



VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

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

No. 63]

FRIDAY, FEBRUARY 20.

[1942

COMMONWEALTH NATIONAL SECURITY (GENERAL)
REGULATIONS.

STATE OF VICTORIA.

LIGHTING RESTRICTION ORDER.

ORDER No. 14.

WHEREAS by Regulation 35A of the Commonwealth National Security (General) Regulations it is provided that the Premier of any State may, after consultation with the Minister of State for Home Security or an officer of the Department of Home Security authorized by that Minister to act on his behalf and with the Commandant of a Military District or an officer authorized by the Minister of State for Defence Co-ordination or the Minister of State for the Army to act on behalf of such Commandant, by Order—

(a) direct any total or partial "blackout" and may prohibit or regulate the display of lights of any description within the State; and

(b) make such provision as he deems necessary to protect the persons and property of the civil population in that State or any part thereof in case of emergency,

and that all persons within such State or area (as the case may be) to which such Order applies shall comply with the requirements of that Order:

Now therefore I, Albert Arthur Dunstan, Premier of the State of Victoria, having duly held such consultations do hereby make the following Order:—

1. This Order may be cited as the "Lighting Restriction Order (Victoria)". Citation.

2. The Lighting Restriction Order No. 1, the Lighting Restriction Order No. 2 and the Lighting Restriction Order No. 3 are hereby revoked. Such revocation shall not affect any right acquired or duty imposed or liability incurred or any matter or thing done by or under the said revoked Orders before the making of this Order. Revocation.

3. In this Order unless inconsistent with the context or subject matter— Interpretation.

"building" includes any shed and any ship, boat or vessel when tied up at a pier, wharf or jetty.

"Commission" means the State Electricity Commission of Victoria.

"council" means council of a municipality.

"dim" in connexion with any light means bring the power of such light to a power not exceeding 7 watts or the equivalent thereof.

“electrical undertaker” means the Commission and any council, company, or person which or who by Order in Council under the *Electric Light and Power Act 1928* of the State of Victoria or any corresponding previous enactment, is authorized to supply electricity within any area.

“first signal”, “second signal” or “third signal” means respectively first signal, second signal or third signal within the meaning of the Air Raid Warning System Order or any amendment thereof.

“gas undertaker” means undertaker within the meaning of the *Gas Regulation Act 1933* of the State of Victoria.

“owner” of a vehicle includes every person who is the owner or the joint owner or part owner thereof, and any person who has the use thereof under a hiring or hire-purchase agreement, but does not include an unpaid vendor thereof under a hire-purchase agreement.

“public lighting” means lighting from any lamp or other device operated by electricity or gas where such lamp or device is used by any undertaker, council or public statutory corporation, for the purpose of lighting any public place, and includes any electrically-operated traffic signal or traffic sign in any public place.

“public place” includes—

- (a) any public highway, road, street, footway, footpath, court, alley, passage, or thoroughfare notwithstanding that the same is formed on private property;
- (b) any park, garden, foreshore reserve or place of public resort not being an enclosed building; and
- (c) any pier, jetty, or wharf.

“undertaker” means electrical undertaker or gas undertaker.

“vehicle” means any vehicle capable of being propelled or drawn along a road or rails by electricity, steam, gas, oil or internal combustion or by any animal or person, together with any trailer, fore-car, side-car or other vehicle or device attached thereto.

Exterior
lighting
generally
and shop
window
lighting.

4. (1) After sunset and before sunrise no person shall cause or allow any light to be emitted from or by any fire, lamp, sign or other device which is not inside any enclosed building or cause or allow any light to be emitted from any shop window or any window in which is shown goods for display or sale to the public or any window which may be or is generally used to show goods for display or sale to the public.

(2) This clause shall not apply to—

- (a) public lighting; or
- (b) lights on vehicles, except when such vehicles are inside an enclosed building.

(3) (a) The Chief Commissioner of Police may grant in writing exemptions to any person from the operation of sub-clause (1) hereof.

(b) Any such exemption—

- (i) shall be subject to such conditions as the Chief Commissioner deems necessary;
- (ii) may be withdrawn either in writing or orally by the Chief Commissioner of Police or any officer of the Police Force of or above the rank of Sub-Inspector or by any member of the Police Force authorized in writing in that behalf by the Chief Commissioner of Police;
- (iii) may be varied in writing by the Chief Commissioner of Police.

Coastal
lighting.

5. (1) After sunset and before sunrise no person shall cause or allow—

- (a) any light to be emitted from or by any fire, lamp, sign or other device which is not inside any enclosed building;
- (b) any light to be emitted from any enclosed building—
within ten miles of the coast line of the State of Victoria—
 - (i) from the border of the States of South Australia and Victoria to Point Lonsdale;
 - (ii) from Point Nepean to the border of the States of Victoria and New South Wales.

- (2) This clause shall not apply to—
- (a) public lighting; or
 - (b) lights on vehicles, except when such vehicles are inside an enclosed building.

6. No person shall, after the sounding of the first signal or the second signal and before the sounding of the third signal, cause or allow any light to be emitted from any enclosed building.

Regulation of emission of lights from buildings during an air raid.

7. (1) The Premier may by notice in writing direct that no person shall during any period and in any area or areas specified in such notice cause or allow any light to be emitted from any enclosed building.

Restriction of light from buildings by direction of the Premier.

(2) The Premier shall give publicity to such notice by whatever means he considers appropriate in the circumstances.

(3) Prima facie evidence of such notice and of the fact that it had been given such publicity may be given by the production of a document purporting to be a copy of such notice and purporting to be printed by the Government Printer of the State of Victoria.

(4) In any notice as aforesaid the Premier may in respect of any area specified in the notice declare that the first signal, second signal and third signal shall be deemed to have been sounded in that area at the respective times specified in the notice, and this Order shall be read and construed accordingly.

8. (1) Every undertaker council and public statutory corporation when so instructed by notice in writing by the Commission shall in accordance with such instructions and within such time as is specified in the notice install, alter or maintain to the satisfaction of the Commission such apparatus, fittings, lamps and other devices, lines, wiring and pipes and perform such other works as are specified in the notice in connexion with public lighting.

Preparation by undertakers, &c., for blackouts.

(2) In giving any such instructions the Commission shall have regard to—

- (a) the quantity, quality, distribution and direction of the light emitted from all or any lamps or other devices used by the undertaker, council or public statutory corporation for public lighting purposes;
- (b) the method or apparatus used for the switching on or off of all or any lamps or other devices used by the undertaker, council or public statutory corporation for public lighting purposes and the location of the switching points for all or any such lamps or other devices.

(3) Where any instructions have been given under this clause to any undertaker, council or public statutory corporation, such undertaker, council or public statutory corporation shall not after the expiration of the time specified as aforesaid—

- (a) supply electricity or gas to; or
- (b) place or allow to remain in any public place; or
- (c) light or cause to be lighted—

any lamp or other device used for public lighting purposes which does not comply with such instructions.

(4) (a) For the purposes of the administration of the last preceding sub-clause hereof, the Commission may by notice in writing require any undertaker, council or public statutory corporation to supply such information as to the works, plant, apparatus, fittings, lamps, and other devices, lines, wiring and pipes used by the undertaker, council or public statutory corporation in connexion with public lighting as the Commission deems necessary.

(b) Any undertaker council or public statutory corporation when so required shall within seven days after the giving of the notice supply to the Commission the information so required.

9. Any undertaker council or public statutory corporation when directed so to do—

Discontinuance of public lighting.

- (a) verbally or in writing by—
 - (i) the Commission or any person authorized in that behalf by the Commission whose name has been communicated to the undertaker council or public statutory corporation by the Commission in writing; or

(ii) the Chief Commissioner of Police or any officer of the Police Force of or above the rank of Sub-Inspector or any member of the Police Force authorized in writing in that behalf by the Chief Commissioner of Police; or

(b) by a pre-arranged signal the nature of which has been communicated to the undertaker council or public statutory corporation by the Commission or by the Chief Commissioner of Police—

shall forthwith discontinue or cut off the supply of electricity or gas to all or any specified lamps or proportion of lamps or other devices of the undertaker council or public statutory corporation used for public lighting until such time as such direction is cancelled by a direction as aforesaid.

Screening on lights on vehicles.

10. The owner and driver of any vehicle shall cause the lights of such vehicle to be screened and kept screened by a method or contrivance approved for the purpose of this clause of this Order by the Chief Commissioner of Police.

Lights inside vehicles.

11. (1) No person shall, after sunset and before sunrise, use, or allow to be used, any light which is visible from outside a vehicle to illuminate any part of the interior of such vehicle.

(2) Nothing in the last preceding sub-clause shall apply to the use of lamps subject to conditions approved by the Chief Commissioner of Police in any railway carriage, tramcar, or public omnibus.

Duty of drivers, &c., on the sounding of air raid signals.

12. (1) The owner, driver, or person in control of any vehicle shall—

(a) on the sounding of the first signal, immediately dim or cause to be dimmed all lights on such vehicle, and keep such lights dimmed until the sounding of the second signal or the third signal (whichever first occurs);

(b) on the sounding of the second signal—
 (i) immediately extinguish or cause to be extinguished all lights on such vehicle and keep such lights extinguished until the sounding of the third signal; and
 (ii) if such vehicle is in a public place, immediately bring, or cause to be brought, to a halt such vehicle as near as practicable to the kerb or road-side, and shall keep such vehicle stationary until the sounding of the third signal.

(2) No person shall, between the sounding of the second and third signal, drive any vehicle in a public place.

Exemptions.

13. The provisions of the last preceding clause of this Order shall not apply to the following vehicles if fitted with a contrivance approved for the purpose of this clause of this Order by the Chief Commissioner of Police for the dimming of the lights on such vehicles, viz. :—

- Vehicles approved by the Chief Commissioner of Police for use for ambulance services;
- Vehicles (other than tramcars) of the State Electricity Commission of Victoria;
- Vehicles of the Metropolitan Fire Brigades Board or of the Country Fire Brigades Board;
- Vehicles of the Commonwealth of Australia;
- Vehicles of the Police Department.
- Vehicles of the Melbourne and Metropolitan Board of Works;
- Vehicles approved by the Chief Commissioner of Police for use in connexion with air raid precautions; and
- Such other vehicles as are specified by the Chief Commissioner of Police by notice published in the *Victoria Government Gazette*.

Application of clauses 11 and 12.

14. Clauses 10 and 11 of this Order shall—

(a) apply only to the following parts of the State of Victoria :—
 (i) the area lying within One hundred miles of the coast line;

- (ii) such of the following cities and towns as may be outside that area, namely:—Bendigo, Benalla, Eaglehawk, Horsham, Inglewood, Rochester, Shepparton, Wangaratta, and Wodonga;
- (iii) the area lying within Five miles of the railway between Benalla and the River Murray;
- (b) not apply to any vehicle within an enclosed building.

15. A certificate signed by the Chief Commissioner of Police ^{Evidence.} certifying—

- (a) that any method or contrivance has or has not been approved for the purpose of clause 10 or clause 13 of this Order; or
- (b) that any vehicle has or has not been approved by the Chief Commissioner of Police for use for ambulance services or for use in connexion with air raid precautions—

shall be prima facie evidence of the facts so certified.

16. Notwithstanding anything in this Order the Victorian Railways ^{Exemption in railway lighting.} Commissioners may at any time use and continue to use such lighting as in their opinion is necessary for the safe working of any railway traffic.

17. Notwithstanding anything in this Order—

- (a) subject to the approval of the Chief Commissioner of Police a light may be displayed at any time in or for the purpose of any illuminated sign indicating the position or direction of a Police Station, Fire Station, Hospital, First-aid post, public Air Raid Shelter or building used for the purposes of the Air Raid Precautions Services, provided that the sign is screened from above and so dimmed that while legible at night up to a distance of 100 feet it is inconspicuous at a distance of 200 feet;
- (b) a light may be displayed at any time if such light is essential for the purposes of urgent—
 - (i) rescue, demolition, fire-fighting or first-aid work; or
 - (ii) repair work carried out by or on behalf of any public authority within the meaning of the Public Authorities and Corporations Powers Order, the State Rivers and Water Supply Commission, the Melbourne and Metropolitan Board of Works or any Government Department;

provided that such light is screened as far as is practicable so that no direct light is cast above the horizontal and provided that the work cannot be temporarily discontinued.

18. (1) Any undertaker shall at the request of the Chief ^{Police powers.} Commissioner of Police discontinue until such time as the Chief Commissioner otherwise directs the supply of electricity or gas to any premises upon which a contravention of the provisions of this Order or any direction given thereunder has taken place.

- (2) Any member of the Police Force may extinguish or obscure—
 - (a) any fire, lamp, sign or other device from which light is being emitted; or

(b) any light which is emitted from any building—
in contravention of this Order or any direction given thereunder.

19. (1) Every person undertaker council or public statutory ^{Enforcement of Order.} corporation to whom or to which any direction, request, instruction or demand is addressed or directed by under or pursuant to this Order shall comply with such direction request instruction or demand.

(2) No person shall obstruct or hinder any person undertaker council or public statutory corporation in the exercise of any act authorized or required to be done by under or pursuant to this Order.

A. A. DUNSTAN,
Premier of the State of Victoria.

Dated the 20th day of February, 1942.

No. 72.

By Authority: H. E. DAW, Government Printer, Melbourne.

