



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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No. 248]

TUESDAY, DECEMBER 28.

[1943

Factories and Shops Acts.

DETERMINATION OF THE TEA PACKING BOARD.

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the City of Sandringham as are not included in the said District, the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the Determination of the Grocers Board) employed either inside or outside a factory or work-room, in the process, trade, or business of preparing tea, coffee, cocoa, or chocolate for trade or sale, including blending, weighing, filling packets, wrapping, packing, or labelling,” has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after 1st January, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.				Adults.			
WAGES.				WAGES.			
				<i>Males.</i>			
				Per week of 44 hours.		Per week of 44 hours.	
				<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
14 years	..	..	..	20	0	..	..
15 years	..	..	..	26	0	23	9
16 years	..	..	..	30	9	26	6
17 years	..	..	..	38	6	31	6
18 years	..	..	..	48	6	37	6
19 years	..	..	..	54	9	41	9
20 years	..	..	..	70	6	47	9

				<i>Females.</i>			
				Per week of 44 hours.		Per week of 44 hours.	
				<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Foreman	122s.	9d.
Headman	114s.	6d.
All other adult workers	108s.	0d.

				<i>Females.</i>			
				Per week of 44 hours.		Per week of 44 hours.	
				<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Headwoman	70s.	6d.
All other adult females	62s.	0d.

PROPORTION (within any factory or place).

Apprentices.

One male apprentice to every three or fraction of three male workers receiving at wages rates or piece-work prices not less than 108s. per week of 44 hours.

One female apprentice to every three or fraction of three female workers receiving at wages rates or piece-work prices not less than 62s. per week of 44 hours.

Improvers.

One male improver to every four or fraction of four male workers receiving at wages rates or piece-work prices not less than 108s. per week of 44 hours.

One female improver to every four or fraction of four female workers receiving not less than 62s. per week of 44 hours.

JUVENILE WORKERS.

PROPORTION.—The proportion of juvenile workers to adults shall be not more than three juvenile workers of either sex to every two adults of either sex.

WAGES.

MALES UNDER 21 YEARS OF AGE (other than apprentices or improvers) employed at—																											
Under 16 years of age.		Under 18 years of age.																									
General work, i.e., all work except—		General work, i.e., all work except—																									
(a) Bulk blending, i.e., mixing;		(a) Bulk blending, i.e., mixing;																									
(b) Moving by hand, unassisted, packages exceeding 35 lb. gross weight;		(b) Moving by hand, unassisted, packages exceeding 70 lb. gross weight;																									
(c) Ramming with a rammer exceeding 3 lb. in weight;		(c) Ramming with a rammer exceeding 4 lb. in weight;																									
(d) Packing tea with a machine other than a power-driven machine—		(d) Packing tea with a machine other than a power-driven machine—																									
	Per week of 44 hours.		Per week of 44 hours.																								
14 years	20s. 0d.	16 years	30s. 9d.																								
15 years	26s. 0d.	17 years	33s. 6d.																								
<table border="0" style="width: 100%;"> <tr> <td colspan="2">General work, i.e., all work except—</td> <td colspan="2">General work, i.e., all work except—</td> </tr> <tr> <td colspan="2">Moving by hand, unassisted, packages exceeding 100 lb. gross weight—</td> <td colspan="2">Moving by hand, unassisted, packages exceeding 100 lb. gross weight—</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Per week of 44 hours.</td> </tr> <tr> <td></td> <td></td> <td>18 years</td> <td>48s. 6d.</td> </tr> <tr> <td></td> <td></td> <td>19 years</td> <td>54s. 9d.</td> </tr> <tr> <td></td> <td></td> <td>20 years</td> <td>70s. 6d.</td> </tr> </table>				General work, i.e., all work except—		General work, i.e., all work except—		Moving by hand, unassisted, packages exceeding 100 lb. gross weight—		Moving by hand, unassisted, packages exceeding 100 lb. gross weight—					Per week of 44 hours.			18 years	48s. 6d.			19 years	54s. 9d.			20 years	70s. 6d.
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General work, i.e., all work except—		General work, i.e., all work except—																									
Packing tea with a hand or power-driven machine—		Packing tea with a hand machine—																									
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16 years	23s. 9d.	18 years	37s. 6d.																								
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17 years	31s. 6d.	20 years	47s. 9d.																								

3. **TIME OF BEGINNING AND ENDING WORK.**
 Time of Beginning. 7.30 a.m.
 Time of Ending. 12 noon on Saturdays.
 5.30 p.m. on each of the other five working days of the week.

OVERTIME.
 4. Overtime shall be paid for as follows :—
 (a) Within the hours provided in clause 3 in excess of 44 hours in any week—time and a half.
 (b) Outside the hours provided in clause 3—time and a half for the first two hours and double time thereafter.

HOLIDAYS.
 5. Employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day (26st January), Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District as defined in the Factories and Shops Acts, Melbourne Cup Day, and after 12 noon on Show Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

SPECIAL RATES.
 6. Any employee who is required to work on a Sunday or any day mentioned in Clause 5 shall be paid double time for such work.

TERMINATION OF EMPLOYMENT.
 7. Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

SICK PAY.
 8. Any weekly employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than 12 months' continuous service and he or she produces or forwards within 24 hours of the commencement of such absence satisfactory evidence to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year.

ANNUAL LEAVE.
 9. All employees shall be granted one week's leave of absence on full pay, on completion of each twelve months' continuous service with an employer.
 Should an employee's services be terminated (other than for misconduct) before the completion of any twelve months of service, he or she shall be entitled to a pro rata leave of absence or payment in lieu of same. An employee dismissed for misconduct is not entitled to this leave of absence or payment.

PAY DAY.
 10. Employees shall be paid on a day not later than Thursday in each week.

POSTING OF DETERMINATION.
 11. A copy of this Determination shall be posted in a conspicuous place at or near the entrance of each floor in a building if any employees are employed on such floor at any work covered by this Determination.

REST PERIOD.
 12. An interval of ten minutes each morning and afternoon shall be given as a rest period to all employees, and shall be counted as time worked.

MEAL ALLOWANCE.
 13. Any employee who is required to work overtime for one hour or more on any day shall receive a meal allowance of one shilling and sixpence for each day he or she is so required to work.

DEFINITIONS.
 14. Foreman: A person held directly responsible by the employer for the carrying out of the work, and who has the charge and direction of the employees.
 Headman or Headwoman: A person on a floor who directs other employees in their work and who is held responsible for work done on that floor notwithstanding he or she may be under the orders or takes instructions from the foreman.

P. A. RANGLES, J.P., Chairman.
 J. V. WILLOX, Secretary.

Melbourne, 23rd December, 1943.



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TUESDAY, DECEMBER 28.

[1943

COMMONWEALTH NATIONAL SECURITY (GENERAL)
REGULATIONS.

STATE OF VICTORIA.

LICENSED PREMISES ORDER

ORDER No. 52.

WHEREAS by Regulation 35A of the Commonwealth National Security (General) Regulations it is provided *inter alia* that the Premier of any State, 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 Commander of a Lines of Communication Area or an officer authorized by the Minister of State for the Army to act on behalf of such a Commander, may by Order make such provision with respect to the rights, powers, privileges, obligations, or liabilities of the civil population, or any part thereof, as appears to him to be reasonably incidental to the operation of any regulation made under the *National Security Act 1939*, or under that Act as subsequently amended:

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

1. This Order may be cited as the Licensed Premises Order (Victoria) No. 2. Citation.
2. (a) In this Order "*Licensing Act 1928*" means the *Licensing Act 1928* of Victoria as amended by subsequent Acts. Interpretation.
(b) Words and expressions used in this Order have the same meanings as are assigned to them in the *Licensing Act 1928*.
3. When by reason of the operation of any regulation made under the *National Security Act 1939* or under that Act as subsequently amended, any licensed premises or any part or parts of any licensed premises have become unavailable, or are likely to become unavailable, to the licensee thereof for the carrying on of his business as such licensee, a Licensing Court consisting of two or more Licensing Magistrates, upon the application of such licensee may by order—
 - (a) declare that such portion or portions of such licensed premises as have become or are likely to become unavailable to him as aforesaid shall cease to form part of the licensed premises of such licensee, and if it thinks desirable define the area of the new licensed premises;

Powers of Licensing Court where licensed premises or parts thereof unavailable by reason of the operation of regulations under the National Security Act 1939.

(b) authorize the licensee of such licensed premises to carry on his business or any portion or portions of it in some specified part or parts of such licensed premises, either with or without the accommodation required by the *Licensing Act 1928* whereupon the premises or part or parts of such premises described in such order shall become the licensed premises for the purposes of the *Licensing Act 1928*.

Power to
Licensing
Court
to renew
licences.

4. The licence for any licensed premises in respect of which an order under clause 3 is in operation, may be renewed by the Licensing Court, consisting of one or more Licensing Magistrates, notwithstanding the provisions of Sections 28 and 251 (1) (e) of the *Licensing Act 1928*.

Power to
Licensing
Court
to refuse
to order
revocation
of licences.

5. Notwithstanding anything contained in Sections 138 and 142 of the *Licensing Act 1928*, the Licensing Court may refuse to order that any licence be revoked where the failure of the licensee to comply with an inspector's order served under the provisions of the said sections or either of them is due to the operation of any regulation made under the *National Security Act 1939*, or under that Act as subsequently amended.

Variation and
recession of
orders by
Licensing
Court.

6. Any order made under the provisions of clause 3 may be varied or rescinded by a Licensing Court consisting of two or more Licensing Magistrates.

Applications
by licensees
for
exercise of
powers of
Court.

7. Seven days at least before the making of any application under clause 3 notice in writing of the intention to make such application setting forth the licensed premises the subject of the application and the name of the present holder of the licence, and the name of the owner of the said licensed premises shall be given—

- (a) to the Registrar of Licensing Courts at Melbourne;
- (b) to the Licensing Inspector for the Licensing District in which the licensed premises are situated;
- (c) to the owner and mortgagee of the freehold and the mortgagee of the leasehold (if any), the lessee and sub-lessee (if any) or (if the Licensing Court on application made to it *ex parte* approves) to the authorized agent or solicitor of any such party.

Operation of
orders made by
Licensing
Court.

8. No order under clause 3 shall be made for any period beyond the first day of the next Annual Sittings of the Licensing Court for the Licensing District in which the said premises are situated, but the operation of any such order may from time to time be extended by such Licensing Court consisting of one or more Licensing Magistrates at such Annual Sittings for any period not extending beyond the first day of the annual sittings of such Court next following.

Application
to
registered
clubs.

9. The provisions of this Order shall with any necessary modifications extend to Registered Clubs and in applying such provisions the words "club premises" shall be read for "licensed premises" and the word "club" for "licensee", and the word "certificate" for "licence".

A. A. DUNSTAN,

Premier of the State of Victoria.

Dated this 23rd day of December, 1943.

No. 167