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## Local Government Standards Panel

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Complaint Number	20240362
Legislation	<i>Local Government Act 1995</i>
<b>Complainant</b>	<b>Tralee Cable - Chief Executive Officer</b>
<b>Respondent</b>	<b>Councillor Karen Williams</b>
Local Government	<b>Shire of Mount Magnet</b>
Regulation	Regulation 19 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Panel Members	Mr Tim Fraser (Presiding Member) Mrs Emma Power (Member) Cr Peter Rogers (Member)
Heard	8 April 2024 Determined on the documents
Finding	1 x Breach Regulation 19

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### FINDING AND REASONS FOR FINDING 10 May 2024

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#### DEFAMATION CAUTION

The general law of defamation, as modified by the *Defamation Act 2005*, applies to the further release or publication of all or part of this document or its contents. Accordingly, appropriate caution should be exercised when considering the further dissemination and the method of retention of this document and its contents.



## Summary of the Panel's decision

1. On 8 April 2024, the Panel found that Councillor Karen Williams a councillor of the Shire of Mount Magnet ("**the Shire**") did commit a minor breach pursuant to the *Local Government Act 1995 (WA)* ("**the Act**") and Division 4 and Regulation 19 of the *Local Government (Model Code of Conduct) Regulations 2021* ("**the Regulations**") when she approached the Main Roads Department regarding a car bay line marking project in the Shire as further set out in paragraph 17 below.

## The Panel's Role

2. 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.
3. The Act and the *Local Government (Administration) Regulations 1996* provide for the circumstances in which a council member commits a minor breach.
4. 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.
5. 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.
6. 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.<sup>1</sup>
7. 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.
8. 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 accurate<sup>2</sup>; and
  - b. the seriousness of any allegation made, as well as the gravity of the consequences flowing from a particular finding<sup>3</sup>.
9. The Panel does not possess investigative or supervisory powers.<sup>4</sup> The Panel makes decisions about complaints regarding minor breaches solely upon the evidence

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<sup>1</sup> Section 5.106 of the Act

<sup>2</sup> *Bradshaw v McEwans Pty Ltd* (1951) 217 ALR 1

<sup>3</sup> *Briginshaw v Briginshaw* (1938) 60 CLR 336

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



presented to it and, where appropriate, materials in the public domain or published by the relevant local authority's website.

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 Australia<sup>5</sup>.
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 20 February 2024 the Panel received a complaint from Mrs Tralee Cable acting as complaints officer of the Shire ("**the Complaints Officer**"). The same enclosed a Complaint of Minor Breach Form dated 20 February 2024.
14. In the complaint form, the Complainant alleges that Cr Williams has breached regulation 19 of the Regulations when she contacted the Main Roads Department regarding a car bay line marking project in the Shire as referred to in paragraph 17 below ("**the Complaint**").
15. The Panel convened on 8 April 2024 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 Williams was:
    - i. elected to the Council of the Shire in October 2023 for a term expiring in October 2027;
    - ii. a Councillor at the time of the alleged breach; and
    - iii. a Councillor when the Panel met on 8 April 2024;
  - b. was satisfied the Complaint was made within six months after the alleged breach occurred<sup>6</sup>;
  - c. was satisfied that the Complaint's Complaints Officer had dealt with the Complaint in accordance with the administrative requirements in the Act for dealing with complaints of a minor breach<sup>7</sup>;
  - d. was satisfied the Department had provided procedural fairness to Cr Williams; and
  - e. found it had jurisdiction to consider the Complaint.

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<sup>5</sup> Section 8(6) of Schedule 5.1 of the Act

<sup>6</sup> Section 5.107(4) and 5.109(2) of the Act

<sup>7</sup> Section 5.107 and 5.109 of the Act



### **The Specifics of the Complaint**

17. The Complainant provided the following comments and arguments in respect to the Complaint as summarised by the Panel:
  - a. Cr Williams approached the Main Road Department for a quotation to paint the parking bays in the Main Street.
  - b. Council Resolution 2023-252 (moved by K Williams) from the Ordinary Council Meeting of 15 December 2023 (**“the OCM”**) states:

*“ That Council request the CEO to obtain costs for the project to paint parking bays in the main street for inclusion in the 2024/25 budget.”*
18. The Complainant also provided:
  - a. Extract from the OCM minutes;
  - b. Email chain from Main Roads (**“the Main Roads Emails”**); and
  - c. Email from the Chief Executive Officer (**“the CEO”**) to Cr Williams regarding her interactions with Shire staff.

### **The Respondent’s Response**

19. By an email dated 8 April 2024, Cr Williams provided a response to the Complaint.
20. Cr Williams denies that she has committed any minor breach.
21. Cr Williams provided the following comments and arguments regarding the Complaint as summarised by the Panel:
  - a. In October last year whilst in Geraldton Cr Williams called into Main Roads Office too clear up any misunderstanding in regard to the painting of road parking lines.
  - b. Subsequently Cr Williams received an email from them stating that *“Yes our Shire was responsible for this painting”*.
  - c. At a later Council Meeting Cr Williams was advised by the Shire’s Works Manager and the CEO that the cost of same could be around \$100,000 and monies would be needed from Council Budget.
  - d. At a later date Main Roads sent to the Shire’s Works Manager a Quote for approximately \$8,000 including GST.
  - e. At NO time did Cr Williams recontact them or interfere messages to the Shire.
  - f. Cr Williams was as a Councillor doing her duty to attempt a saving of over \$90.000 and finally after some many years of faded lines & Disability Markings unable to be seen by vulnerable seniors and others.
  - g. To date no work has been commenced or completed, in regards to Cr Williams’ initial question during Council Meetings.



## **PANEL'S CONSIDERATION**

### **Regulation 19**

22. Regulation 19 prohibits councillors engaging in conduct that is intended to be undertaken by the administration of a local government and specifically provides as follows:

***“9. Prohibition against involvement in administration***

*(1) A person who is a council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or by the CEO to undertake that task.*

*(2) Sub regulation (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.”*

23. To make a finding of a minor breach of regulation 19 of the Regulations the Panel must be satisfied that:

- a. Cr Williams was a councillor at the time of the alleged breach and at the time the determination was made; and
- b. it is more likely than not that:
  - i. Cr Williams took on, or was involved in, or participated in, the performance, attempted performance, or part performance of a function or responsibility under which the Act or by delegation it is for the local government's CEO to perform or direct;
  - ii. such taking on, involvement or participation contributed something to the administration of the local government;
  - iii. such taking on, involvement or participation was not done as part of the deliberations at a council meeting; and
  - iv. the local government or CEO did not authorise such taking on, involvement or participation<sup>8</sup>.

### **Panel Consideration of Elements of Breach**

#### **Was Cr Williams a Councillor at the relevant times**

24. Cr Williams was a councillor at the time of the alleged breach and at the time the Panel considered the Complaint.

25. This element is met.

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<sup>8</sup> Yates and Local Government Standards Panel [2012] WASAT



Did Cr Williams take on the performance of an administrative function of the Shire

26. The Act distinguishes between the roles of council and the staff employed by the local government, or the “administration”. Local governments are bodies corporate of which the Council is the governing body.
27. A council discharges its role by formulating policy and overseeing the performance of a local government's functions. The day-to-day management of a local government is entrusted to the CEO<sup>9</sup>.
28. The role of the Council therefore includes making local laws, overseeing the allocation of the local government's finances and resources and determining its policies. The role of individual councillors is to represent the interests of electors, ratepayers and residents of the district. The administration advises councillors to assist in their decision-making and implements policies determined by Council and Council's other decisions.
29. In this case, it is alleged that Cr Williams took on an administrative function by contacting Main Roads and requesting a quote.
30. Cr Williams concedes she contacted Main Roads in October 2023 to “*clear up a misunderstanding*”, but asserts she did not make any further contact.
31. The Main Roads Emails, establish that:
  - a. Cr Williams had spoken with a representative of Main Roads regarding the faded car bay lines ;
  - b. Cr Williams had mentioned the proposed cost of the line marking that had been estimated by the Shire;
  - c. The Main Road representative had noted to Cr Williams that he could contact a Main Roads contractor who was undertaking other works in the Shire and seek a quote to add the line work while in the Shire undertaking the Main Roads contract, and then subsequently requested the said quote from a contractor.
32. With respect to Cr Williams clearly her meeting and conversation with the Main Roads representative (whether it was one or more which is not clear on the timeline provided) was more than “*clearing up a misunderstanding*” as to which party was responsible to repaint the lines. The possible costs and a method of proceeding with the line marking works at a lesser cost was discussed.
33. Even if Cr Williams did not expressly request a quote be made, the conversation clearly indicated that the Main Roads representative would undertake those actions on behalf of the Shire on the basis of Cr Williams' comments and instructions. The Panel considers that it is a reasonable assumption that Cr Williams encouraged those actions. Certainly, her actions can be characterised as “involvement”.
34. Any contact with a government department or agency with respect to specific works to be undertaken in the Shire is most definitely an administrative function.

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<sup>9</sup> *Town of Cambridge v The Hon David Templeman MLA, Minister for Local Government; Heritage; Culture and the Arts [2020] WASC 350 - Tottle J at 91*



35. Councillors vote on which works are to be undertaken and how moneys are to be allocated to such works. The administration is then solely responsible for all arrangements to ensure the works occur.
36. To be clear, Cr Williams should never had attended Main Roads at all and should not have contacted any Main Roads employee. If Cr Williams needed clarification on any matter, that should have been sought through the relevant officer of the Shire.
37. Councillors assist their electors by undertaking their set role of making decisions, not by interfering with the operation of the administration. Even if such actions came from a genuine desire to save the Shire money and assist the local community, it was still outside the remit of Cr Williams' role as an elected member.
38. Given the above, the Panel finds it is more likely than not that Cr Williams did take on, involve herself with or undertake an administrative function of the Shire in both contacting the Main Road representative directly and by having a discussion with that person that was of such a nature as to lead to a quote being sought and provided.
39. This element is met.

The taking on, involvement or participation contributed to the administration of the local government

40. In order to “contribute” the relevant action must “*play a part in the achievement of a result*”<sup>10</sup>.
41. In this case, it is clear when that the meeting of Cr Williams and the Main Road representative led to:
  - a. the Main Roads representative contacting its contractor to request a quote; and
  - b. a quote being provided.
42. The Panel therefore finds that it is more likely than not that the meeting and conversation between Cr Williams and the Main Road representative contributed to the administration of the local government.
43. This element is met.

The taking on, involvement or participation was not done as part of the deliberations at a council meeting

44. The meeting and conversation between Cr Williams and the Main Road representative was not done as part of deliberations at a Council Meeting.
45. This element is met.

The local government or CEO did not authorise such taking on, involvement or participation

46. It is clear from the confusion in the initial response email from the CEO of the Shire in the Main Roads email chain that:

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<sup>10</sup> Yates and Local Government Standards Panel [2012] WASAT at 56



- a. she was surprised that a quote has been obtained and forwarded; and
  - b. that there had been no instruction to Cr Williams to either speak to Main Roads or to commence any process of obtaining a quote.
47. For clarity, the fact that the matter had been raised in a Council meeting and/or Cr Williams had been discussing the issue with the CEO or Works Manager of the Shire does not constitute a valid authority for Cr Williams to undertake such tasks.
48. In addition, the relevant item resolved at the OCM expressly directed the CEO to obtain costs for the relevant project.
49. Given the above, the Panel finds that it is more likely than not that Cr Williams was not authorised by the Council or the CEO to contribute to, or involve herself in, the administrative process of engaging in a meeting and conversation with the Main Road representative with respect to undertaking, or obtaining a quote for, the line marking project.
50. This element is met.

#### Conclusion

51. The elements required to find a breach of regulation 19 of the Regulations have been met.





### **Panel's Findings**

52. Cr Williams did commit a breach of Regulation 19 of the Regulations and therefore did commit a minor breach.

### **Signing**

A handwritten signature in black ink, appearing to be 'T Fraser'.

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Tim Fraser (Presiding Member)

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

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Peter Rogers (Deputy Member)

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

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Emma Power (Member)



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## Local Government Standards Panel

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Complaint Number	20240362
Legislation	<i>Local Government Act 1995 (WA)</i>
<b>Complainant</b>	<b>Chief Executive Officer Tralee Cable</b>
<b>Respondent</b>	<b>Councillor Karen Williams</b>
Local Government	<b>Shire of Mount Magnet</b>
Regulation	Regulation 19 <i>of the Local Government (Model Code of Conduct) Regulations 2021</i>
Panel Members for Penalty Consideration	Ms Emma Power (Presiding Member) Ms Suleila Felton (Member) Ms Bronwyn Ife (Member)
Heard	8 April 2024 Determined on the documents
Penalty Considered	10 July 2024
Outcome	Public Apology

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### DECISION AND REASONS FOR DECISION

21 August 2024

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#### DEFAMATION CAUTION

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## Introduction

1. At its meeting on 8 April 2024, the Panel found that Councillor Karen Williams, a councillor of the Shire of Mount Magnet (**“the Shire”**), committed a minor breach under the *Local Government Act 1995 (WA)* (**“the Act”**) and regulation 19 of Division 4 of the *Local Government (Model Code of Conduct) Regulations 2021* (**“the Regulations”**) when she approached the Main Roads Department regarding a project to be undertaken in the Shire (**“the Minor Breach”**).

## Jurisdiction and Law

2. The Panel convened on 10 July 2024 to consider how it should deal with the Minor Breaches.
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 Williams 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).<sup>1</sup>
5. By a letter dated 10 May 2024, Cr Williams was:
  - a. notified of the Panel’s finding of the Minor Breaches;
  - 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 Breaches 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*

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<sup>1</sup> *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 Williams' Submissions**

7. Despite being an opportunity to provide submissions as to an appropriate penalty, Cr Williams did not provide a response to the Department.

### **Panel's Consideration**

8. Section 5.110(6) is solely about penalty. The Panel does not have the power to review any finding of a breach.
9. 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.
10. 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 seriousness<sup>2</sup>.
11. In this case the Panel notes that in Cr Williams' initial response to the Complaint she did not fully appreciate the statutory separation between the Shire's administrative processes and her role as an elected member.
12. However, Cr Williams's motivation for the breach was to attempt to save money for the Shire and the communication was undertaken in a sincere attempt to assist her community.

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<sup>2</sup> Chief Executive Officer, Department of Local Government and Communities and Scaffidi [2017] WASAT 67 (S)



13. Despite the above, it is important that councillors are aware that unauthorised interference with the administrative side of operation of the local government can result in a failure to adhere to the procurement policies of the local government, contribute to misunderstandings between the involved parties and is likely to cause strain on the relationships between councillors and administrative staff.
14. As the conduct impacted the staff of the City, the Panel considers that a public apology is the appropriate sanction in the circumstances.
15. Making a public apology is a significant sanction, being a personal admission by the individual of wrongdoing<sup>3</sup>. It is a suitable and appropriate penalty when a councillor's conduct:
  - a. adversely affects particular individuals<sup>4</sup>; and/or
  - b. does not meet the standards other councillors seek to uphold.
16. In the relevant circumstances, the Panel considers that making a public apology is an adequate sanction and that it is not necessary to make an order in accordance with Schedule 5.1 clause 9 of the Act that Cr Williams recoup to the Shire the costs of the Department incurred with respect to the Complaint.

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

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



### **Panel's decision**

17. The Panel orders pursuant to section 5.110(6)(b)(ii) of the Act that, in relation to the Minor Breach of regulation 19 of the Regulations, Cr Williams make a public apology in terms of the attached Order.

### **Signing**

Handwritten signature of Emma Power in black ink.

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Emma Power (Presiding Member)

Handwritten signature of Suleila Felton in black ink.

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Suleila Felton (Deputy Member)

Handwritten signature of Bronwyn Ife in black ink.

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Bronwyn Ife (Deputy Member)



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## ORDER

21 August 2024

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### THE LOCAL GOVERNMENT STANDARDS PANEL ORDERS THAT:

1. Councillor Karen Williams, a councillor for the Shire of Mount Magnet **publicly apologise** as specified in paragraph 3; OR
2. Failing compliance with paragraph 3 within the specified timeframe, then paragraph 4 shall apply.

### Public Apology

3. On the ordinary council meeting of the Shire of Mount Magnet first occurring after the expiration of **28 days** from the date of service of this Order on her, Cr Williams 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 19 of the *Local Government (Model Code of Conduct) Regulations 2021*, when I directly made contact with the Main Roads Department in respect to a proposed project for the Shire.
- ii. The Panel found that I breached Regulation 19 as my conduct constituted a task that contributed to the administration of the Shire.
- iii. I acknowledge that I should not have approached the Main Roads Department and I now apologise to the Shire administrative staff and my fellow councillors."



4. If Cr Williams 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 Shire of Mount Magnet shall arrange for the notice of public apology to be published:
  - a. on the Facebook Page of the Shire of Mount Magnet shall in no less than 10 point font size; and
  - b. in an appropriate place on the website of the Shire of Mount Magnet shall in no less than 10 point font size; and
  - c. in the next occurring issue of any Shire of Mount Magnet shall public newsletter (if any) whether in electronic or print copy) in no less than 10 point font size.

**PUBLIC APOLOGY BY COUNCILLOR KAREN WILLIAMS**

A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened Regulation 19 of the *Local Government (Model Code of Conduct) Regulations 2021*, when I directly made contact with the Main Roads Department in respect to a proposed project for the Shire.

The Panel found that I breached Regulation 19 as my conduct constituted a task that contributed to the administration of the Shire.

I acknowledge that I should not have approached the Main Roads Department and I now apologise to the Shire administrative staff and my fellow councillors.

**Appeal**

5. In the event that, prior to the date for compliance with the above Orders, Cr Williams:
  - a. 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
  - b. notifies the Complaints Officer of such appeal in writing,THEN:
  - c. compliance with the above Orders may be delayed until the State Administrative Tribunal has made a finding in respect to the decision; and
  - d. 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.”*