Division 3 of the Regulations as further set out in paragraph 17 below.

The Panel's Role

1. Under section 5.110(2) of the Act the Panel is required to consider a minor breach complaint and make a finding as to whether the alleged minor breach occurred.
2. The Act and the *Local Government (Administration) Regulations 1996* provide for the circumstances in which a council member commits a minor breach.
3. Section 5.105(1) of the Act provides that a council or committee member commits a minor breach if the council or committee member contravenes a rule of conduct. Division 4 of the Regulations sets out the rules of conduct for council members and candidates.
4. Regulation 34D of the *Local Government (Administration) Regulations 1996* also provides that the contravention of a "*local law as to conduct*" is a minor breach pursuant to the Act.
5. The Panel may make a finding that a councillor has committed a minor breach of the Act and Regulations based on evidence from which it may be concluded that it is more likely that the alleged breach occurred than it did not occur.¹
6. In order to find a breach, it must be established that each element of the relevant Regulation is more likely than not to have been breached or met.
7. In considering whether a minor breach is established the Panel must consider:
 - a. all evidence provided and, where there are conflicting circumstances, inferences or evidence, must come to a reasonable conclusion that any circumstance, inference or evidence relied upon is more likely than not to have occurred or be accurate²; and
 - b. the seriousness of any allegation made, as well as the gravity of the consequences flowing from a particular finding³.
8. The Panel does not possess investigative or supervisory powers.⁴ The Panel makes decisions about complaints regarding minor breaches solely upon the evidence presented to it and, where appropriate, materials in the public domain or published by the relevant local authority's website.

¹ Section 5.106 of the Act

² *Bradshaw v McEwans Pty Ltd* (1951) 217 ALR 1

³ *Briginshaw v Briginshaw* (1938) 60 CLR 336

⁴ *Re and Local Government Standards Panel* [2015] WASC 51 (at paragraph 24)



10. It is the responsibility of both complainants and respondents to provide the Panel with all information they wish the Panel to consider when making its determination.
11. The Panel also must have regard to the general interests of local government in Western Australia⁵.
12. The Panel is obliged to give notice of the reasons for any finding it makes under section 5.110(2) of the Act.

Jurisdiction and Procedural Fairness

13. On 15 August 2023 the Panel received an email from Mr Gary Tuffin, acting as Complaints Officer of the Town (**“the Complaints Officer”**). The same enclosed a Complaint of Minor Breach Form dated 8 August 2023.
14. In the complaint form, the Complainant alleges that Cr Carr breached regulation 23 of the Regulations when he did not comply with a plan required by the local government in respect to a breach of Division 3 of the Regulations (**“the Complaint”**).
15. The Panel convened on 20 September 2023 to consider the Complaint.
16. The Panel:
 - a. accepted the advice of the Department of Local Government, Sport and Cultural Industries (**“the Department”**) that, based on information published on the Western Australian Electoral Commission’s website, Cr Carr was:
 - i. elected to the Council of the Town in October 2021 for a term expiring in October 2025;
 - ii. a Councillor at the time of the alleged breach; and
 - iii. a Councillor when the Panel met on 20 September 2023;
 - b. was satisfied the Complaint was made within six months after the alleged breach occurred⁶;
 - c. was satisfied that the Shire’s Complaints Officer had dealt with the Complaint in accordance with the administrative requirements in the Act for dealing with complaints of a minor breach⁷;
 - d. was satisfied the Department had provided procedural fairness to Cr Carr; and
 - e. found it had jurisdiction to consider the Complaint.

The Specifics of the Complaint

⁵ Section 8(6) of Schedule 5.1 of the Act

⁶ Section 5.107(4) and 5.109(2) of the Act

⁷ Section 5.107 and 5.109 of the Act



17. The Complainant provided the following comments and arguments in respect to the Complaint:
- a. At the Ordinary Council Meeting on 28 March 2023, Council considered a breach of the Code of Conduct by Cr Carr and resolved as follows:

“ In relation to the breach by Cr Carr on 14 March 2023:

 - a) *RECEIVES the report from the Acting Chief Executive Officer as outlined in this report;*
 - b) *RESOLVES that Cr Carr has breached the following:*
 - ii) Town of Cambridge Code of Conduct for Council Members, Committee Members and Candidates; and*
 - (ii) Policy No: 057 - Media Communications.*
 - c) *REQUIRES Cr Carr to undertake WALGA training in relation to his Code of Conduct obligations as an Elected Member under the Local Government Act 1995 (WA) in the next month and provides a written apology to the Council.”*
 - b. Following the March Ordinary Council Meeting, the Administration arranged a half day, tailored WALGA training session at the Town's Administration Centre for Monday 8 May 2023.
 - c. The date was selected in consultation with Cr Carr who confirmed he would be available to attend on that date. Cr Carr did not attend the training, advising one hour before it was scheduled to commence that he would not be attending due to personal reasons. The Acting CEO followed up with Cr Carr regarding his non-attendance and no response was received from Cr Carr.
 - d. Cr Carr has also not provided an apology or undertaking as required by the resolution.
 - e. At the Ordinary Council Meeting on 23 May 2023, Council resolved for the Acting CEO to place a public notice in The West Australian and The Post Newspaper regarding the breach by Councillor Carr and his failure to attend the training or provide the apology and undertaking.
 - f. At the meeting, Council requested the training be re-arranged for Cr Carr for completion by the end of June 2023, failing which a complaint would be lodged with the Minor Breach Standards Panel.
 - g. Cr Carr did not contact the Town regarding the training. His upcoming availability was requested by 30 June 2023 and this was not received.
 - h. Cr Carr has therefore not complied with the plan requirements resulting from his breach of the Town of Cambridge Code of Conduct for Council Members, Committee Members and Candidates and Policy 57: Media Communications in relation to comments posted on social media.



The Respondent's Response

18. Despite being given an opportunity to respond, Cr Carr did not provide a response to the Complaint.

Regulation 23

19. Regulation 23 requires a councillor to comply with a plan requirement where such councillor has been required to undertake the same by resolution of Council in respect to a breach of Division 3 of the Regulations:

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

20. To make a finding of a minor breach of regulation 23 of the Regulations the Panel must be satisfied that it is more likely than not that:
- a. Cr Carr was a councillor at the time of the alleged breach;
 - b. The local government found that Cr Carr committed a breach occurred under Division 3 of the Regulations;
 - c. The local government prepared and/or implemented a plan to address the behaviour of Cr Carr pursuant to regulation 12(4)(b) of the Regulations which included any one or more of the requirements set out in clause 12(6) being to:
 - i. engage in mediation;
 - ii. undertake counselling;
 - iii. undertake training; and/or
 - iv. take other action the local government considers appropriate.
 - d. Cr Carr did not comply with the requirements of the relevant plan.

PANEL'S CONSIDERATION

Allegation 1 - First Motion – 28 March 2023

Cr Carr was an elected member at the time of the alleged breach and the time of the determination

21. Cr Carr was a councillor at the time of the alleged breach and at the time the Panel considered the Complaint.
22. This element is met.

The local government found that Cr Carr breached Division 3 of the Regulations



23. The minutes of the Ordinary Council Meeting of 23 May 2023 indicate that Council had found (at the Ordinary Council meeting of 28 March 2023) Council resolved that Cr Carr had breached the Towns Code of Conduct and also the Town's Policy 057 – Media Communications.
24. It is noted that:
- a. the Town's Code of Conduct reflects the provisions of the Division 3 Regulations; and
 - b. the Town complaint form for a breach of this kind specifically refers to the Division 3 conduct provisions.
25. This element is met.

The local government prepared and/or implemented a plan pursuant to regulation 12(4) (b) of the Regulations including the requirements set out in clause 12(6)

26. The minutes of the Ordinary Council Meeting of 23 May 2023 show that Cr Carr was required to:
- a. Undertake training – being a requirement referred to in regulation 12(6)(c); and
 - b. Make an apology – which can be considered “*any other action the local government considers appropriate*” as set out in regulation 12(6)(d).
27. This element is met.

Cr Carr did not comply with the requirements of the relevant plan.

28. The Panel finds to the required standard and in the absence of alternative evidence that Cr Carr did not:
- a. attend either session of the arranged training; or
 - b. provide a written apology to Council.
29. Therefore, Cr Carr did not comply with the requirements of the relevant plan.
30. This element is met.

Conclusion

31. The elements required to find a breach of regulation 23 of the Regulations have been met.



Panel's Findings

32. Cr Carr did commit a breach of Regulation 23 of the Regulations and therefore did commit a minor breach.

Signing

A handwritten signature in black ink, appearing to read 'E Power'.

Emma Power (Member)

A handwritten signature in black ink, appearing to read 'P Rogers'.

Peter Rogers (Deputy Member)

A handwritten signature in black ink, appearing to read 'S Felton'.

Suleila Felton (Deputy Member)



Local Government Standards Panel

Complaint Number	20230277E
Legislation	<i>Local Government Act 1995 (WA)</i>
Complainant	Mr Gary Tuffin
Respondent	Councillor Xavier Carr
Local Government	Town of Cambridge
Regulation	Regulation 23 <i>Local Government (Model Code of Conduct) Regulations 2021 (WA)</i>
Panel Members for Penalty Consideration	Ms Emma Power (Presiding Member) Ms Suleila Felton (Member) Cr Peter Rogers (Member)
Heard	28 September 2023 Determined on the documents
Penalty Considered	21 March 2024
Outcome	Public Censure, Public Apology and Monetary Penalty

DECISION AND REASONS FOR DECISION

24 April 2024

DEFAMATION CAUTION

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Introduction

1. At its meeting on 21 March 2024, the Panel found that Councillor Xavier Carr, a councillor for the Town of Cambridge (**“the Town”**), committed a breach under the *Local Government Act 1995 (WA)* (**“the Act”**) and regulation 23 of the *Local Government (Model Code of Conduct) Regulations 2021* (**“the Regulations”**) when he did not comply with a plan required by the local government in respect to a breach of Division 3 of the Regulations (**“the Minor Breach”**).

Jurisdiction and Law

2. The Panel convened on 21 March 2024 to consider how it should deal with the Minor Breach.
3. The Panel accepted the advice of the Department of Local Government, Sport and Cultural Industries (**“the Department”**) that on this date there was no available information to indicate that Cr Carr had ceased to be, or was disqualified from being, a councillor.
4. If the Panel finds that a councillor has committed a minor breach, it must give the councillor an opportunity to make submissions to the Panel about how it should deal with the breach under section 5.110(6).¹
5. By a letter dated 28 November 2023, Cr Carr was:
 - a. notified of the Panel’s finding of the Minor Breach;
 - b. provided with a copy of the Panel’s Finding and Reasons for Finding; and
 - c. offered an opportunity to make submissions as to how the Minor Breach should be dealt with under section 5.110(6) of the Act.

Possible Sanctions

6. Section 5.110(6) of the *Local Government Act 1995 (WA)* (**“the Act”**) provides that the Panel is to deal with a minor breach by:
 - (a) *ordering that no sanction be imposed; or*
 - (b) *ordering that —*
 - (i) *the person against whom the complaint was made be publicly censured as specified in the order;*
or
 - (ii) *the person against whom the complaint was made apologise publicly as specified in the order;*
or
 - (iii) *the person against whom the complaint was made undertake training as specified in the order;*
or

¹ *Local Government Act 1995 (WA)*, s 5.110(5).



(iv) *the person against whom the complaint was made pay to the local government specified in the order an amount equal to the amount of remuneration and allowances payable by the local government in relation to the complaint under Schedule 5.1 clause 9;*

or

(c) *ordering 2 or more of the sanctions described in paragraph (b)."*

Cr Carr's Submissions

7. By an email dated 4 February 2024 the Department received a response Cr Carr.
8. Cr Carr provided the following comments and arguments, as summarised by the Panel:
 - a. Cr Carr believe a public apology or censure is the appropriate sanction that should be imposed for the breach.
 - b. Further, Cr Carr does not believe that imposing a sanction of extra education is necessary as he enrolled in the WALGA Diploma of Local Government which will provide me with extensive education in these matters. Therefore, because I have taken steps to enrol in the WALGA Diploma of Local Government course and this course is a well-respected course which teaches councillors about, among other things, how and when to communicate appropriately via social media.
 - c. Essentially, imposing a sanction that Cr Carr undertakes further education would be superfluous since he has already undertaken to enrol in the WALGA Diploma.
 - d. Finally, Cr Carr does not believe that a payment as a sanction is necessary as no individuals have been defamed or suffered reputational damage nor is my post directed at any individual. Neither has the Town suffered any damage. Therefore, Cr Carr believes a payment is not necessary.
 - e. To summarise, if any sanction is imposed, the sanction should be an apology or censure.

Panel's Consideration

9. Section 5.110(6) is about penalty. The Panel does not have the power to review any finding of a breach.
10. The Panel may order under section 5.110(6)(a), that no sanction be imposed, not to reverse the Panel's finding of a breach, but to indicate that in all the circumstances the relevant councillor should not be penalised further.
11. Guidance as to the factors which the Panel may consider in determining the appropriate penalty to impose include, but are not limited to, the following:
 - a. the nature and seriousness of the breaches;
 - b. the councillor's motivation for the contravention;
 - c. whether or not the councillor has shown any insight and remorse into his/her conduct;



- d. whether the councillor has breached the Act knowingly or carelessly;
 - e. the councillor's disciplinary history;
 - f. likelihood or not of the councillor committing further breaches of the Act;
 - g. personal circumstances at the time of conduct, and of imposing the sanction;
 - h. need to protect the public through general deterrence and maintain public confidence in local government; and
 - i. any other matters which may be regarded as aggravating conduct or mitigating its seriousness².
12. In this case the Panel notes that, Cr Carr did not address his particular breach in his response as to sanction, but rather refers to a different minor breach finding.
 13. In this case the finding of a minor breach by the Panel was straightforward.
 14. Cr Carr was found to have breached the Division 3 provisions of the Regulation by Council and Council duly resolved to require Cr Carr to undertake training. On two occasions, Cr Carr failed to attend the training sessions that were specifically arranged for Cr Carr between WALGA and Town staff.
 15. Cr Carr did not have any adequate excuse for non-attendance and further, does not appear to show any insight or remorse as to the same, despite the wasted resources and expenses borne by the Town.
 16. Failure to comply with a Division 3 plan indicates a lack of respect for a decision of Council as well as the Town employees involved in implementing the relevant plan.
 17. In these circumstances, the Panel considers that the appropriate sanctions are that Cr Carr:
 - a. is publicly censured;
 - b. provides a public apology; and
 - c. pays to the local government a sum of money to recoup the local government's expenses in dealing with the Complaint.
 18. A censure is a public statement of disapprobation of a councillor's conduct. This is an appropriate penalty in this case to send a message to the community and other councillors, that Cr Carr's conduct was improper and that the conduct was deserving of a serious penalty.
 19. The Panel further considers that as the conduct indicates a deliberate intention to not comply with a decision of the Council, and also wasted time and resources of the Town that a public apology to the Council and Town administration staff is appropriate.
 20. Making a public apology is a significant sanction, being a personal admission by the individual of wrongdoing³. It is a suitable and appropriate penalty when a councillor's conduct:
 - a. adversely affects particular individuals⁴; and/or

² *Chief Executive Officer, Department of Local Government and Communities and Scalfidi [2017] WASAT 67 (S)*

³ *Treby and Local Government Standards Panel [2010] WASAT 81 (Pritchard J).*

⁴ *Treby and Local Government Standards Panel [2010] WASAT 81 [127] (Pritchard J).*



- b. does not meet the standards other councillors seek to uphold.
21. Sub-section 5.110(6)(b)(iv) in respect to a monetary sanction was introduced in 2019 to allow the Panel to require a councillor to personally bear the cost of dealing with a Complaint, which in other circumstances would be paid by the relevant local government. This ensures the cost of a breach is borne by the councillor individually, not simply carried by the local government and therefore ultimately passed on to rate payers.
22. This sanction is appropriate to use where a Councillor's conduct is serious or indicates a wilful disregard for the standards of conduct expected from local councillors.
23. In this case, the Panel considers it appropriate that Cr Carr should have to bear to cost of the Town having to make a minor breach complaint due to his deliberate failure to comply with the Division 3 Plan.

Panel's decision

24. The Panel orders pursuant to section 5.110(6)(b)(i), section 5.110(6)(b)(ii); section 5.110(6)(b)(iv) and section 5.110(6)(c) of the Act that, in relation to the Minor Breach of regulation 18 of the Regulations, Cr Carr:
- be publicly censured in terms of the attached Orders; and
 - publicly apologise as specified in the attached Orders; and
 - pays to the Town of Cambridge a sum of money to recoup the local government's expenses in dealing with the Complaint as set out in the attached Orders.

Signing

Emma Power (Member)

Peter Rogers (Deputy Member)

Suleila Felton (Deputy Member)



ORDER

24 April 2024

DEFAMATION CAUTION

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THE LOCAL GOVERNMENT STANDARDS PANEL ORDERS THAT:

1. Councillor Xavier Carr, a councillor for the Town of Cambridge:
 - a. be **censured** as specified in paragraph 2 below;
 - b. **publicly apologise** as specified in paragraph 3 OR failing compliance with paragraph 3 within the specified timeframe, then paragraph 4 shall apply; and
 - c. make the **monetary payment** set out in paragraph 5 below.

Public Censure

2. Within the period falling between 29 days to 43 days from the day following the date of service of this Order on Councillor Xavier Carr the Chief Executive Officer of the Town of Cambridge shall arrange for the following Notice of Public Censure to be published, in no less than 10 point print or font:
 - a. on the Facebook Page of the Town of Cambridge (if any);
 - b. on an appropriate page of the website of the Town of Cambridge; and
 - c. be published in every Town of Cambridge public or community newsletter (whether in electronic or print copy) (if any).



NOTICE OF PUBLIC CENSURE

The Local Government Standards Panel has found that Councillor Xavier Carr, a Councillor of the Town of Cambridge breached regulation 23 of the *Local Government (Model Code of Conduct) Regulations 2021 (WA)* when he failed to comply with a plan set by Council under Division 3 of the Regulations.

Such conduct was found to show wilful disregard for a decision of the Council and the time and resources of the



administrative staff of the Town of Cambridge.

The Panel censures Councillor Xavier Carr for the breach of regulation 23 of *Local Government (Model Code of Conduct) Regulations 2021 (WA)*.

**LOCAL GOVERNMENT
STANDARDS PANEL**

Public Apology

3. On the ordinary council meeting of the Town of Cambridge first occurring after the expiration of **28 days** from the date of service of this Order on him, Councillor Xavier Carr shall:
- i. attend the relevant ordinary council meeting;
 - ii. ask the presiding person, or acting presiding person, for his or her permission to address the meeting to make a public apology to the public;
 - iii. make the apology immediately after Public Question Time or during the Announcements part of the meeting, or at any other time when the meeting is open to the public, as the presiding person thinks fit; and
 - iv. address the Council and public as follows, without saying any introductory words before the address, and without making any comments or statement after the address:

“I advise this meeting that:

- i. A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened Regulation 23 of Division 4 of the *Local Government (Model Code of Conduct) Regulations 2021* when I failed to comply with a plan set by Council under Division 3 of the Regulations in respect to a breach of the Code of Conduct found by Council to have been made by myself.
- ii. The Panel found that I breached Regulation 23 by my conduct and that such conduct exhibited wilful disregard for a decision of the Council as well as the time and resources of the administrative staff of the Town of Cambridge in arranging training that I did not attend.
- iii. I acknowledge that I should have complied with the relevant Division 3 plan and I now apologise to my fellow councillors and the Town administrative staff.”

4. If Councillor Xavier Carr fails to, or is unable to, comply with the requirements of paragraph 3 above in the required time frame THEN, within the next **28 days** following the ordinary council meeting referred to in paragraph 3 above the Chief Executive



Officer of the Town of Cambridge shall arrange for the notice of public apology to be published:

- a. on the Facebook Page of the Town of Cambridge shall in no less than 10 point font size; and
- b. in an appropriate place on the website of the Town of Cambridge shall in no less than 10 point font size; and
- c. in the next occurring issue of any Town of Cambridge shall public newsletter (if any) whether in electronic or print copy) in no less than 10 point font size.

PUBLIC APOLOGY BY COUNCILLOR XAVIER CARR

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened Regulation 23 of Division 4 of the *Local Government (Model Code of Conduct) Regulations 2021* when I failed to comply with a plan set by Council under Division 3 of the Regulations in respect to a breach of the Code of Conduct found by Council to have been made by myself.

The Panel found that I breached Regulation 23 by my conduct and that such conduct exhibited wilful disregard for a decision of Council as well as the time and resources of the administrative staff of the Town of Cambridge in arranging training that I did not attend.

I acknowledge that I should have complied with the relevant Division 3 plan and I now apologise my fellow councillors and the Town administrative staff.

Monetary Sanction

5. Within two (2) months of being advised of the sum total of the remuneration and allowances payable by the City in relation to the Complaint, Councillor Xavier Carr shall pay to the Town that amount in full.

Appeal

6. In the event that, prior to the date for compliance with the above Orders, Councillor Xavier Carr:
 - b. commences an appeal the decision of the Standards Panel to the State Administrative Tribunal in accordance with section 5.125 of the *Local Government Act 1995*; and
 - c. notifies the Complaints Officer of the Town of Cambridge of such appeal in writing,
THEN:
 - d. compliance with such Orders may be delayed until the State Administrative Tribunal has made a finding in respect to the decision; and
 - e. such Orders may be amended by an order of the State Administrative Tribunal



NOTICE TO THE PARTIES TO THE COMPLAINT

RIGHT TO HAVE PANEL DECISION REVIEWED BY THE STATE ADMINISTRATIVE TRIBUNAL

The Local Government Standards Panel (the Panel) advises:

- (1) Under section 5.125 of the *Local Government Act 1995* the person making a complaint **and** the person complained about each have the right to apply to the State Administrative Tribunal (the SAT) for a review of the Panel's decision in this matter. In this context, the term "decision" means a decision to dismiss the complaint or to make an order.
- (2) By rule 9(a) of the *State Administrative Tribunal Rules 2004*, subject to those rules an application to the SAT under its review jurisdiction **must be made within 28 days** of the day on which the Panel (as the decision-maker) gives a notice [see the Note below] under the *State Administrative Tribunal Act 2004 (SAT Act)*, section 20(1).
- (3) The Panel's ***Breach Findings and these Findings and Reasons for Finding – Sanctions***, constitute the Panel's notice (i.e. the decision-maker's notice) given under the *SAT Act*, section 20(1).

Note:

- (1) This document may be given to a person in any of the ways provided for by sections 75 and 76 of the *Interpretation Act 1984*. [see s. 9.50 of the *Local Government Act 1995*]
- (2) Subsections 75(1) and (2) of the *Interpretation Act 1984* read:
 - "(1) Where a written law authorises or requires a document to be served by post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, **service shall be deemed** to be effected by properly addressing and posting (by pre-paid post) the document as a letter to the last known address of the person to be served, and, **unless the contrary is proved, to have been effected at the time when the letter would have been delivered in the ordinary course of post.** [Bold emphases added]
 - (2) Where a written law authorises or requires a document to be served by registered post, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, then, if the document is eligible and acceptable for transmission as certified mail, the service of the document may be effected either by registered post or by certified mail."
- (3) Section 76 of the *Interpretation Act 1984* reads:

"Where a written law authorises or requires a document to be served, whether the word "serve" or any of the words "give", "deliver", or "send" or any other similar word or expression is used, without directing it to be served in a particular manner, service of that document may be effected on the person to be served —

 - (a) by delivering the document to him personally; or
 - (b) by post in accordance with section 75(1); or
 - (c) by leaving it for him at his usual or last known place of abode, or if he is a principal of a business, at his usual or last known place of business; or



- (d) *in the case of a corporation or of an association of persons (whether incorporated or not), by delivering or leaving the document or posting it as a letter, addressed in each case to the corporation or association, at its principal place of business or principal office in the State.”*