



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 110]

THURSDAY, APRIL 17.

[1941

## RULES UNDER THE COMMONWEALTH NATIONAL SECURITY (EMERGENCY SUPPLIES) REGULATIONS.

*At the Executive Council Chamber, Melbourne, the  
sixteenth day of April, 1941.*

### PRESENT:

His Excellency the Lieutenant-Governor, as Deputy for the  
Governor of Victoria.

Mr. Mackrell | Sir George Goudie.

## RULES RELATING TO THE PROVISION IN VICTORIA OF EMERGENCY RESERVE STOCKS OF CERTAIN ESSENTIAL COMMODITIES.

IN pursuance of the powers conferred by the Commonwealth Regulations known as the National Security (Emergency Supplies) Regulations, His Excellency the Lieutenant-Governor, as Deputy for the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth make the following Rules, that is to say:—

### *Preliminary.*

1. These Rules may be cited as the Victorian Emergency Reserve Stocks Rules. Citation.
2. In these Rules unless inconsistent with the context or subject-matter— Interpretation.
  - "Committee" means the Victorian Emergency Reserve Stocks Committee constituted pursuant to these Rules. "Committee."
  - "Essential commodities" means the commodities set out in the First Schedule and any other commodities added to the First Schedule pursuant to these Rules, but save as otherwise expressly provided does not include any commodities removed from the First Schedule pursuant to these Rules. "Essential commodities."
  - "Government Gazette" means the *Victoria Government Gazette*. "Government Gazette."
  - "Local authority" means person appointed to be a local authority under these Rules. "Local authority."
  - "Metropolitan district" means the municipal districts of the cities of Box Hill, Brighton, Brunswick, Camberwell, Caulfield, Chelsea, Coburg, Collingwood, Essendon, Fitzroy, Footscray, Hawthorn, Heidelberg, Kew, Malvern, Melbourne, Moorabbin, Mordialloc, Northcote, Oakleigh, Port Melbourne, Prahran, Preston, Richmond, Sandringham, South Melbourne, St. Kilda, Williamstown, the borough of Ringwood, and the shires of Blackburn and Mitcham, Braybrook, Broadmeadows, Bulla, Dandenong, Doncaster and Templestowe, Eltham, Ferntree Gully, Frankston and Hastings, Keilor, Lillydale, Melton, Mornington, Mulgrave, Werribee, and Whittlesea. "Metropolitan district."

" Period of emergency."	" Period of emergency" means the period from and inclusive of the day on which the Commonwealth Minister of State for Commerce declares for the purpose of these Rules that a state of emergency exists and up to and inclusive of the day on which the Commonwealth Minister of State for Commerce declares for the purpose of these Rules that the state of emergency no longer exists.
" Registered receiver."	" Registered receiver" means person registered by a retailer as his registered receiver for the purpose of these Rules.
" Registered supplier."	" Registered supplier" means person registered by a supplier as his registered supplier for the purpose of these Rules.
" Requisition."	" Requisition" means requisition made pursuant to these Rules.
" Reserve stock."	" Reserve stock" means reserve stock of essential commodities provided pursuant to these Rules.
" Reserve store."	" Reserve store" means place provided under these Rules for the storage of reserve stocks.
" Retailer."	" Retailer" means person firm company or association who or which in Victoria at premises outside the metropolitan district in the ordinary course of business— (a) sells any essential commodity by retail; or (b) uses any essential commodity in the making of bread for sale— and includes the successor in business of any such retailer.
" Schedule."	" Schedule" means Schedule to these Rules.
" Supplier."	" Supplier" means person firm company or association (whether a manufacturer miller processer or merchant) who in the ordinary course of business supplies by wholesale any essential commodity to retailers, and includes the successor in business of any such supplier.
" Supplier's representative."	" Supplier's representative" means person registered by a supplier as his representative for the purposes of these Rules.

As to who are suppliers in certain cases.

3. If in any case any doubt arises as to whether any person is or is not a supplier for the purpose of these Rules or of any provision of these Rules the Committee shall determine the matter, and the decision of the Committee shall be final and conclusive.

Power to Committee to declare certain persons not to be retailers for the purpose of these Rules.

4. (1) If the Committee is of opinion that—  
 (a) any retailer is unlikely to meet his financial obligations in respect of any essential commodities on their withdrawal from reserve stock; or  
 (b) any retailer or his registered receiver is refusing or failing to co-operate satisfactorily in the carrying into effect of these Rules; or  
 (c) any retailer, who in writing requests the Committee to exempt him from the operation of these Rules, retails negligible quantities of essential commodities—  
 the Committee may by notice in writing declare that such retailer shall cease to be a retailer for the purpose of these Rules, and thereupon he shall cease to be a retailer accordingly, except—  
 (i) for the purpose of the liquidation of the reserve stock (if any) by reduction requisitions and matters incidental thereto;  
 (ii) with respect to anything done or which should have been done before the issue of such notice; and  
 (iii) (if the Committee so specifies in such notice or in any subsequent notice) for the purpose of clause 36 or of any other provision of these Rules.

(2) Where the Committee under this clause declares that any person shall cease to be a retailer the Committee may direct that in the case of any other retailers in the same area the quantity of any essential commodity to be provided in the reserve stock shall be increased by such amount as the Committee specifies, and thereupon the increased quantity so specified shall be deemed to be the quantity prescribed by the First Schedule and these Rules shall have effect accordingly.

Application of Rules.

5. These Rules shall not apply with respect to any business premises of a retailer within the metropolitan district or with respect to any retailer in relation to any such premises.

6. (1) The Committee on being so directed by the Commonwealth Minister of State for Commerce shall by notice published in the *Government Gazette*—

Addition to  
or removal  
from First  
Schedule of  
commodities.

- (a) add to the First Schedule any commodity specified by the said Minister;
- (b) remove from the First Schedule any commodity specified by the said Minister.

(2) In the case of such an addition the notice in the *Government Gazette* shall specify—

- (a) whether the added commodity is to be included in Class A, B or C of the First Schedule or in some new Class;
- (b) (where it is to be so included in some new Class) the quantity of the reserve stock of the commodity to be provided by registered receivers.

(3) On the publication of any such notice in the *Government Gazette* the First Schedule shall be deemed to be amended and these Rules shall have effect accordingly.

(4) Where any such addition is made to the First Schedule during any period of emergency then with respect to any essential commodity so added the period of emergency shall be deemed to commence on the date of the publication of the notice adding such commodity to the First Schedule.

(5) Where any commodity is so removed from the First Schedule then notwithstanding anything in this clause such commodity shall continue to be an essential commodity—

- (a) for the purpose of the liquidation of any reserve stock thereof by reduction requisitions and matters incidental thereto; and
- (b) with respect to anything done or which should have been done before the publication of such notice.

*Victorian Emergency Reserve Stocks Committee.*

7. (1) For the purpose of these Rules there shall be a Committee to be called the "Victorian Emergency Reserve Stocks Committee", which Committee shall be the administrative authority for the regional area of Victoria for the purposes of the Commonwealth National Security (Emergency Supplies) Regulations.

Constitution of  
Victorian  
Emergency  
Reserve Stocks  
Committee.

(2) The Committee shall consist of three members appointed by the Governor in Council.

(3) Of the members of the Committee—

- (a) one shall be appointed as representing suppliers;
- (b) one shall be appointed as representing retailers; and
- (c) one shall be appointed as representing the Victorian Treasury.

(4) One of the members shall be appointed as chairman by the Governor in Council.

(5) Each member of the Committee shall hold office for the term specified in the instrument of his appointment and shall be eligible for re-appointment.

(6) The Governor in Council may remove any member of the Committee from office.

(7) In the event of a vacancy in the office of a member (however occurring) the Governor in Council may appoint a qualified person to fill the vacancy and the person so appointed shall hold office for the remainder of the term of the member in whose place he is appointed.

8. (1) Two members of the Committee shall form a quorum.

Proceedings of  
Committee.

(2) At any meeting of the Committee the chairman, if present, shall preside, and in his absence the members present shall appoint one of their number to be chairman of and to preside at the meeting.

(3) The chairman presiding at any meeting shall in the event of an equal division of votes at the meeting have a second or casting vote.

(4) Subject to these Rules the Committee may regulate its own proceedings.

9. (1) The Committee may delegate to the chairman or to any member of the Committee or to any other person any of its powers and functions (except this power of delegation) in relation to any matter or class of matters so that the delegated powers and functions may be exercised by the delegate with respect to the matter or class of matters specified in the instrument of delegation.

Delegation.

(2) Any such delegation shall be revocable by the Committee at will and no such delegation shall prevent the exercise of any power or function by the Committee.

10. The members of the Committee shall respectively be entitled to be paid such remuneration by way of salary or allowance and such travelling expenses as the Treasurer of Victoria determines.

Expenses of  
members.

*Registration, Appointment, &c., of Operators of Scheme.*Registration of  
retailers and  
registered  
receivers.

11. (1) The Committee may by notice published in the *Government Gazette* and in a daily newspaper circulating generally throughout Victoria require all retailers within the period of seven days after the publication of such notice to forward to the Committee a return in the form in the Second Schedule.

(2) Every retailer shall—

(a) in respect of each premises in Victoria which are situate outside the metropolitan district and at which in the ordinary course of business he sells any essential commodity by retail or uses any essential commodity in the making of bread for sale; and

(b) (i) within such period of seven days; or

(ii) (in the case of any retailer who, otherwise than as successor in business of a retailer who has already sent in such a return, commences business after the publication of such notice) within seven days after commencing business—

forward to the Committee such a return containing a full and accurate statement of all the information required by the Second Schedule to be given, and registering the full name and address of the individual (whether himself or some other person) who is to be his registered receiver for the purposes of these Rules.

(3) After any such return has been forwarded to the Committee the retailer shall, in writing—

(a) forthwith notify the Committee of—

(i) any change occurring in the proprietorship of the business or in any address referred to in the return or in the essential commodities he retails or uses as aforesaid; or

(ii) any change of his bank; and

(b) forthwith register with the Committee the full name and address of any individual who is to be his registered receiver in the place of a previous registered receiver.

(4) A retailer may register the same person as his registered receiver in respect of two or more premises.

Registration of  
registered  
suppliers and  
suppliers'  
representatives.

12. (1) The Committee may by notice published in the *Government Gazette* and in a daily newspaper circulating generally throughout Victoria require every supplier to forward to the Committee within the period of seven days after the publication of such notice a return in the form in the Third Schedule.

(2) Every supplier shall—

(a) within such period of seven days; or

(b) (in the case of any supplier who, otherwise than as successor in business of a supplier who has already sent in such a return, commences business after the publication of such notice) within seven days after commencing business—

forward to the Committee such a return containing a full and accurate statement of all the information required by the Third Schedule to be given, and registering—

(i) the full name and address of the individual (whether himself or some other person) who is to be his registered supplier for the purpose of these Rules; and

(ii) the full names and addresses of the commercial travellers or other individuals who are to be his supplier's representatives for the purpose of these Rules.

(3) After any such return has been forwarded to the Committee the supplier shall, in writing—

(a) forthwith notify the Committee of any change occurring in the proprietorship of the business or in any address referred to in the return or in the essential commodities he supplies to retailers;

(b) forthwith register with the Committee the full name and address of any individual who is to be his registered supplier in the place of a previous registered supplier; and

(c) forthwith register with the Committee any change in the personnel of or districts allotted to the supplier's representatives.

Local  
authorities.

13. The Committee may appoint one or more bank managers or other persons to be local authorities in any district in Victoria for the purposes of these Rules.

14. (1) The functions of a registered receiver shall be—
- (a) to make requisitions with respect to the reserve stock;
  - (b) to provide and supervise a proper reserve store;
  - (c) to control and safeguard the reserve stock and to ensure that the reserve stock is maintained in proper quantities;
  - (d) to control withdrawals from the reserve stock; and
  - (e) to perform such other functions as are prescribed by these Rules.
- (2) If for any reason at any time there is no registered receiver of a retailer the retailer shall be deemed to be the registered receiver for the purposes of these Rules.
15. (1) The functions of a registered supplier shall be—
- (a) to supervise the supply and despatch of essential commodities by the supplier pursuant to requisitions; and
  - (b) to perform such other functions as are prescribed by these Rules.
- (2) If for any reason at any time there is no registered supplier of a supplier the supplier shall be deemed to be the registered supplier for the purposes of these Rules.
16. The functions of a supplier's representative shall be—
- (a) to receive requisitions;
  - (b) to give trade advice to retailers, registered receivers and local authorities;
  - (c) to check and inspect reserve stocks supplied by the supplier; and
  - (d) to perform such other functions as are prescribed by these Rules.
17. The functions of a local authority shall be—
- (a) to receive requisitions;
  - (b) to supervise and control and assist generally in the safeguarding and maintaining of reserve stocks; and
  - (c) to perform such other functions as are prescribed by these Rules.
18. (1) The Committee shall issue to each local authority and supplier's representative an official certificate that he is a local authority or supplier's representative.
- (2) If any person ceases to be a local authority or supplier's representative he shall forthwith return such certificate to the Committee for cancellation.
- (3) No person shall—
- (a) forge any such certificate; or
  - (b) have in his possession any such certificate not issued to him, or a forged certificate.

*Provision of Reserve Stocks.*

19. Subject to these Rules during any period of emergency every registered receiver shall provide and maintain a reserve stock of essential commodities of the respective quantities prescribed by the First Schedule, and shall not allow such reserve stock to fall below such quantities except—
- (a) pending the arrival of essential commodities to meet requisitions made by him; and
  - (b) to the extent of the essential commodities so requisitioned.
20. (1) Where the Committee is satisfied that in any area any essential commodity is manufactured, processed, or stored in quantities sufficient to supply the needs of such area the Committee may by notice in writing—
- (a) published in the *Government Gazette* and in a daily newspaper circulating generally in such area; or
  - (b) posted to the retailers in such area—
- declare that it shall not be necessary to provide and maintain a reserve stock of such essential commodity in such area; and the Committee may by notice given in the like manner revoke any such declaration.
- (2) While any such declaration is in force in respect of any essential commodity in any area then for the purposes of these Rules such commodity shall be deemed not to be an essential commodity in such area and retailers in such area shall not be required to provide and maintain a reserve stock thereof.

Reserve store to be provided and reserve stock to be safely kept therein.

21. (1) Every registered receiver shall—

- (a) provide some place (whether on or off the premises of the retailer) which in the opinion of a local authority is sufficient and satisfactory for a reserve store in which to store the reserve stock;
- (b) keep the reserve stock safely securely and soundly stored therein separate from the trading stock of the retailer and from any other goods; and
- (c) take all necessary precautions to protect the reserve stock from destruction contamination and deterioration.

(2) If a registered receiver satisfies a local authority that he is otherwise unable to procure a sufficient and satisfactory reserve store the local authority may, by notice in writing delivered to the owner or occupier thereof or affixed to the premises, compulsorily acquire the use of some suitable premises for a reserve store subject to the payment by the retailer of such reasonable rent therefor as is determined by the Committee after report by the local authority.

(3) Every owner and occupier of any premises which are used or acquired for a reserve store—

- (a) shall permit the registered receiver to make use of such premises as a reserve store;
- (b) shall provide the registered receiver with adequate means of entry to the premises and reasonable facilities for the use of the premises as a reserve store; and
- (c) shall not hinder or obstruct the registered receiver in the use of the premises as a reserve store.

(4) No person shall without lawful excuse (the proof of which shall lie on him) enter upon or be on or in any reserve store or interfere therewith or with anything therein or with the use thereof.

*Requisitions.*

Reserve stocks to be established and maintained by requisitions.

22. (1) Reserve stocks shall be established and maintained by the delivery of supplies by suppliers pursuant to requisitions made by registered receivers.

(2) The registered supplier shall be responsible for the provision of the necessary forms of requisitions to the retailer or the registered receiver.

Kinds of requisitions. Original requisition.

23. A requisition shall be one of three kinds, namely:—

- (a) An original requisition, which is a requisition—
  - (i) to establish the original reserve stock; or
  - (ii) to increase the reserve stock pursuant to any seasonal increase prescribed by the First Schedule; or
  - (iii) to increase the reserve stock pursuant to any direction of the Committee; or
  - (iv) to replace lost or damaged stock.

Replacement requisition.

- (b) A replacement requisition, which is a requisition to withdraw essential commodities from the reserve stock and to replace the essential commodities so withdrawn with a similar quantity of similar commodities.

Reduction requisition.

- (c) A reduction requisition, which is a requisition to withdraw essential commodities from the reserve stock—
  - (i) pursuant to any seasonal diminution prescribed by the First Schedule; or
  - (ii) pursuant to any direction of the Committee to reduce the reserve stock; or
  - (iii) after the expiry of the period of emergency.

Requisitions—how made.

24. (1) Every requisition shall—

- (a) be in the form in the Fourth Schedule;
- (b) be made out—
  - (i) in the case of an original requisition or replacement requisition—to the supplier who is requisitioned to supply the essential commodities;
  - (ii) in the case of a reduction requisition—to the supplier whose commodities are requisitioned for withdrawal from the reserve stock;
- (c) be—
  - (i) in the case of an original requisition—in triplicate;
  - (ii) in the case of a reduction requisition—in quadruplicate;

- (iii) in the case of a replacement requisition—in triplicate or (where the requisition is for the supply by one supplier of essential commodities to replace commodities requisitioned for withdrawal from the reserve stock which were supplied by some other supplier or suppliers) in such extra numbers as will provide copies for all such other suppliers;
- (d) be signed by the registered receiver and also by—
- (i) a local authority; or
  - (ii) a supplier's representative of the supplier to whom the requisition is made out; and
- (e) be delivered by the registered receiver to such local authority or supplier's representative.
- (2) Where the requisition is delivered to a local authority he shall—
- (a) retain one copy thereof;
  - (b) forthwith forward one copy thereof to the Committee;
  - (c) forthwith forward one copy thereof to the supplier to whom it is made out;
  - (d) (in the case of a reduction requisition) forthwith forward one copy thereof to the stationmaster of the railway station most convenient to the reserve store; and
  - (e) (in the case of a replacement requisition, where the case so requires) forthwith forward a copy thereof to any other supplier who supplied commodities thereby requisitioned for withdrawal from the reserve stock.
- (3) Where the requisition is delivered to a supplier's representative he shall forthwith—
- (a) forward one copy thereof to the local authority;
  - (b) forward one copy thereof to the Committee;
  - (c) forward one copy thereof to the supplier to whom it is made out;
  - (d) (in the case of a reduction requisition) forward one copy thereof to the stationmaster of the railway station most convenient to the reserve store; and
  - (e) (in the case of a replacement requisition, where the case so requires) forward a copy thereof to any other supplier who supplied commodities thereby requisitioned for withdrawal from the reserve stock.

Requisitions to be forwarded to interested parties.

25. (1) Every registered receiver shall immediately on the commencement of a period of emergency make the original requisition for establishing the reserve stock unless he has already made such a requisition pursuant to the provisions of sub-clause (2) of this clause.

Requisitions—when to be made.

(2) The Committee may by notice published in the *Government Gazette* and in a daily newspaper circulating generally throughout Victoria require all registered receivers or any registered receivers referred to in the notice to make, within such time (not being less than seven days) as is specified in the notice, the original requisition for establishing the reserve stock, and thereupon every such registered receiver shall make such requisition accordingly; but notwithstanding anything in these Rules no requisition shall be acted upon by the supplier or the registered supplier before the commencement of a period of emergency.

(3) Every registered receiver shall make subsequent requisitions (whether original requisitions, replacement requisitions or reduction requisitions) as occasion demands.

26. (1) No registered receiver shall, unless it is rendered expedient by special circumstances, make any requisition for any quantity of any essential commodity smaller than the quantity of his normal periodical orders for the supply of the commodity.

Prohibition of requisitioning for needlessly small quantities of commodities.

(2) Any local authority or, with the approval of the local authority, any supplier's representative may refuse to sign any requisition if the local authority is of opinion that the quantity of any essential commodity to which the requisition relates is needlessly small.

Prevention of excessive requisitioning and hoarding.

27. (1) No registered receiver shall without the consent of the Committee requisition for the supply of a greater quantity of any essential commodity than is necessary to provide a reserve stock of such commodity of the quantity prescribed by the First Schedule.

(2) If in the opinion of a supplier the quantity of any essential commodity which by an original requisition any registered receiver requires him to provide is in excess of the quantity necessary to provide a reserve stock of the quantity prescribed by the First Schedule the supplier may refer the requisition to a local authority for checking, and if the local authority reports that in his opinion the requisition is excessive the amount of the requisition shall be reduced to such amount as the Committee on the advice of the local authority determines.

On expiration of period of emergency no further requisitions for supply of commodities to be made or given effect to.

28. On the expiration of a period of emergency and until the commencement of a further period of emergency no further original or replacement requisitions shall be made unless so required by the Committee, and no supplier shall without the consent of the Committee deliver any essential commodity pursuant to any requisition made before the expiration of the period of emergency unless before such expiration he had already taken steps to effect such delivery.

*Supply of Essential Commodities by Suppliers.*

Suppliers to forward essential commodities on requisition.

29. (1) A supplier shall on receiving an original requisition or a replacement requisition forthwith supply essential commodities in accordance with the requisition, and the registered supplier shall be responsible for ensuring that such commodities are so supplied.

(2) Where a supplier is unable to supply commodities in accordance with any requisition he shall—

(a) arrange with another supplier to forthwith supply such commodities; and

(b) fully inform the Committee of such arrangement.

No excuse for withholding supply of commodities requisitioned unless Committee otherwise certifies.

(3) In no case shall a supplier be excused from the requirements of the foregoing provisions of this clause unless the Committee in a certificate in writing excuses him.

(4) The Committee shall not so excuse any supplier on the ground that he has not sufficient stocks of any essential commodity or that he has not the materials necessary to manufacture or process such commodity in sufficient quantities unless in the special circumstances of the case the Committee, after taking into consideration the exigencies of the trade, otherwise decides.

As to retailers of doubtful financial standing.

30. The doubtful or unsatisfactory financial standing of a retailer shall not be an excuse for withholding the supply of essential commodities pursuant to a requisition, but on application being made by the supplier to the Committee—

(a) The essential commodities supplied shall while in the reserve stock be placed by the Committee in the direct charge of a local authority to whom the retailer shall account for the value of the commodities and freight on the withdrawal of the commodities from the reserve stock and who shall forward any moneys so received to the supplier or (as the case requires) to The Victorian Railways Commissioners or other transport agent; and

(b) the Treasurer of Victoria may guarantee the payment to the supplier of the whole or any part of the cost of any essential commodities delivered to the retailer by the supplier pursuant to a requisition.

Manner in which essential commodities to be forwarded.

31. (1) All essential commodities supplied pursuant to a requisition shall, unless the Committee otherwise determines, be forwarded through or in the manner directed by The Victorian Railways Commissioners to the retailer at the railway station most convenient to the reserve store or at such other convenient place as the said Commissioners think fit.

(2) Every consignment note relating to essential commodities so forwarded shall show the name of the registered receiver as well as the name of the retailer.

*Withdrawals from Reserve Stock.*

Withdrawals from reserve stock.

32. (1) Subject to clause 33 a registered receiver shall not withdraw or permit to be withdrawn any essential commodity from the reserve stock except on the making of a replacement requisition or a reduction requisition.

(2) On such requisition being delivered to the supplier's representative or a local authority the registered receiver shall withdraw from the reserve stock the commodities so requisitioned for withdrawal, and shall transfer such commodities to trading stock for use in the trade or business of the retailer.



33. (1) If any essential commodity in any reserve stock is destroyed or becomes damaged or deteriorated the registered receiver shall forthwith report the matter to the local authority.

Replacement of destroyed or damaged reserve stocks

(2) If the local authority is satisfied that any such damaged or deteriorated commodity is unfit for human consumption he shall order the registered receiver to remove such commodity from the reserve stock, and the registered receiver shall forthwith remove such commodity accordingly.

(3) On any such destruction or removal the registered receiver shall forthwith make an original requisition for the supply of a similar quantity of the essential commodity so destroyed or removed.

(4) The local authority shall as soon as possible report fully in writing to the Committee and to The Victorian Railways Commissioners on any such destruction, damage, or deterioration.

(5) If the Committee, after giving the retailer an opportunity to make any representations thereon, is of opinion that such destruction damage or deterioration was the fault of the registered receiver or the retailer the Committee shall in writing notify the retailer and the supplier accordingly, and thereupon the supplier may charge the retailer with the current price of the commodity as at the date of the destruction of the commodity or the removal of the commodity from the reserve stock, and payment shall be made upon the usual trade terms.

34. At the expiration of the period of emergency the registered receiver shall from time to time pursuant to reduction requisitions withdraw essential commodities from the reserve stock, and the retailer shall not order further supplies of any essential commodity until none of such commodity remains in the reserve stock.

Liquidation of reserve stocks on expiry of period of emergency.

35. The registered receiver shall not allow any commodity in the reserve stock to become stale, but shall withdraw old stocks of the commodity before withdrawing stocks more recently manufactured or processed.

Old stock to be removed before new stock.

36. During any period of emergency—

(a) no retailer shall without the consent of the Committee obtain any essential commodity for the purposes of his trade or business except by withdrawals pursuant to these Rules from the reserve stock; and

(b) no supplier shall without the consent of the Committee supply any essential commodities to any retailer except pursuant to a requisition.

During emergency retailers not to obtain commodities except by withdrawals from reserve stock.

*Finance, Insurance, &c.*

37. The property in any essential commodities supplied by a supplier pursuant to a requisition shall not pass to the retailer or registered receiver until such commodities are withdrawn from the reserve stock pursuant to these Rules.

Property in reserve stock not to pass before withdrawal.

38. Subject to clause 33 a retailer or registered receiver shall not be required to pay a supplier for any essential commodities supplied pursuant to a requisition until such commodities are withdrawn from the reserve stock, but on such withdrawal the supplier may charge the retailer with the current price of the commodities as at the date of the requisition pursuant to which the commodities were so withdrawn, and payment shall be made upon the usual trade terms.

Payment for essential commodities supplied on requisition.

39. (1) Every supplier shall in the case of every consignment note relating to essential commodities supplied pursuant to an original requisition (but in no other case) clearly endorse such note with the words "Account Emergency Reserve Stocks, Original Requisition, Not Replacement".

Deferring of certain freight charges by Victorian Railways Commissioners.

(2) The Victorian Railways Commissioners shall defer the collection of freight charges in respect of the carriage of any essential commodity supplied pursuant to an original requisition until any of such commodity (whether or not the actual commodity so carried)—

(a) is withdrawn from reserve stock pursuant to a reduction requisition or pursuant to an order of a local authority under clause 33; or

(b) is destroyed—

when the Commissioners may collect such part of the deferred freight charges as is applicable to the amount of the commodity so withdrawn or destroyed.

**Insurance of reserve stocks.** 40. Each supplier shall be responsible for the insurance, on terms arranged by the Committee with the Fire and Accident Underwriters Association of Victoria, against loss of essential commodities in reserve stocks supplied by him.

**Power to require registered receivers to take out fidelity bonds.** 41. (1) Any registered receiver shall if so required by the Committee take out lodge with the Committee and keep in force a fidelity bond, for such amount (not exceeding the value of the reserve stocks required to be provided by him) and in such form as the Committee specifies, from some insurance company or other surety approved for the purpose by the Committee.

(2) Every such fidelity bond shall contain *inter alia* a provision indemnifying suppliers against losses arising from any failure to account for any essential commodities delivered to the registered receiver pursuant to a requisition and not removed from the reserve stock in accordance with these Rules.

(3) Any supplier may sue upon any such bond for indemnity in respect of any loss covered by such bond.

**Arrangements for financial accommodation and insurance.** 42. The Committee may confer with representatives of banks and insurance companies and with representatives of the Commonwealth and Victorian Governments with a view to securing the most favourable financial accommodation and insurance arrangements in respect of essential commodities.

*Administration and General.*

**Normal trade not to be interfered with if possible.** 43. The Committee in the administration of these Rules shall so far as possible avoid any interference with normal trade and business relationship and activities.

**Inspectors and officers.** 44. The Committee may, with the approval of the Treasurer of Victoria and the consent of the Minister administering the Government department concerned, make use of the services of any of the officers and employes of the public service in such department as inspectors and officers for the purposes of these Rules.

**Inspection.** 45. (1) Any—  
 (a) such inspector;  
 (b) local authority; or  
 (c) person authorized in that behalf, whether generally or in any particular case, by the Committee—

may at any reasonable time enter upon the business premises of any supplier or retailer or upon any premises where any reserve store is kept and inspect any essential commodities therein or, for the purposes of these Rules, enter upon and inspect any other premises.

(2) Any supplier's representative may at any reasonable time enter upon any premises where any reserve store is kept in which any essential commodities of the supplier are or should be stored and inspect such commodities.

(3) No person shall prevent or attempt to prevent any other person from entering on any such premises or inspecting any such commodity pursuant to the powers conferred on him by this clause or hinder any such other person while so engaged.

**Returns.** 46. (1) Every supplier shall before the last day of each month forward—

- (a) to the Committee; and
- (b) (together with the amount of any premium due for insurance pursuant to these Rules) to the Fire and Accident Underwriters Association of Victoria, 60 Market-street, Melbourne; and
- (c) to any bank which is granting financial accommodation to the supplier in connexion with essential commodities forwarded in pursuance of any requisition—

a return in the form in the Fifth Schedule setting out fully and accurately all the information required by the Fifth Schedule to be given with respect to essential commodities supplied by such supplier and held in reserve stock on the last day of the preceding month.

(2) Without affecting the generality of sub-clause (1) of this clause every retailer, registered receiver, local authority, supplier and registered supplier shall when so required by the Committee furnish fully and accurately to the Committee such information in such form as is required by the Committee with respect to reserve stocks, normal trading requirements or any other matter whatsoever which is relevant to the administration of these Rules.

47. The Committee shall keep such records and registers in such form as it considers expedient for the most efficient administration of these Rules.

Records,  
registers, &c.

48. No person shall, except in the course of his duties under these Rules or in answer to any question which he is legally compellable to answer in any legal proceedings (whether civil or criminal) in any court or before any person having by law or by consent of parties authority to hear receive and examine evidence, directly or indirectly communicate or divulge any information relating to any matter which comes to his knowledge in consequence of his official position under these Rules.

Secrecy.

49. (1) Any contravention of or failure to comply with these Rules by any registered receiver shall also be deemed to be a contravention of or failure to comply with these Rules by the retailer.

Liability of  
retailers and  
suppliers for  
contravention  
of Rules by  
registered  
receivers,  
registered  
suppliers,  
and suppliers'  
representatives.

(2) Any contravention of or failure to comply with these Rules by any registered supplier or supplier's representative shall also be deemed to be a contravention of or failure to comply with these Rules by the supplier.

(3) No retailer or supplier shall be deemed under the foregoing provisions of this clause to have contravened or failed to comply with these Rules if he proves to the satisfaction of the court that he did not authorize or permit the contravention or failure and that he did not know and could not reasonably have known that the Rules were being or might be so contravened or not complied with.

## SCHEDULES.

## FIRST SCHEDULE.

Essential Commodities.	Quantity of Reserve Stocks to be provided by Registered Receiver.
<p><i>Class A—</i>            Baking powder            Bi-carbonate of soda            Biscuits            Bread improver            Candles            Condensed and powdered milk            Cream of tartar (or substitutes therefor)            Flour            Honey            Infant foods            Invalid foods            Jam            Lighting kerosene            Matches            Salt            Self-raising flour            Soap            Sugar            Tea            Tinned fruits</p>	<p>The quantity of the reserve stock of each of the respective essential commodities referred to in this Class A shall be a quantity approximately equivalent to the retailer's average trade requirements in respect of such commodity for three calendar months.</p>
<p><i>Class B—</i>            Cheese            Dried fruits            Oatmeal (all types)            Pearl barley            Rice            Split peas</p>	<p>The quantity of the reserve stock of each of the respective essential commodities referred to in this Class B shall be—</p> <p>(a) during the period commencing on the first day of December in any year and ending on the thirty-first day of March in the following year—a quantity approximately equivalent to the retailer's average trade requirements in respect of such commodity for one calendar month;</p> <p>(b) during the period commencing on the first day of April in any year and ending on the thirtieth day of November in the same year—a quantity approximately equivalent to the retailer's average trade requirements in respect of such commodity for three calendar months: Provided that over the latter part of such period the reserve stock shall be progressively reduced, in accordance with instructions given by the Committee, to the retailer's average trade requirements in respect of such commodity for one calendar month.</p>
<p><i>Class C—</i>            Bacon            Butter            Ham</p>	<p>The quantity of the reserve stock of each of the respective essential commodities referred to in this Class C shall be—</p> <p>(a) during the period commencing on the first day of September in any year and ending on the thirtieth day of April in the following year—an amount approximately equivalent to the retailer's average trade requirements in respect of such commodity for a fortnight;</p> <p>(b) during the period commencing on the first day of May in any year and ending on the thirty-first day of August in the same year—an amount approximately equivalent to the retailer's average trade requirements in respect of such commodity for one calendar month.</p>

Notwithstanding anything in the foregoing provisions of this Schedule, the Committee may, having regard to the circumstances of any particular case or the total quantity of the essential commodity available in the State or the influx or efflux of population to or from any particular area, in the case of all retailers or of any specified retailer or of retailers in any specified area direct that some specified quantity of any essential commodity greater or less than the quantity prescribed by the foregoing provisions of this Schedule shall be the quantity of such commodity to be provided in the reserve stock; and thereupon the quantity so specified shall be deemed to be the quantity prescribed by this Schedule, and these Rules shall have effect accordingly.

**SECOND SCHEDULE.**  
**REGISTRATION OF RETAILER AND REGISTERED RECEIVER.**  
 Victorian Emergency Reserve Stocks Rules.

Name in full of retailer.	.....
Full address of business premises of retailer.	.....
Postal address for service of notices.	.....
Name of railway station most convenient to above premises.	.....
*List of essential commodities sold by retailer or used by retailer in the making of bread for sale.	.....
Normal method of transporting essential commodities to retailer's premises.	.....
Full name and address of the individual (whether the retailer himself or some other person) who is to be registered as registered receiver for the purpose of the above-mentioned Rules.	.....
Name and place of retailer's bank.	.....

I, the above-named retailer, declare the foregoing information to be complete and correct in every particular.

(Signed) .....

(Witness) .....

Date .....

\* Essential commodities are—baking powder, bi-carbonate of soda, biscuits, bread improver, candles, condensed and powdered milk, cream of tartar (or substitutes therefor), flour, honey, infant foods, invalid foods, jam, lighting kerosene, matches, salt, self-raising flour, soap, sugar, tea, tinned fruits, cheese, dried fruits, oatmeal (all types), pearl barley, rice, split peas, bacon, butter, ham.

**THIRD SCHEDULE.**  
**REGISTRATION OF SUPPLIER, REGISTERED SUPPLIER, AND SUPPLIER'S REPRESENTATIVES.**  
 Victorian Emergency Reserve Stocks Rules.

Name in full of supplier.	.....
Full address of business premises of supplier.	.....
Postal address for service of notices.	.....
*Full list of essential commodities manufactured by supplier.	.....
*Full list of essential commodities supplied by wholesale by supplier to retailers outside the metropolitan district.	.....
Full name and address of the individual (whether the supplier himself or some other person) who is to be registered as registered supplier for the purpose of the above-mentioned Rules.	.....
Full names and addresses of commercial travellers or other individuals who are to be registered as the supplier's representatives for the purpose of the above-mentioned Rules, and the districts allotted to each.	.....

I, the above-named supplier, declare the foregoing information to be complete and correct in every particular.

(Signed) .....

(Witness) .....

Date .....

\* Essential commodities are—baking powder, bi-carbonate of soda, biscuits, bread improver, candles, condensed and powdered milk, cream of tartar (or substitutes therefor), flour, honey, infant foods, invalid foods, jam, lighting kerosene, matches, salt, self-raising flour, soap, sugar, tea, tinned fruits, cheese, dried fruits, oatmeal (all types), pearl barley, rice, split peas, bacon, butter, ham.

† The "metropolitan district" means the municipal districts of the cities of Box Hill, Brighton, Brunswick, Camberwell, Caulfield, Chelsea, Coburg, Collingwood, Essendon, Fitzroy, Footscray, Hawthorn, Heidelberg, Kew, Malvern, Melbourne, Moorabbin, Mordialloc, Northcote, Oakleigh, Port Melbourne, Prahran, Preston, Richmond, Sandringham, South Melbourne, St. Kilda, Williamstown, the borough of Ringwood, and the shires of Blackburn and Mitcham, Braybrook, Broadmeadows, Bulla, Dandenong, Doncaster and Templestowe, Eltham, Ferntree Gully, Frankston and Hastings, Keilor, Lillydale, Melton, Mornington, Mulgrave, Werribee, and Whittlesea.

**NOTE.**—Should the space on this form be insufficient, give particulars on an appended certified list duly signed by the supplier and witnessed.

**FOURTH SCHEDULE.  
FORM OF REQUISITION.**

Victorian Emergency Reserve Stocks Rules.

- \* Original Requisition.
- Replacement Requisition.
- Reduction Requisition.

Date.....  
To—

[Here insert the name and address of the supplier to whom the Requisition is made out.]

† Requisition for the SUPPLY by the above-named supplier to the under-named registered receiver at the under-mentioned reserve store of the following essential commodities:—

Number of Packages, &c.	Quantity of Commodity contained in each Package, &c.	Description of Contents of each Package, &c.	Remarks.

‡ Requisition for the WITHDRAWAL from the reserve stock at the under-mentioned reserve store of the following essential commodities:—

Number of Packages, &c.	Quantity of Commodity contained in each Package, &c.	Description of Contents of each Package, &c.	Name and Address of Supplier by whom supplied.	Remarks.

Full name and address of retailer.	.....
Full name and address of registered receiver.	.....
Full address of reserve store.	.....
Name of railway station most convenient to reserve store.	.....
Name and place of retailer's bank.	.....
Signature of registered receiver.	.....
{ Signature of supplier's representative	.....
or	.....
{ Signature of local authority.	.....

\* Strike out whichever is not appropriate.

† To be filled in in the case of an original requisition or a replacement requisition.

‡ To be filled in in the case of a replacement requisition or a reduction requisition.

[NOTE.—An "original requisition" is a requisition—

- (a) to establish the original reserve stock; or
- (b) to increase the reserve stock pursuant to any seasonal increase prescribed by the above-mentioned Rules; or
- (c) to increase the reserve stock pursuant to any direction of the Victorian Emergency Reserve Stocks Committee; or
- (d) to replace lost or damaged stock.

A "replacement requisition" is a requisition to withdraw essential commodities from the reserve stock and to replace the essential commodities so withdrawn with a similar quantity of similar commodities.

A "reduction requisition" is a requisition to withdraw essential commodities from the reserve stock—

- (a) pursuant to any seasonal diminution prescribed by the above-mentioned Rules; or
- (b) pursuant to any direction of the Victorian Emergency Reserve Stocks Committee to reduce the reserve stock; or
- (c) after the expiry of the period of emergency.]

FIFTH SCHEDULE.

RETURN OF RESERVE STOCKS.

Victorian Emergency Reserve Stocks Rules.

Name of Supplier.....

Return for Month of.....19....

PARTICULARS (AS AT THE LAST DAY OF THE ABOVE-MENTIONED MONTH) OF ALL ESSENTIAL COMMODITIES SUPPLIED BY THE ABOVE-MENTIONED SUPPLIER WHICH ARE HELD IN RETAILERS' RESERVE STOCKS.

Town, Township, or other Centre where Commodities are held in Reserve Stock.	Details of Supplier's Commodities in each Retailer's Reserve Stock.					Total Value of Supplier's Commodities in Reserve Stocks in each Town, &c.	Insurance Premium Payable by Supplier in Respect of Reserve Stocks in each Town, &c.
	Name of Retailer.	Description of each Commodity.	Weight (or other Measure) of each Commodity.	Value of each Commodity.	Total Value of Com-modities.		
			T. C. Q. L.	£ s. d.	£ s. d.		
Total Value of Supplier's Commodities in Reserve Stocks in Victoria ..						£	
*Total Insurance Premium payable by Supplier in respect of all Reserve Stocks in Victoria							£

I, the above-mentioned supplier, declare that to the best of my knowledge and belief the above particulars are complete and correct.

(Signed).....

...../...../19....

\* For the purposes of Insurance 10 per cent. of the total value of Supplier's Commodities in Reserve Stocks in Victoria shall be added to the value thereof to cover freight and other incidental charges.

And the Honorable Albert Arthur Dunstan, His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

J. C. MACGIBBON,  
Acting Clerk of the Executive Council.

(No. 30.)

APPOINTMENT OF MEMBERS OF THE VICTORIAN  
EMERGENCY RESERVE STOCKS COMMITTEE.

*At the Executive Council Chamber, Melbourne, the  
sixteenth day of April, 1941.*

PRESENT:

His Excellency the Lieutenant-Governor, as Deputy for the  
Governor of Victoria.

Mr. Mackrell | Sir George Goudie.

WHEREAS by the Commonwealth Regulations known as the  
National Security (Emergency Supplies) Regulations it  
is provided, *inter alia*, that each State shall be a regional area  
for the purposes of the said Regulations, that for each such  
regional area there shall be an administrative authority  
consisting of such members as are appointed by the Governor  
in Council of the State, and that the Governor in Council of  
the State may make rules for the purpose of ensuring the  
provision of emergency reserve stocks of prescribed goods in  
any part of the regional area:

And whereas by the Victorian Emergency Reserve Stocks  
Rules made pursuant to the said Regulations it is provided,  
*inter alia*, that there shall be a Committee constituted as  
provided in the said Rules to be called the "Victorian  
Emergency Reserve Stocks Committee", which Committee shall  
be the administrative authority for the regional area of  
Victoria for the purposes of the said Regulations:

Now therefore His Excellency the Lieutenant-Governor, as  
Deputy for the Governor of the State of Victoria, by and with  
the advice of the Executive Council thereof, doth hereby  
appoint the under-mentioned persons to be the members of the  
Victorian Emergency Reserve Stocks Committee for a period  
of three months from the date of such appointment:—

JOHN STEPHENSON ROBERTSON, J.P., F.A.I.S. (representing  
suppliers), who shall be chairman;  
HORACE JOHN BOOK, J.P., F.R.I.S. (representing  
retailers); and  
ALAN STEPHEN PENROSE, F.C.C.A. (representing the  
Victorian Treasury).

And the Honorable Albert Arthur Dunstan, His Majesty's  
Premier for the State of Victoria, shall give the necessary  
directions herein accordingly.

J. C. MACGIBBON,  
Acting Clerk of the Executive Council.

(No. 31.)