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[1947

REGULATIONS UNDER THE POLICE REGULATIONS ACTS

POLICE REGULATION ACTS.

*At the Executive Council Chamber, Melbourne, the
fifth day of August, 1947.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Stoneham

Mr. Hayes.

REGULATIONS.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and in pursuance of the provisions of the Police Regulation Acts, doth hereby make the Regulations following, that is to say:—

CHAPTER 1.

PRELIMINARY.

Citation and
commence-
ment.

1. (1) These Regulations may be cited as the Police Regulations and shall come into force upon the first day of October, 1947.

Division into
Chapters.

- (2) These Regulations are divided into Chapters as follows:—

- Chapter 1.—Preliminary.
- Chapter 2.—Constitution.
- Chapter 3.—Organization.
- Chapter 4.—Duties of Police.
- Chapter 5.—Candidates and Appointment to Service.
- Chapter 6.—Discipline.
- Chapter 7.—Police Classification Board.
- Chapter 8.—Equipment.
- Chapter 9.—Leave (Administration).
- Chapter 10.—Prisoners.
- Chapter 11.—Property in Possession of Police.
- Chapter 12.—Badges, Medals, etc.
- Chapter 13.—Transfers.
- Chapter 14.—Exchange Officers.
- Chapter 15.—Charges for Police Services.
- Chapter 16.—Record Sheets.
- Chapter 17.—Illness.
- Chapter 18.—Pensions.
- Chapter 19.—Duty and Leave.
- Chapter 20.—Travelling Expenses.
- Chapter 21.—Promotions.

Repeal of
existing
regulations.

2. (1) The Regulations made by the Governor in Council on the 18th day of September, 1933, and known as the "Police Regulations" together with all amendments and additions thereto are hereby repealed.

(2) Such repeal shall not affect any right obligation or liability accrued or any penalty or punishment incurred or any appointment made or anything done or required to be done in pursuance of the Regulations hereby repealed or any of them prior to the commencement of these Regulations or any investigation or proceeding in relation thereto.

3. (1) In the construction of these Regulations, unless inconsistent with the context or subject-matter—

“Chief Commissioner” means the Chief Commissioner of Police for the time being. Definition of terms.
“Chief Commissioner.”

“Member of the Force” applies to every person employed in the Force. “Member of the Force.”

“Officer” includes the Chief Commissioner, the Inspecting Superintendent, any Superintendent, Chief Inspector, Inspector, or Sub-Inspector. “Officer.”

“Officer in charge of a station” includes any member of the Force of whatever rank or grade who is for the time being, in fact, in charge of a police station. “Officer in charge of a station.”

“Property” includes money. “Property.”

“Service” means the service of the Police Force of Victoria. “Service.”

“Sub-officer” includes first or second class sergeant and senior constable. “Sub-officer.”

“Superior Officer” includes any member of the Force superior in rank or senior in rank, with respect to any other member, and any member specially or generally authorized by the Chief Commissioner to act as if he were superior in rank or senior in rank to such other member. “Superior Officer.”

“The Act” means the *Police Regulation Act 1928* together with any Act amending the same or cited therewith. “The Act.”

“The Force” means officers and other members of the Police Force of Victoria whether employed upon land or upon water. “The Force.”

“The Regulations” means the Regulations made under the Act. “The Regulations.”

(2) In the Regulations any reference to a form in a schedule shall include a reference to a form to the like effect. Forms.

4. The provisions of the Acts Interpretation Acts shall with such adaptations as are necessary apply to and in respect of the interpretation of the Regulations. Application of Acts Interpretation Acts.

CHAPTER 2.

CONSTITUTION.

1. The Police Force is divided into the following ranks and grades:— Ranks and grades.

Officers.

- (i) Chief Commissioner.
- (ii) Inspecting Superintendent.
- (iii) Superintendents.
- (iv) Chief Inspectors.
- (v) Inspectors.
- (vi) Sub-Inspectors.

Sub-Officers and Constables.

- (i) Sergeants, first class.
- (ii) Sergeants, second class.
- (iii) Senior Constables.
- (iv) First Constables.
- (v) Constables.

2. Members of the Force holding rank as aforesaid are vested with authority and hold responsibility in the above order, and according to seniority of promotion or appointment in the respective ranks. Seniority.

3. Where two officers or sub-officers are appointed to the same rank on the same date, the order of their seniority shall be determined by the date on which they were appointed to the rank previously held by them. Where appointments made on the same date.

- Function of command. 4. Where two or more officers or sub-officers are performing duty with any unit, the function of command is to be exercised by the senior officer or sub-officer who is present, except in cases where an officer or sub-officer has been specially detailed for the duty when the function of command will be exercised by the officer or sub-officer so detailed.

CHAPTER 3. ORGANIZATION.

- Police Districts. 1. (1) The State of Victoria shall be divided into the following Police Districts, each having its Head-quarters Station at the place respectively set out hereunder:—

District.	Head-quarters Station.
Melbourne	Russell-street.
Bourke	Flemington.
Central	Ballarat.
North-Western	Bendigo.
Western	Warrnambool.
North-Eastern	Benalla.
Gippsland	Sale.
South-Eastern	Malvern.
Southern	Geelong.
Midland	Maryborough.
Wimmera	Ararat.

- C.I.B. and Depot deemed Police Districts. (2) For the purposes of these Regulations the Criminal Investigation Branch and the Police Depot shall be deemed to be Police Districts, and the officers respectively controlling such Branch and Depot shall be deemed to be officers controlling a Police District, except that the officer controlling the Police Depot shall be an Inspector or such other officer as the Chief Commissioner from time to time appoints to the position.

- Officer in charge. Divisions. 2. Each District shall be under the control of a Superintendent.

3. For convenience of administration, any Police District may be organized in Divisions and any officer of police may be appointed in charge of a Division.

- Sub-districts. 4. Each District may be divided into sub-districts with a sub-officer or constable in charge according to the strength of the Force at each particular place. The offices and precincts of sub-districts shall be known as Police Stations.

- List of districts and stations. 5. A list of the various Districts and sub-districts shall be published in the first issue of the *Police Gazette* in January of each year.

CHAPTER 4. DUTIES OF POLICE.

The Chief Commissioner.

- Chief Commissioner responsible for efficiency. 1. The Chief Commissioner shall adopt every means in his power to cause all members of the Force under his control to discharge their duties both to the Government and the public satisfactorily and efficiently.

- Policy to be directed by Chief Commissioner. 2. The Chief Commissioner shall issue standing orders and instructions as to the methods and policy of the Police Force and, within the limits of his authority, shall approve expenditure, the ordering of supplies, the renting of premises for police purposes, the acceptance of outside appointments, the formation or abolition of stations, the increase or reduction of strength in Districts, Divisions, or sub-districts and all orders and general instructions issued to members of the Force.

Inspecting Superintendent.

- Rank and command. 3. The Inspecting Superintendent, except where an Acting Chief Commissioner other than the Inspecting Superintendent is appointed by the Governor in Council, is the officer next in authority to the Chief Commissioner.

- Authority. 4. He shall assist the Chief Commissioner in the superintendence and control of the Force and shall undertake such duties as the Chief Commissioner may from time to time direct.

5. The appointment of the Inspecting Superintendent will be made by the Governor in Council, and the provisions of the Regulations relating to promotion and appointment shall not apply to such appointment. Appointment.

6. The Inspecting Superintendent will rank senior to other superintendents and supervise their work. He shall see that all complaints by members of the public are properly and impartially investigated, bring under the notice of the Chief Commissioner the conduct and efficiency of members of the Force, and, where trifling irregularities exist, take every opportunity of pointing out to members of the Force the proper method of performing their duty. He shall devote as much time as possible to the general welfare of members of the Force. Duties.

Superintendents.

7. A Superintendent shall be appointed as officer in charge of each Police District, and shall superintend and control the members of the Force in his District in accordance with the Act, Regulations, Standing Orders, and departmental directions, subject to the direction and approval of the Chief Commissioner. Superintendent to control district.

8. He shall be responsible for the prevention of crime, the detection of criminals, and the general preservation of peace and good order in his District. Prevention of crime, &c.

9. He shall make himself acquainted with the various stations in his District and their requirements generally, and shall from time to time grant immediate police protection to any locality that may require it if the peace of such locality would in his opinion be endangered by the delay consequent upon his referring the matter to the Chief Commissioner. Police requirements.

10. He shall report on applications for the forming of new police stations, and shall furnish information on the subject. Applications for new stations.

11. He shall make a proper division of such cities towns boroughs or shires as may be in his District into beats and patrols, according to requirements, and shall issue the necessary instructions for the proper working of such beats and patrols. Beats and patrols.

12. He shall inspect all Officers, sub-officers, and constables at least once in each year and on such additional occasions as may be possible, and maintain discipline within his command. He shall see that members of the Force are correct in appearance, behaviour and dress, and generally shall satisfy himself that the requirements of the Regulations are complied with. Inspection of men.

13. He shall inspect barracks, stations, quarters, stables, paddocks, horses, vehicles, arms, clothing, appointments and equipment of the Force under his charge as frequently as possible but at least once in each year. He shall see that the station property and equipment are in good order and complete, that troop horses and vehicles are properly cared for, that lockups are clean and secure, that stables are attended to, and that the premises generally are in a clean and tidy condition. Inspection of stations, &c.

14. He shall see that all members of the Force are well acquainted with the Regulations, that they regularly peruse and make themselves acquainted with the contents of the *Police Gazette*, and that they copy therefrom into their note books extracts of such portions as they are more particularly interested in or as touch the performance of their duties, and that they note in the same manner the particulars of crime reports forwarded to their stations for circulation. Knowledge of regulations and instructions.

15. He shall cause the members of the Force under his control to be instructed, when they have cases to bring before the Courts, how to obtain evidence and conduct the cases, so as to present the particulars to the magistrates as justly, clearly and intelligently as possible. Court procedure.

16. He shall report promptly to the Chief Commissioner the occurrence in the District of any event of public importance, especially such events as affect the public peace, or any important crime. Important events to be reported to Chief Commissioner.

17. In times of unusual political agitation he shall arrange for the attendance at political meetings of a sufficient number of police to meet requirements. Political meetings.

- Economy.** 18. He shall pay strict and constant attention to economy and wherever he sees any means of reducing expense or promoting the utility of the Force under his charge he shall communicate his views to the Chief Commissioner.
- Improvement of service and relations with public.** 19. He shall encourage all members of the Force under his control to submit views and suggestions for the improvement of the Service and its relations with the public.
- Complaints from members of the Force.** 20. When visiting stations he shall ascertain if the members of the Force have any complaints to make, and if they have he shall take the necessary steps to have such complaints investigated.
- Complaints against members of the Force.** 21. He shall inquire into all complaints made by or against members of the Force in his District and shall deal promptly with them in the proper manner. He shall maintain personal control as far as possible and ensure that members of the Force are not charged when the offence is of a trifling nature and can be properly dealt with by censure by a superior.
- Characters, &c., of members.** 22. He shall by frequent personal intercourse make himself acquainted with the character, temper, conduct, and fitness for promotion of every member of the Force under his command, and make recommendations for promotion as prescribed by or under the Act.
- Issue of instructions.** 23. He shall in clear and explicit terms direct members of the Force under him in the performance of their duties, and immediately inform them in respect of fresh instructions issued.
- Keeping of books.** 24. He shall see that all books are regularly and properly kept, correspondence and accounts properly attended to, and returns forwarded punctually.
- Expenditure.** 25. He shall be held responsible for a careful scrutiny of all estimates, accounts and vouchers connected with the Force under him. Vouchers will be supported and authenticated by his certificate of approval in each case.
- Correspondence.** 26. He shall take care that all accounts, returns, reports and other official documents are drawn up and completed with accuracy, precision, and neatness and transmitted punctually at the proper time.
- Exercise of authority.** 27. He shall in cases of emergency exercise the powers and authorities conferred upon him without awaiting or asking instructions.
- Responsibility.** 28. He shall be held responsible for failure to maintain peace and good order or for failure to act in such manner as the occasion may demand for the preservation thereof.
- Interest in police welfare.** 29. He shall take a sympathetic interest in the welfare of the members of the Force in health and in sickness, and an active interest in their recreations. When the exigencies of the Service permit he shall grant facilities for the purpose of healthy recreation as by reason of the nature of their duties members of the Force are precluded from partaking in the recreational activities of the community. Therefore it must be the special care of the Superintendent that those under him are afforded all reasonable facilities for recreation, but so as not to interfere with police duty or inflict hardship on other members of the Force.
- Prosecutions in trivial cases.** 30. He shall see that the utmost discretion is used in dealing with petty offences either by arrest or summons, and look closely into charges and reports to prevent any harsh, unreasonable or unjustifiable prosecutions or arrests.

Chief Inspectors, Inspectors and Sub-Inspectors.

- Duties of chief inspectors, inspectors, and sub-inspectors.** 31. Chief Inspectors, Inspectors and Sub-Inspectors shall be directly responsible to their Superintendents for the supervision and control of the members of the Force placed immediately under their charge, and all matters in relation thereto.
- Instructions from superintendents.** 32. They shall carry out instructions received from Superintendents, whom they shall assist in all matters of duty and discipline.
- To keep in touch with subordinates.** 33. The instructions relating to Superintendents shall apply generally to Chief Inspectors, Inspectors and Sub-Inspectors. They shall keep in close and continual touch with subordinates and endeavour to ascertain the character, capabilities and fitness for promotion of police under their charge.

Sub-Officers.

34. A sub-officer shall be responsible for the conduct and appearance of the constables placed under his command. He shall watch over their conduct and report without delay any irregularity, breach of duty or act of misconduct they may commit. He shall exercise effective control over members of the Force placed under him as far as possible without recourse to higher authority. Duties of sub-officers.

35. He shall show an example of neatness in his dress and appointments, and of perfect cleanliness in his person and quarters. Neatness, &c.

36. He shall, when called upon to act upon his own initiative, without waiting for instructions from his superiors give orders and instructions to his subordinates promptly and without hesitation. Ability to deal with cases of emergency which cannot be foreseen demonstrates the capacity of a sub-officer and his suitability for higher responsibilities. To exercise authority.

37. While supporting the dignity of his rank and avoiding undue familiarity, he should yet be on good terms with those under him; and he should cultivate a feeling of mutual trust and reliance which will lead constables to appeal to him for help and advice whenever they are in need of it. To give help and advice to subordinates.

38. The proper performance of police duty depends to a very large extent upon sub-officers. A sub-officer should know the capabilities and peculiarities of constables, and whether they can be depended upon to do their duty efficiently, or are in need of constant supervision. Knowledge of capacity of subordinates.

39. If in charge of a station a sub-officer shall be responsible for the state of the barracks and quarters, of the arms, ammunition, appointments, and every article of Government property on charge to the station. Duties of sub-officer in charge of station.

40. In the distribution of the duties of the station, he must be perfectly impartial, and must keep a return of the duties performed by himself and the men under him. Distribution of duties.

41. He shall inspect minutely parties or individuals going on duty; and if under arms on special duty he shall see that they are properly supplied with ammunition before they go out; and he shall note in the occurrence book the hour of their despatch and their return, the state in which they return, the quantity of ammunition consumed (if any), the state of the horses (if any of the party be mounted), the condition and appearance of vehicles if employed, and all circumstances connected with the particular duty on which they have been employed of which a record may appear necessary. Inspection, &c.

42. If any constable reports himself as unable, from illness, to attend any parade or to perform any duty, the sub-officer shall note the circumstances in the occurrence book and submit a report thereon for the information of the Chief Commissioner. Procedure when constable reports sick.

43. He shall make an immediate report of any man who absents himself from any parade or duty, or from his quarters at night. Absent from duty.

44. In country districts he shall not absent himself from his station except on duty or leave, or by permission or direction of the officer in charge of the District, Division or station (as the case requires). In the metropolitan districts he shall not be absent from his sub-district during his shift of duty without permission from the Officer in charge of the Division or District. If he is absent from his station at any time, he shall ensure that definite and adequate arrangements are made for the work and supervision of the station and sub-district. Absence from station.

45. When on section duty a sub-officer shall visit the men as frequently as possible during each term of duty. He shall note carefully the manner in which the constables work their beats or patrols, and shall report promptly any neglect of duty coming under his notice. Where a sub-officer gives strict attention to section duties, men on beats and patrols will be alert, watchful and attentive. Section duty.

- Visits of beats to be reported.** 46. A sub-officer shall report his visits to constables on beats. If he does not speak to the constable on beat he shall not record the meeting as a visit.
- Beat to be worked against missing constable.** 47. Should a constable not be found on that part of his beat where he should be, it is the duty of the sub-officer to work the beat against the constable until found, or until it is quite certain that he is not upon the beat.
- Sub-officer to inform constable of his intention to report him.** 48. If a constable is found committing a breach of duty or act of misconduct, the sub-officer shall inform him at once of his offence and of his intention to report the matter. Should the constable make any explanation, admission or denial, it is the duty of the sub-officer to record it in his note book at the time. He should also note in his book the time at which the offence was committed, and any other particulars necessary to enable him to report clearly and intelligently the circumstances.

Constables.

- To discharge duty.** 49. Constables shall be held responsible for the proper discharge of the duty upon which they are placed.
- To act on own responsibility.** 50. Although under the control of sub-officers, they have frequently to act upon their own responsibility, and must do so with intelligence, discretion, courtesy and good temper.
- Prevention of crime.** 51. A constable shall always be alert to prevent crime and protect the public, and report promptly any circumstance which appears to affect the public peace or safety, or anything likely to produce danger or public inconvenience.
- To supply name and number when requested.** 52. He shall not when on duty enter into conversation with any person whatever, except on matters relating to his duty, and when asked his name, number or station by any person on any reasonable occasion, he shall immediately give them.
- To be energetic, &c.** 53. He must be energetic, active, temperate and honest, and shall discharge his duty on all occasions independently, uprightly, conscientiously and without fear or favour.
- Courtesy.** 54. He must cultivate a disciplined demeanour, obey promptly the orders of his officers and sub-officers, and treat all law-abiding citizens with full courtesy and consideration.
- Orders of superiors to be promptly obeyed.** 55. Although a constable is legally responsible for his own acts and may, therefore, decline to obey such orders as are manifestly illegal, still it is so important that orders should, as a rule, be promptly obeyed without demur, that unnecessary or even improper orders, provided they do not involve any legal responsibility, should be complied with on the spot and remonstrance or complaint reserved until afterwards.
- Absence of sub-officer from station.** 56. Constables returning to their stations and finding the sub-officer unaccountably absent should note the fact in the occurrence book, and should the absence extend beyond eight hours the Officer in charge of the District shall be at once informed.
- Application of instructions relating to sub-officers.** 57. The instructions relating to sub-officers shall, so far as applicable, apply to first constables and constables who have control or supervision of members of the Force.

CHAPTER 5.

CANDIDATES AND APPOINTMENT TO SERVICE.

Candidates.

- Conditions of appointment.** 1. Candidates for appointment as members of the Force shall be appointed in accordance with the provisions of the Act and the Regulations, and upon appointment (whether probationary or final) shall be liable to Police Force discipline and control and shall devote their time and energy to the Service.
- Applications for appointment.** 2. Every candidate for appointment as a member of the Force shall lodge an application with the Officer in Charge of the Police Depot, St. Kilda-road, Melbourne, and the necessary forms of application shall be obtainable at the Police Depot, and at each police station.

3. Every application for appointment as a member of the Force shall be accompanied by a certificate from a legally qualified medical practitioner to the effect that the candidate is not suffering from any constitutional, organic, or other disability likely to render him unfit for duty as a member of the Force, but such certificate shall not exempt such candidate from further medical examination at the Police Depot. Medical certificate.

4. Every male candidate for appointment as a member of the Force shall have attained his twentieth birthday, and at the time of his appointment— Age and height.

- (a) shall not have attained his twenty-seventh birthday; or
- (b) being a person entitled to preference as a discharged member of the Forces under any law of the Commonwealth or of the State, shall not have attained his thirty-third birthday—

and shall be at least five feet nine inches in height.

5. The weight and chest measurements of a male candidate shall be in accordance with the following scale:— Weight and chest measurements.

Height.	Minimum Weight (Stripped).	Minimum Expiration.	Minimum Inspiration.
5 ft. 9 in.	10 st. 8 lb.	35.5 in.	38 in.
5 ft. 10 in.	10 st. 12 lb.	35.9 in.	38.4 in.
5 ft. 11 in.	11 st. 3 lb.	36.2 in.	38.7 in.
6 ft. 0 in.	11 st. 9 lb.	36.5 in.	39 in.
6 ft. 1 in.	12 st. 2 lb.	37 in.	39.5 in.

6. The provisions of clauses 4 and 5 of this chapter shall not apply to a male candidate for special guard duty at the Shrine of Remembrance and at State Government House who in any war in which His Majesty has been engaged served outside Australia with the naval military or air forces of the Commonwealth. But any member of the Police Force appointed pursuant to the provisions of this clause shall, if required by the Chief Commissioner, perform general police duties. Candidates for Shrine Guard.

7. (1) Every candidate for appointment as a policewoman— Police-women.
- (a) shall be at the time of her appointment unmarried, or a widow with no young children dependent upon her;
 - (b) shall be not less than 5 feet 4 inches in height;
 - (c) shall have attained her twenty-fifth birthday and at the time of her appointment shall not have attained her thirtieth birthday.

(2) A policewoman will not be eligible to continue in the Force after her marriage unless the Governor in Council sanctions her continuance in the Force in any special case or class of case which appears warranted in the public interest.

8. A candidate for appointment as a member of the Force shall not be considered for selection unless he or she can produce satisfactory evidence that he or she has gained the Merit Certificate issued by the Education Department of Victoria, an approved equivalent, or a higher qualification. Every candidate who has fulfilled the preliminary requirements and has the requisite educational qualifications shall be called upon to undergo an entrance examination which shall consist of the following:— Entrance examination.

- (a) A group intelligence test of approved standard.
- (b) A written examination in the following subjects:— Practical English, composition, spelling, handwriting, reading, punctuation, elementary arithmetic, and general knowledge.
- (c) A medical examination by the Government Medical Officer.

9. Where a male candidate in the first instance applies at a country police station, the officer in charge shall— Preliminary examinations in country districts.

- (a) supply the candidate with all necessary information;
- (b) advise him that he must have obtained the Merit Certificate issued by the Education Department of Victoria, an approved equivalent, or a higher qualification, and that it would be necessary to obtain documentary evidence of the fact;

(c) inform him that satisfactory testimonials as to his character are required;

(d) if he is an apparently suitable candidate, ascertain his correct height, weight, and chest measurements, advise him to obtain a medical certificate in accordance with clause 3 of this Chapter, and furnish him with an application form to be filled in and forwarded to the Officer in charge of the Police Depot.

Final
selection—
Board of
selectors.

10. Every candidate who has passed the entrance examination prescribed by clause 8 hereof shall be presented for personal interview and final selection before a Board of Selectors, consisting of the Chief Commissioner, the Officer in charge of the Police Depot, and a member of the Instructional Staff of the Police Depot. The Board shall take account of personality, demeanour, initiative, and general suitability in conjunction with the personal history of the candidate.

Registration
of selected
candidates.

11. Candidates chosen by the Board of Selectors shall be registered in order of the qualifications they possess for service in the Force, and shall be called for service as required, provided they are favorably reported on by the police and fulfil the requirements of the Act. Every selected candidate shall, when called upon by the Chief Commissioner, furnish a properly certified extract of his or her birth entry from some official register of births or other satisfactory evidence of age, and be subject to a further medical examination before appointment.

False state-
ments.

12. Any candidate making a false statement to the Government Medical Officer or to the Board of Selectors or any other responsible officer with a view to obtaining admission to the Force shall be liable to have his or her name removed from the list of selected candidates, and, if appointed to the Force prior to the discovery of such false statement, shall be liable to termination of service as not having been properly appointed.

Removal of
names from
list.

13. The name of a candidate selected for appointment to the Force may be removed from the list on discovery of any misconduct which, in the opinion of the Chief Commissioner, disqualifies such candidate from admission to the Force.

Candidates
from other
Departments,
&c.

14. A candidate for appointment as a member of the Force who has served in any other Police Force or Government Department shall produce a discharge therefrom or, if such discharge cannot be produced, a certified statement of service.

Mounted
police.

15. Every applicant for appointment to the mounted police shall be not more than 11 stone 7 pounds in weight, and shall pass a riding test to the satisfaction of the Officer in charge of the Police Depot. Every candidate who complies with the foregoing provisions of this clause and is otherwise suitable shall have his name placed on a list for appointment as a mounted constable as required.

Reports on
candidates.

16. As a very high standard of character is required of every candidate for appointment as a member of the Force, members of the Force shall give all necessary assistance in selecting and recommending men of the required type, and they must report promptly to their officers any information of an unfavorable nature which may come to their knowledge concerning any such candidate.

Probationary Service.

Appointment
on probation.

17. Every first appointment to the Force shall be made on probation for such period, not exceeding twelve calendar months, as the Chief Commissioner determines.

Report on
efficiency to
be submitted.

18. Not less than one month before the expiration of the probationary term of service of any member of the Force, the Officer in charge of any Police District to which such member has during such period been appointed shall report in writing to the Chief Commissioner upon the service, conduct, and efficiency of such member.

Confirmation
of
appointment.

19. Upon the receipt of such report or reports (as the case may be), and after causing to be conducted such examinations (if any) as he thinks fit, the Chief Commissioner may, in his discretion—

- (a) confirm such member of the Force in his appointment;
or
- (b) terminate his appointment.

CHAPTER 6.

DISCIPLINE.

Offences Against Discipline.

1. Any member of the Force commits a breach of duty or act ^{Acts of} of misconduct if he is guilty of:— ^{misconduct.}

- (a) Discreditable conduct, that is to say, if he acts in a disorderly manner, or any manner prejudicial to discipline or likely to bring discredit on the reputation of the Force or unbecoming a member of the Force.
- (b) Insubordinate or oppressive conduct, that is to say, if he—
 - (i) is insubordinate by word, act or demeanour; or
 - (ii) is guilty of oppressive or tyrannical conduct towards an inferior in rank; or
 - (iii) uses obscene, abusive or insulting language to any other member of the Force; or
 - (iv) wilfully or negligently makes any false complaint or statement against any member of the Force; or
 - (v) assaults any other member of the Force; or
 - (vi) withholds any complaint or report against any member of the Force.
- (c) Disobedience to orders, that is to say, if he disobeys, or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise (including the Regulations, the Standing Orders, and Determinations of the Police Classification Board).
- (d) Neglect of duty, that is to say, if he—
 - (i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as a member of the Force; or
 - (ii) idles or gossips while on duty; or
 - (iii) fails to work his beat in accordance with orders, or sleeps on beat or other duty, or leaves his beat, point, or other place of duty to which he has been ordered, without due permission or sufficient cause; or
 - (iv) by carelessness or neglect permits a prisoner to escape; or
 - (v) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice; or
 - (vi) fails to report any matter which it is his duty to report; or
 - (vii) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge; or
 - (viii) omits to make any necessary entry in any official document or book; or
 - (ix) neglects, or without good and sufficient cause omits, to carry out any instructions of the Police Medical Officer or, while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty.
- (e) Falsehood or prevarication, that is to say, if he—
 - (i) knowingly makes or signs any false statement in any official document or book; or
 - (ii) wilfully or negligently makes any false, misleading or inaccurate statement; or
 - (iii) without good and sufficient cause destroys or mutilates any official document or record or alters or erases any entry therein.

- (f) Breach of confidence, that is to say, if he—
- (i) divulges any matter which it is his duty to keep secret; or
 - (ii) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
 - (iii) without proper authority communicates to the public press, or to any unauthorized person, any matter connected with the Force; or
 - (iv) without proper authority shows to any person outside the Force any book or written or printed document the property of the Government, the Police Department, the Police Force or any other Department; or
 - (v) makes any anonymous communication to the Chief Commissioner or any superior officer; or
 - (vi) without proper authority canvasses the Chief Commissioner or any Minister of the Crown or any officer of the Chief Secretary's Department with regard to any matter concerning the Force; or
 - (vii) signs or circulates any petition or statement with regard to any matter concerning the Force, except through the proper channel of correspondence to the Chief Commissioner or in accordance with the constitution of the Victoria Police Association.
- (g) Corrupt practice, that is to say, if he—
- (i) receives any bribe; or
 - (ii) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity, or fails to account satisfactorily, if called upon by the Chief Commissioner to do so, for any money or property in his possession, or received by him otherwise than in his official capacity; or
 - (iii) directly or indirectly solicits or receives any gratuity, present, reward, subscription or testimonial, without the approval of the Governor-in-Council; or
 - (iv) places himself under pecuniary obligation to any person who is directly or indirectly interested in any premises licensed for sale of liquor, or who holds a licence concerning the granting or renewal of which the Police may have to report or give evidence; or
 - (v) improperly uses his character and position as a member of the Force for his private advantage; or
 - (vi) in his capacity as a member of the Force, signs, writes or gives, without the approval of the Chief Commissioner, any testimonial of character or recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind; or
 - (vii) without the approval of the Chief Commissioner, supports an application for the grant of a licence of any kind.
- (h) Unlawful or unnecessary exercise of authority, that is to say, if he—
- (i) without good and sufficient cause makes any unlawful or unnecessary arrest; or
 - (ii) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty; or
 - (iii) is uncivil to any member of the public.

- (i) Malingering, that is to say, if he feigns or exaggerates any sickness or injury with a view to evading duty.
 - (j) Absence without leave or being late for duty, that is to say, if he without reasonable excuse is absent without leave from, or is late for, parade, court, or any other duty.
 - (k) Uncleanliness, that is to say, if he while on duty or while off duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing or appointments.
 - (l) Damage to clothing or other articles supplied, that is to say, if he—
 - (i) wilfully or by carelessness causes any waste, loss or damage in respect of any article of clothing or appointment, or in respect of any book, document, or other property of the Government or of the Police Force, issued to him, or used by him or entrusted to his care; or
 - (ii) fails to report any loss or damage as above, however caused.
 - (m) Drunkenness, that is to say, if he is unfit for duty through drink.
 - (n) Drinking on duty, or soliciting drink, that is to say, if he—
 - (i) without the consent of his superior officer, drinks, or receives from any other person, any intoxicating liquor while he is on duty, or brings liquor into barracks; or
 - (ii) demands, or endeavours to persuade, any other person to give him or to purchase or obtain for him, any intoxicating liquor while he is on duty.
 - (o) Entering licensed premises, &c., while on duty, that is to say, if he enters, while on duty, any premises licensed under the Licensing Acts, or any other premises where liquor is stored or distributed, when his presence there is not required in the execution of his duty, or if he keeps a house for the sale of liquor either in his own or in any other name or is directly or indirectly interested in any such house.
 - (p) Improper conduct, that is to say, if he—
 - (i) lends money to any superior or borrows money or accepts presents from any inferior; or
 - (ii) owns or has any direct or indirect interest in a racehorse or racing dog or any horse or dog intended to be used for racing; or
 - (iii) carries on any trade, business or profession without proper authority; or
 - (iv) without proper authority possesses a firearm for his own protection or uses a firearm when on duty.
 - (q) Illegality, that is to say, if he is guilty of an offence punishable on conviction, whether summarily or on indictment, or connives at or is knowingly an accessory to any offence against discipline under this clause.
2. Officers and sub-officers shall report promptly any member of the Force, irrespective of his rank, guilty of any breach of duty or act of misconduct against the discipline of the Force. Breach of discipline to be reported.
3. Such report shall be made in writing promptly after the alleged occurrence; otherwise it may not be received and considered unless good reason is shown for the delay. Reports to be in writing.
4. If a member of the Force is accused of any breach of duty or act of misconduct the Chief Commissioner, or the Officer in charge of the District, shall cause such accusation to be investigated by an Officer, and if as a result of such investigation or otherwise the Chief Commissioner or the Officer in charge of the District has reasonable cause to believe that such member of the Force has committed a breach of duty or act of misconduct, a charge shall be preferred against him. Investigation of misconduct.
5. All charges against members of the Force shall be reduced to writing, and signed by the person bringing such charge. Charges to be in writing.

- One offence. 6. Only one breach of duty or act of misconduct shall be alleged in each charge.
- Confinement to barracks. 7. When a member of the Force is found in a drunken condition or is charged with any breach of duty or act of misconduct, the Officer in charge of the District or Division, or any superior officer for the time being acting for or on behalf of such Officer in charge, may direct that such member so found or charged be confined to barracks for any period not exceeding six hours.

Police Discipline Board.

- Chairman. 8. The police magistrate nominated by the Governor in Council to act on the Police Discipline Board shall be appointed for a period of three years, and shall be eligible for re-appointment.
- Substitute chairman. 9. Should such police magistrate cease so to act for any cause whatsoever the Governor in Council may nominate and appoint another police magistrate to act for the remainder of the term for which the former police magistrate was nominated.
- Member. 10. The Superintendent nominated by the Chief Commissioner to act on the said Board shall be appointed for a period of three years, and shall be eligible for re-appointment.
- Substitute member. 11. Should such Superintendent cease so to act for any cause whatsoever the Chief Commissioner may nominate and the Governor in Council may appoint another Superintendent to act for the remainder of the term for which the former Superintendent was appointed. Where a member of the Force who is stationed in a district under the control of the Superintendent appointed to such Board is charged with a breach of duty or act of misconduct which is dealt with by the Board, the Chief Commissioner shall nominate and the Governor in Council may appoint some other Superintendent to act on the Board to hear such charge.

Procedure.

- Notice of charge. 12. (1) Where any member of the Force is charged with a breach of duty or act of misconduct he shall also be served with a notice in the form contained in the First Schedule hereto, requiring him to plead to such charge within seven days from the date of service of such notice upon him, and also to state whether though denying the truth of the charge he desires to have the charge dealt with by the Chief Commissioner, and not by the Police Discipline Board. If no reply is received within the time stated the member shall be regarded as having denied the truth of the charge.
- (2) Where any member of the Force cannot be found in Victoria so as to enable him to be charged with any breach of duty or act of misconduct or to enable any notice referred to in sub-clause (1) of this clause to be served on him, he shall be deemed to be sufficiently charged or (as the case requires) served with such notice if a copy of the charge or notice is posted to him in a registered letter addressed to his last known address in Victoria and a notification of the fact of such posting is advertised in the *Government Gazette*.
- Fixing hearing. 13. The charge to be dealt with by the Police Discipline Board shall be forwarded to that Board, which shall appoint a date and place for the hearing of such charge.
- Notice of hearing. 14. At least seven days before the date appointed for the hearing of the charge the Secretary of the Board shall forward notice in writing thereof to the Chief Commissioner and to the member charged, at his station or at his last known place of residence in Victoria.
- Place of hearing. 15. The most convenient place shall be selected for the hearing of the charge, but generally the place selected should be in the District in which the member of the Force is stationed.
- Closed or open court. 16. The room or place in which a charge against a member of the Force is investigated shall not be or be deemed to be an open Court, and the Chairman shall have a discretion as to the persons to be admitted during the hearing. The Police Discipline Board may at any time direct that an inquiry shall be open to the public.
- Defence by friend. 17. Where a member of the Force is charged with a breach of duty or act of misconduct he may be assisted in his defence at the inquiry by another member of the Force hereinafter described as "friend," and thus avoid the expense of engaging counsel.
- Conduct of defence. 18. Such member of the Force, and also his "friend" shall conduct the defence with strict observance of the deference and respect which are required of them by these Regulations in their intercourse with a superior officer.

19. Such member, at his own expense, may be represented by Counsel.
counsel at the inquiry by the Police Discipline Board.

20. Before taking evidence in any case the chairman shall cause the charge to be read, and call upon the member of the Force to plead to such charge, and cause him to write his plea in the column provided in the charge sheet, and also sign his name in the same column.

21. The Police Discipline Board shall have the same power to amend charges as that possessed by a Court of Petty Sessions in regard to informations for offences.

22. Where a charge is amended by the Police Discipline Board, the member of the Force charged shall be furnished with a copy of such amended charge, if he applies for it, and sufficient time shall be allowed him to prepare his defence to the charge as amended. For this purpose the hearing shall be adjourned, if necessary.

23. When inquiring as to the truth of any such charge the Police Discipline Board shall follow as nearly as possible the practice and procedure adopted in Courts of Petty Sessions.

24. The Police Discipline Board shall cause all evidence at an inquiry to be taken down in writing in the form of depositions or question and answer. At the conclusion of a witness's evidence, if it has been taken down in longhand, it shall be read over to him and signed by him, but if such evidence has been taken down in shorthand it need not be read over to him unless he signifies his desire that it be done, but he shall sign his name on the last page of the shorthand notes of his evidence. The Police Discipline Board shall cause a jurat to be added and signed by the chairman.

25. Where a member of the Force is charged with a breach of duty or act of misconduct he may cross-examine witnesses brought against him, and may give evidence on his own behalf, in which case his attention shall, prior to his giving such testimony, be drawn to section 431 of the *Crimes Act* 1928, and he shall be asked if he still desires to give evidence.

26. An accused member of the Force giving evidence on his own behalf may be asked any question in cross-examination, notwithstanding that it would tend to incriminate him as to the offence charged, but shall not be required to answer any question tending to show that he has committed, or has been convicted of, or been charged with, any offence other than that with which he is then charged, or is of bad character, unless—

- (a) he has personally or by his counsel or "friend" asked questions of the witnesses for the prosecution with a view to establishing his own good character; or
- (b) he has given evidence of his good character; or
- (c) the nature or conduct of the defence is such as to involve imputations on the character of a prosecutor or the witnesses for the prosecution; or
- (d) he has given evidence against any other person charged with the same offence.

27. If a member of the Force desires to make a statement in lieu of or in addition to sworn evidence on his behalf in answer to a charge brought against him, he shall be permitted to do so, and such statement shall be taken down in writing and signed by the defendant.

28. Any member of the Force may call evidence as to character; but, if he elects to do so, the prosecutor may, in reply to such witnesses, produce evidence of former convictions and unfavourable entries on the record sheet of the accused.

29. Except as provided in the last preceding clause, the record sheet of the member of the Force who is charged with a breach of duty or act of misconduct, shall not be produced for the inspection of the Police Discipline Board until after it is satisfied as to the truth of the charge.

30. If a member of the Force who is charged with a breach of duty or act of misconduct supplies to the Officer in charge of the District the names and addresses of witnesses whom he desires to call to give evidence on his behalf, reasonable steps shall be taken by the said Officer in charge to procure the attendance of such witnesses.

- Prosecuting officer.** 31. The prosecuting officer at any inquiry by the Police Discipline Board as to the truth of any charge shall assist the Board to reach just conclusions, and for that purpose may examine and cross-examine all witnesses to elicit and place before the Board all facts connected with the charge, whether in favour of or against the member of the Force against whom the charge has been laid.
- Witnesses' fees.** 32. The fees and expenses payable to witnesses shall be those that apply in Courts of Petty Sessions.
- Charges heard by Chief Commissioner, &c.** 33. The Chief Commissioner or the Superintendent, Inspector or Sub-inspector nominated by the Chief Commissioner to hear charges, shall follow as nearly as possible the procedure hereinbefore provided to be followed by the Police Discipline Board.
- Who may be nominated by Chief Commissioner to hear charges.** 34. No officer shall be so nominated if such officer—
 (a) is the prosecutor or a witness for the prosecution; or
 (b) investigated the charges before the holding of the inquiry; or
 (c) prepared the brief of the case for the prosecution; or
 (d) has perused or dealt with the file relating to the charges; or
 (e) has a personal interest in the case.
- Notice of appeal.** 35. Notice of appeal, under section sixty-four of the *Police Regulation Act 1928*, as re-enacted by section twenty-two of the *Police Regulation Act 1946*, shall be given in the form contained in the Second Schedule hereto, or to the like effect.
- Costs on appeal.** 36. When costs are awarded to or against an appellant they shall be those that apply in County Courts.

FIRST SCHEDULE.

To..... Constable.

No.

You have been charged with a breach of duty [or act of misconduct]. I shall be pleased to receive from you a notice, in writing, as to whether or not you deny the charge.

If you do not deny the charge you may state any mitigating circumstances relating thereto. This may be done in writing or, if you desire, you may make representations to the Chief Commissioner in person.

If you deny the truth of the charge you may, if you desire, have it dealt with by the Chief Commissioner and not by the Police Discipline Board. In that event the matter may be heard by the Chief Commissioner, or by an officer nominated by him.

You will please detach the bottom portion of this form and, after striking out the clauses which do not apply, forward it, within seven days from the date of service of this notice upon you, to the Officer in Charge of your District.

Station

Date

Officer in Charge,

..... District.

*(a) I do not deny the truth of the charge of breach of duty [or act of misconduct] made against me, and—

(i) I attach a statement of mitigating circumstances.

(ii) I desire to appear before the Chief Commissioner to make personal representations to him.

*(b) I deny the truth of the charge of breach of duty [or act of misconduct] made against me, and—

(i) I desire to have the charge dealt with by the Chief Commissioner, and not by the Police Discipline Board.

(ii) I desire to have the charge dealt with by the Police Discipline Board.

* Strike out clauses which do not apply.

SECOND SCHEDULE.

To the Registrar,

County Court, Melbourne,

and to

The Chief Commissioner of Police.

I, A.B. of Police, hereby give you notice that I am aggrieved (state grievance), and that pursuant to the provisions of section sixty-four of the *Police Regulation Act 1928*, as re-enacted by section twenty-two of the *Police Regulation Act 1946*, it is my intention to appeal to a Judge of County Courts against (set out matter appealed against), and that the grounds of such appeal are (set out grounds of appeal) of all which you are hereby required to take notice.

Dated at , this day of 19 .

(Signed) A.B. , Appellant.

CHAPTER 7.

POLICE CLASSIFICATION BOARD.

1. In this Chapter—

<p>“Extraordinary election” means an election to fill an extraordinary vacancy.</p> <p>“Nomination day” means the day appointed on or before which all candidates for any election must be nominated.</p> <p>“Polling day” means the last day appointed at any election for the delivery of ballot-papers by voters to the Returning Officer.</p> <p>“Schedule” means schedule to this Chapter.</p>	<p>Interpretation.</p> <p>“Extraordinary election.”</p> <p>“Nomination day.”</p> <p>“Polling day.”</p> <p>“Schedule.”</p>
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2. The Governor in Council may from time to time appoint some fit and proper person to be the Returning Officer to conduct every election of a member to represent the Police Force on the Police Classification Board. Returning Officer.
3. The Returning Officer may, by writing under his hand, appoint some person to be the Substitute Returning Officer to assist the Returning Officer or to act for him in his absence, and may in like manner appoint such other persons as he may deem fit to assist him as Poll Clerks in the conduct of elections. Substitute Returning Officer and poll clerks.
4. The Returning Officer, the Substitute Returning Officer, and every Poll Clerk, upon entering upon any of their duties, shall make a statutory declaration in accordance with Form A in the Schedule. Statutory declaration by officials.
5. Every extraordinary election shall be held within a period of ten weeks after the occurrence of the vacancy. Time for extraordinary elections.
6. The Minister shall give notice in the *Police Gazette* of every election. In such notice the polling day (which shall be not less than six weeks after the publication of such notice), the nomination day (which shall be not less than two weeks after such publication), the name of the Returning Officer and the place where he will receive nominations shall be specified. Notice of election.
7. (1) In order that any person may become or be a candidate at any election, he shall before Twelve o'clock noon on the nomination day deliver or cause to be delivered to the Returning Officer, who shall if required give a receipt for it, a nomination paper in accordance with Form B in the Schedule, naming such person as a candidate at the election, and signed by not less than twenty persons entitled to vote at the election for which the candidate is nominated, and having at the foot thereof a statement under the hand of the person so nominated that he consents to such nomination. Nominations.

(2) No person who has not been so nominated shall be or be deemed to be a candidate at any election.
8. Any person nominated may, by written notice addressed to the Returning Officer, withdraw his consent to his nomination at any time not later than Twelve o'clock noon on the nomination day, and such person shall be considered as not having been nominated, and the Returning Officer shall thereupon omit the name of such person from the ballot-papers. Retirement of candidate.
9. If, before polling day, a candidate dies he shall be considered as not having been nominated and, if there is only one remaining candidate, the Returning Officer shall by notice in the *Police Gazette* and in the *Government Gazette* declare such remaining candidate duly elected and forward a copy of such notice to the Minister; if there are two or more remaining candidates, the Returning Officer shall delete from the ballot-papers the name of such deceased candidate and the number placed opposite his name, and each such ballot-paper shall thereupon be given effect to as if the numbers opposite the names of the remaining candidates were altered to the appropriate numbers indicated by the voter's order of preference in respect of such remaining candidates. Death of candidate.
10. After Twelve o'clock noon on the nomination day, the Returning Officer shall, in respect of every contested election, announce the full name of each candidate nominated and shall cause notice thereof to be published in the *Police Gazette*. Contested elections.

Roll of voters.	<p>11. (1) Within seven days after the nomination day the Chief Commissioner of Police shall supply the Returning Officer with a roll of all persons entitled to vote at the election, together with an envelope addressed to each such person.</p> <p>(2) No person who is not a member of the Police Force on the nomination day shall be eligible to vote at any election.</p>
Uncontested elections.	<p>12. If there is only one candidate duly nominated at any election, the Returning Officer shall by notice in the <i>Police Gazette</i> and in the <i>Government Gazette</i> declare such candidate duly elected and shall forward a copy of such notice to the Minister.</p>
Poll and distribution of ballot-papers.	<p>13. If at any election two or more candidates have been duly nominated, a poll shall be taken, and the Returning Officer shall promptly cause ballot-papers to be printed in accordance with Form C in the Schedule, and shall, not later than the fourteenth day before polling-day, send by post, or cause to be delivered, to each voter, one of such ballot-papers duly signed or initialled by the Returning Officer or at his direction by the Substitute Returning Officer or a Poll Clerk, together with an open return-envelope bearing the Returning Officer's name and address.</p>
Preferential voting.	<p>14. (1) A voter shall mark his ballot-paper by placing the number 1 opposite the name of the candidate for whom he votes as his first preference, and shall give contingent votes for all the remaining candidates by placing the numbers 2, 3 and 4 (and so on as the case requires) opposite their names, so as to indicate by such numerical sequence the order of his preference.</p> <p>(2) Where there are only two candidates a ballot-paper shall be valid if marked in any way which in the opinion of the Returning Officer indicates the voter's first preference only.</p>
Polling and collection of votes.	<p>15. (1) When the voter has marked his vote on the ballot-paper, he shall place it in the addressed return-envelope, and he shall sign his name and state his rank and register number (if any) on the face of such return-envelope, and stamp and post it, or deliver it or cause it to be delivered, to the Returning Officer in time to reach the Returning Officer not later than Four o'clock in the afternoon of the polling day.</p> <p>(2) Any ballot-paper which is not enclosed in an envelope with the voter's signature and the other specified particulars thereon, or in respect of which the directions in accordance with Form C in the Schedule have not been substantially complied with, or which is forwarded through the post without the postage thereon being fully prepaid, or which is received from a person whose name is on the roll of voters, but who has ceased to be a member of the Police Force before the polling day, shall not be counted at the scrutiny.</p> <p>(3) The decision of the Returning Officer as to the validity or invalidity of any vote or ballot-paper shall be final.</p>
Lost and spoilt, &c., ballot-papers.	<p>16. Upon a voter making and transmitting to the Returning Officer a declaration that he has not received a ballot-paper, or that the ballot-paper received by him has been lost, spoilt, or destroyed, and that he has not already voted, the Returning Officer may issue a new ballot-paper to such voter.</p>
Scrutineers.	<p>17. Each candidate at any election shall be entitled to appoint, in writing, one scrutineer to be present during the scrutiny. Each scrutineer shall, before he acts as such, make and sign before the Returning Officer a declaration in the like form to that which the Returning Officer and other officers employed in the conduct of the election are required to make and sign.</p>
Scrutiny of votes.	<p>18. As soon as practicable after the close of the poll, the Returning Officer or the Substitute Returning Officer, with the assistance of any Poll Clerk duly appointed, and in the presence of such scrutineers as are present, shall—</p> <ol style="list-style-type: none"> produce unopened all return-envelopes received up to the close of the poll; examine each envelope and, if it is properly signed and otherwise complies substantially with the provisions herein contained, accept the vote for further scrutiny; place the envelopes containing accepted votes on a table face downwards, so that the signatures of the voters shall not be visible; open each such envelope, withdraw the ballot-paper contained therein and, without inspecting the vote or permitting any other person to do so, deposit the ballot-paper in a ballot-box;

(e) when all such envelopes have been opened and the ballot-papers withdrawn therefrom and deposited in the ballot-box, open the ballot-box and count the votes.

19. The Returning Officer may from time to time adjourn the scrutiny to a day and hour fixed by him and notified to the scrutineers. Adjournment of scrutiny.

20. Subject to the provisions contained herein, the mode of conducting each election, and the method of counting the votes and ascertaining the result, shall be in accordance with the provisions of the law for the time being regulating elections for the Legislative Assembly, so far as they can be made applicable, *mutatis mutandis*. Count of votes.

21. (1) If on any count two or more candidates have an equal number of votes and one has to be declared defeated, the Returning Officer shall decide by lot which candidate shall be declared defeated. Equal votes.

(2) In the case of equality between two candidates in a final count, the Returning Officer shall decide by lot which candidate shall be declared elected.

22. (1) At any time before the gazettal of the result of any election, as hereinafter provided, the Returning Officer may, if he thinks fit, on the written request of any candidate setting forth the reasons for the request, or may, of his own motion, make a recount of the votes. Recounts.

(2) If the Returning Officer refuses on the request of a candidate to make a recount of the votes, the candidate may, in writing, appeal to the Minister to direct a recount, and the Minister may, as he thinks fit, either direct a recount or refuse to direct a recount.

23. At the conclusion of every election, the Returning Officer shall by notice in the *Police Gazette* and in the *Government Gazette* declare the result of the election, and shall forward a copy of such notice to the Minister. Publication of result.

24. The Returning Officer shall, at the expiration of seven days after publication in the *Police Gazette* and in the *Government Gazette* of the result of any election, cause all ballot-papers and envelopes used at such election to be destroyed. Disposal of papers.

25. (1) The foregoing provisions of this Chapter shall, with such adaptations as are necessary, apply to any election of a deputy. Election of deputy.

(2) The counting of the votes and the ascertainment of the result of any election of a deputy shall not proceed until after the result of any concurrent election of a member has been ascertained.

(3) In any case where a person has been elected as a member and has also been nominated as a candidate for election as a deputy, he shall cease to be regarded as a candidate for the election of a deputy, and in the ascertainment of the result of the election of such deputy, the Returning Officer shall follow the same procedure as is provided in clause 9 of this Chapter.

26. (1) The chairman of the Police Classification Board shall be entitled to receive travelling expenses at the rate and subject to the conditions applicable to a Judge of County Courts. Travelling expenses of members of Board.

(2) Each member of the Police Classification Board (other than the chairman) shall respectively be entitled to receive travelling expenses at the rate of One pound per day, subject to the conditions prescribed from time to time by Regulations of the Public Service Board relating generally to travelling allowances of officers of the Public Service:

Provided that where the Chief Secretary is satisfied that the actual and necessary expenditure incurred by any such member of the Board when travelling exceeds the travelling expenses hereinbefore in this sub-clause prescribed, such additional amount may be granted as the Chief Secretary determines.

27. The Police Association is approved as a body by which representations may be made to the Police Classification Board in relation to salaries and wages and conditions of service in the Police Force. Representations by Police Association.

SCHEDULE.

FORM A.

Police Classification Board Election.

Declaration by Electoral Official.

I (a) do hereby solemnly declare that I will faithfully and impartially according to the best of my skill and judgment, exercise and perform all the duties reposed in or

required of me as Returning Officer (or Substitute Returning Officer, Poll Clerk, Scrutineer) in connexion with the present election of a Member (or Deputy Member) of the Police Classification Board; and I do further solemnly promise and declare that I will not at such election(s) attempt to ascertain how any person shall vote or has voted and that, if in the discharge of my said duties at or concerning such election(s) I learn how any person has voted, I will not by word or act directly or indirectly divulge or discover, or aid in divulging or discovering, the same.

Signature

Declared before me this day of 19

(a) Here insert full name.

FORM B.

Police Classification Board.

Nomination Form.

To the Returning Officer.

We, the undersigned persons entitled to vote at the present Police Classification Board election, do hereby nominate (a) for the office of (b) of the said Board.

Dated this day of

(c) (Signature) (Rank) (Register Number)

.....
.....
.....

I, (d) of (c) being a member of the Police Force, hereby consent to the above nominations.

Signature

Rank

Register Number

(a) and (d) Here insert the full Christian or other name or names and the surname.

(b) Insert "Member" or "Deputy Member" as the case may be.

(c) The signatures and other specified particulars of at least twenty (20) nominators must be inserted.

(e) Insert postal address.

FORM C.

Police Classification Board.

Ballot-Paper.

ELECTION OF A MEMBER OR DEPUTY MEMBER (AS THE CASE MAY BE).

Candidates' Names.

Initials of
Returning
Officer,
Substitute
Returning
Officer, or
Poll Clerk.

Directions.

The voter must mark his ballot-paper by placing the number 1 opposite the name of the candidate for whom he votes as his first preference, and must give contingent votes for all the remaining candidates by placing the numbers 2, 3, and 4 (and so on as the case may require) opposite their names, so as to indicate by such numerical sequence the order of his preference.

He must fold his ballot-paper so that his vote will not be seen on the envelope being opened, enclose it in the addressed return-envelope, sign the envelope, state thereon the name of his Station or Branch, and stamp and post or deliver it (or cause it to be delivered) to the Returning Officer to reach him not later than Four o'clock in the afternoon of the day of

19

CHAPTER 8.

EQUIPMENT.

Equipment supplied by Government. 1. Articles of Government property in accordance with the following particulars shall be supplied to members of the Force.

Particulars.

Mounted Police.

- 1 First aid book.
- 1 File, Acts of Parliament.
- 12 Rounds, ammunition, revolver or pistol.
- 1 Baton.
- 1 Belt, Sam Browne, tan.
- 1 Bit.
- 1 Bridle.

- 1 Breastplate.
 - 1 Brush, dandruff.
 - 1 Brush, horse.
 - 1 Certificate of identity.
 - 1 Curb.
 - 1 Currycomb.
 - 1 Girth.
 - 1 Pair handcuffs, with key.
 - 1 Hoof-pick.
 - 1 Copy of Police Manual.
 - 1 Manual (Paul's).
 - 1 Motor Car Act Regulations.
 - 1 Nose Bag.
 - 1 Note Book.
 - 1 Parchment certificate.
 - 1 Revolver or automatic pistol (with case).
 - 1 Saddle.
 - 1 Pair spurs, bush, with straps.
 - 1 Pair stirrup irons.
 - 1 Pair stirrup leathers.
 - 3 Cloak straps.
 - 1 Cloak.
 - 1 Overcoat, navy-blue waterproof.
 - 1 Card Case.
 - 1 Set mounts for white helmet (sub-officers and constables).
 - 1 Badge with service number (for helmet or cap).
 - 1 Rug
 - 2 Pillowslips
 - 2 Pairs sheets
 - 2 Blankets
- } For unmarried members required to occupy
Government quarters or barracks.

Foot Police.

- 1 First-aid Book.
 - 1 File, Acts of Parliament.
 - 1 Motor Car Act Regulations.
 - 1 Baton.
 - 1 Pair handcuffs, with key.
 - 1 Copy of Police Manual.
 - 1 Manual (Paul's).
 - 1 Note Book.
 - 1 Overcoat, navy-blue waterproof.
 - 1 Parchment Certificate.
 - 1 Certificate of Identity.
 - 1 Card Case.
 - 1 Set mounts for white helmet (sub-officers and constables).
 - 1 Badge with service number (for helmet or cap).
 - 1 Rug
 - 2 Pillowslips
 - 2 Pairs sheets
 - 2 Blankets
- } For unmarried members required to occupy
Government quarters or barracks.

Women Police.

- 1 Book, First Aid.
- 1 File, Acts of Parliament.
- 1 Motor Car Act Regulations.
- 1 Copy of Police Manual.
- 1 Manual (Paul's).
- 1 Note Book.
- 1 Parchment Certificate.
- 1 Certificate of Identity.
- 1 Badge with service number for cap (if required to maintain uniform).

Special Branches.

Members of the following Special Branches will be supplied with additional items of equipment as specified hereunder. In the event of transfer to other duties these articles are to be promptly returned to the Depot Store.

Wireless Patrol.

- 2 Dust Coats.
- 1 Overcoat, blue material cloth.

Traffic Control Branch.

- 1 Pair Gloves, knitted, white, seamless.
- 1 Pair Sleeve Slips, white, cloth.
- 1 Pair Sleeve Slips, white, rubber.
- 1 Pair Gaiters, Black, rubber, buttoned at side of boot.

Mobile Traffic Section.

- 2 Dust Coats, short.
- 1 Pair Gloves, leather, driving.
- 1 Overcoat, blue material cloth.

If required to perform duty on motor cycles—

- 1 Overcoat, rubber (for side-car passenger).
- 1 Suit, motor cycle overalls, waterproof (for driver).

Transport Branch.

- 1 Overcoat, blue material cloth.
- 2 Dust Coats.
- 1 Pair Gloves, leather, driving.
- 2 Pairs Overalls, engineer's.

Motor Testing Police.

- 2 Dust Coats.
- 1 Overcoat, blue material cloth.

River Patrol.

- 2 Pairs Overalls, engineer's.

Free issue
items to be
part of
equipment.

2. All the above items will form portion of the equipment of the respective members of the Force, and, unless satisfactorily explained, any loss, damage, or deficiency shall be debited against the pay of the member concerned.

Return of
old articles.

3. When new articles of equipment are supplied the old articles shall, except in cases of deficiency, be returned to the Depot Store.

Loss to be
reported.

4. Any member of the Force losing an article of his equipment shall report such loss at once and have such article replaced from the Depot. Replacement of the article by private purchase is prohibited.

Deductions
from pay
for articles
replaced.

5. Where it has become necessary to deduct from the pay of a member of the Force the price of any articles replaced, full particulars shall be sent to the Accounts Branch, Chief Commissioner's Office, so that the necessary deductions may be made.

Procedure on
transfer from
one branch
to another.

6. The equipment of members of the Force (mounted or foot) shall remain in their charge while they remain in the Force. If a mounted constable is transferred to foot duty, his mounted equipment shall be handed in and foot equipment obtained, and similar action shall be taken when a foot constable is transferred to mounted duty.

Equipment
to be
returned on
promotion or
transfer to
C.I.B.

7. (1) When a member of the Force is promoted to the rank of sub-inspector he shall return to the Depot Store the following items of his equipment:—

- 1 Baton.
- 1 Pair Handcuffs, with key.
- 1 Badge with service number (for helmet or cap).
- 1 Overcoat or Cloak or both (if held).
- 1 Card Case.

(2) When a sub-officer or constable of the uniform branch is transferred to the Criminal Investigation Branch for detective duty he shall return his badge with service number (for helmet or cap) to the Depot Store.

Branding and
entries on
parchment
certificates.

8. (1) The articles of equipment shall be properly branded, and shall be accurately entered, with all distinctive marks, on the parchment certificate which is issued to the member of the Force.

(2) All entries on or delineations from the parchment certificate respecting articles issued or withdrawn from use shall be signed (or initialled) and dated by the Officer in charge of the District or some person authorized by him.

(3) The entry of any subsequently issued Act of Parliament shall be by reference to the number of the Act.

9. When a member ceases to be a member of the Force, the equipment on issue to him shall be taken or sent by him at once to the Depot Store. On the death of a member the Officer in charge of the District shall be responsible for ensuring the collection of his equipment and the transmission thereof to the Depot Store. Retirement.

10. Officers shall inspect the equipment of all members of the Force under their charge periodically, and see that each article is in order and properly stamped or accounted for. Inspection.

11. The items referred to in clause 1 of this Chapter as issuable to unmarried members shall be returned to the Depot Store on marriage, on leaving the service, or when no longer required to occupy Government quarters or barracks. Rugs, &c., of unmarried members.

12. Any rug or other article of bedding returned to the Depot Store shall be in a clean condition, otherwise it shall be washed at the expense of the member concerned or responsible for taking it over. Articles to be kept clean.

13. (1) Such firearms as may be considered necessary by the Chief Commissioner shall be kept at each police station, and at the headquarters of each Branch of the Force throughout the State. Firearms.

(2) The officer in charge of a station, or of the headquarters of a Branch of the Force, may at his discretion issue a firearm to any member of the Force who is under his control and who is about to commence a tour of duty, and any firearm so issued shall be returned to the said officer in charge by the member of the Force upon completion of his tour of duty.

(3) At each police station and at the headquarters of each Branch of the Force a record of the issue and return of firearms shall be kept by the officer in charge, who shall when issuing any firearm, examine the same and shall upon the return thereof again examine it and record the condition of the firearm at that time, together with particulars of the ammunition expended (if any).

CHAPTER 9.

LEAVE (ADMINISTRATION).

1. Superintendents' leave of absence and the proposed arrangement of duties during their absence shall be submitted in advance to the Chief Commissioner for approval. Superintendents' leave.

2. Chief Inspectors, Inspectors and Sub-Inspectors, sub-officers, first constables and constables may be granted leave by their District Superintendents, who shall in every case before granting leave satisfy themselves that proper arrangements have been made for carrying on the duties of members of the Force concerned during their absence. Superintendent may grant leave to all under his control.

3. No member of the Force while on leave of absence shall be permitted to leave the State of Victoria without the written approval of the Chief Commissioner. Leaving State.

4. Members of the Force while on leave of absence are liable for duty in any case of emergency which may arise and come under their notice, and they are liable to be recalled for duty during the currency of the leave of absence granted to them. Members liable to recall.

5. Leave of absence without pay may be granted by the Chief Commissioner in addition to the annual recreation leave of absence, but only in cases of sickness or death of a near relative of the member applying or for other grave and urgent reasons. Leave without pay.

6. Members of the Force going on leave of absence shall provide for the proper care at stations in their charge of all Government property for the safety and effectiveness of which they are responsible. Care of Government property, &c.

7. Members of the Force going to London on leave of absence shall place their services at the disposal of the Agent-General for Victoria in connexion with any matter relating to the State. Members visiting London.

8. Members of the Force going on leave shall not take any part of their arms or appointments or any Government horse or vehicle with them without the approval of the Officer in charge of the District. Equipment.

Absence from
district or
station.

9. (1) No Officer shall absent himself from his District, except on duty, without leave duly granted or permission from the Officer in charge of the District. The Officer in charge of the District shall not without leave or by permission of the Chief Commissioner absent himself from the District except on duty.

(2) A member of the Force other than an officer in charge of a station shall not leave his station or sub-district, except on duty or with the permission (whether given generally or in the particular case) of the officer in charge of the station. In the case of an officer in charge of a station the permission of the Officer in charge of the District, or an Officer authorized by him, must be obtained.

(3) The provisions of this clause shall not apply to a member of the Force when—

(a) travelling daily between his residence and place of duty; or

(b) travelling outside his District, Division or sub-district while off duty or on his weekly rest day if he has made reasonable arrangements to enable him to be contacted in case of emergency.

Address on
leave.

10. Every member of the Force applying for leave of absence must state the address at which communication can be made during his absence, and any change of address must be notified immediately.

Applications
for leave.

11. (1) Application must be made upon the printed form provided for that purpose, and approval thereto will include authority for absence from station or sub-district.

(2) Any day off falling within a leave period must be shown in the application but will not be reckoned as leave.

(3) Except in cases of emergency, applications for leave must be made in reasonable time to allow adjustments of duties to be made.

Returning
from leave.

12. Members of the Force who obtain leave of absence shall return to their stations on the expiry thereof, and report to the officer or sub-officer next in command over them.

Absence with-
out leave.

13. Members of the Force absent without leave shall forfeit all pay for the period of absence in addition to any other punishment that may be inflicted.

Leave for
short periods.

14. Officers in charge of Districts may grant permission to members of the Force under their control to leave their District or sub-district for a few hours (when circumstances permit) without deduction from the annual leave of absence due to such members.

Statement to
be left by
members in
charge of
stations.

15. Any member of the Force in charge of a station leaving such station on duty which involves a probable or certain absence exceeding one hour shall leave with the person in charge or on the office table a short statement in writing setting forth the nature of the duty, locality to which proceeding and probable duration of absence.

CHAPTER 10.

PRISONERS.

Searching of
prisoners.

1. Immediately after a charge is entered against a prisoner, it shall be the duty of the arresting member of the Force carefully to search such prisoner and in the case of a charge for an offence to remove all property found upon him, and to note and compile such items of identification of the prisoner and his property as are necessary. In the case of known or suspected criminals charged with felony, the boots and socks should be removed temporarily and searched.

Removal of
instruments
for escape,
&c.

2. It is the responsibility of both the watch-house-keeper and the arresting member of the Force to see that no prisoner whatsoever retains in his possession anything with which he might effect his escape from the watch-house or lock-up, or any weapon, implement, poison, matches or other article with which he might cause mischief or injury to himself, harm to others or damage to property; and every prisoner whether held for a criminal or a civil matter shall be searched for this purpose.

3. (1) The searching of male prisoners shall be carried out under the supervision of the watch-house-keeper. Who to search males and females.

(2) The searching of female prisoners, when necessary, shall be carried out by a matron, policewoman or other female searcher in a well-lighted room or cell. The watch-house-keeper or his assistant and the arresting member of the Force should be in readiness to assist the female searcher if called upon.

(3) Where the services of a female searcher (other than a matron or policewoman) are utilized, she shall be entitled to a fee of 7s. 6d.

4. (1) A record of all money or property found in possession of a prisoner at the time of arrest, even if known or believed to have been stolen, shall be entered in the watch-house book in the columns provided for the purpose, and also upon inventory forms in duplicate, by the watch-house-keeper. Care shall be taken that the entries in the watch-house book and on the inventory forms in all cases agree. Record of property of prisoners.

(2) The various columns in the watch-house book should be strictly entered up. Where there is no money, the word "nil" should be written across the columns. Where there is no property, the word "none" should be written across the column. Valuable property should be distinctively described. The numbers of gold and silver watches shall also be entered in the book.

5. (1) The watch-house book and inventory forms shall in each case be signed by the arresting member of the Force and by the watch-house-keeper immediately after the charge is laid. In cases where female prisoners are searched, the inventory forms shall also be signed by the matron, policewoman or other female searcher who searched such prisoner. Watch-house book to be signed.

(2) Every person so required to sign shall, before signing, see that the property taken from the prisoner is correctly entered.

(3) Duplicate inventory forms shall be prepared and signed in all cases whether the prisoner has property or not.

6. Money or property belonging to a prisoner which comes into the hands of the Police after the prisoner has been locked up shall be entered upon separate inventory forms in duplicate; and an entry, setting forth shortly the time when and the circumstances under which such money or property came into the hands of the Police, shall be made on the face of each such last-mentioned inventory forms and signed by the member of the Force into whose hands such money or property came. If the prisoner has been removed to gaol to serve a sentence, the property shall be despatched to the gaol as soon as practicable and one of the inventory forms, duly receipted by the gaoler, shall be filed with other property receipts relating to the prisoner. Property of prisoners coming into the hands of police after arrest.

7. So far as may be possible, the instructions herein in reference to inventory forms for prisoners' property shall apply in the case of lunatics, but a lunatic's signature shall not be required. Lunatic prisoners.

8. Prisoners if capable must sign the inventory forms before being locked up. Prisoners to sign property sheet.

9. If a prisoner is unable to write, the contents of the inventory forms shall be read over to him and his mark obtained in place of a signature. Such mark shall be witnessed by some person other than the arresting member of the Force. Illiterate prisoners.

10. (1) If a prisoner is a lunatic or refuses or is too drunk to sign the inventory forms, an entry to that effect shall be made on the forms by the watch-house-keeper. Recalcitrant, drunken prisoners, &c.

(2) When a drunken prisoner is sufficiently sober, he shall be informed by the watch-house-keeper of what money and property was found upon him when searched at the watch-house. If he does not dispute the correctness of the inventory, he shall then be invited to sign the same, and to write in the date and hour of making such signature.

11. If a prisoner objects to signing the inventory form on any serious grounds, the watch-house-keeper shall at once furnish a report on the subject to the Officer in charge of the Division or District, and, if an Officer is available, an Officer shall be called in at once. Objections by prisoners.

- Transfer of prisoners to other stations. 12. Where prisoners are to be transferred from one station to another for trial, the inventory of property shall be made in triplicate, and one copy thereof shall after being dealt with in the manner hereinafter appearing be filed at the primary station, one copy shall be filed at the station where the prisoner is dealt with, and one at the gaol.
- Receipts to be given for prisoners and property. 13. Where a prisoner is arrested at one station and sent to another station to be dealt with, the member of the Force in charge of the watch-house at the latter station shall take over such prisoner, together with his money and property, and shall give receipts for such prisoner, money and property.
- Receipts for property to be given on inventory forms. 14. The receipt for money and property shall be given upon one of the three inventory forms, all of which must be brought with the prisoner, and the receipt for the prisoner shall be obtained upon one of the forms provided for the purpose. The property shall, when possible, be handed over in the presence of the prisoner. The other two inventory forms shall be retained until the prisoner is finally dealt with.
- Property of convicted prisoners to be forwarded to gaol. 15. If such prisoner is convicted and sent to gaol, one of the inventory forms retained as aforesaid shall be lodged at the gaol with the property, and the gaoler's receipt for such property shall be obtained on another such form which shall then be filed at the station where the prisoner was convicted.
- Partly consumed liquor. 16. The Penal and Gaols Department will not accept as prisoners' property partly consumed bottles of wine or beer. Such bottles shall be listed on the prisoner's property sheets when such prisoner is charged; but if the prisoner's property is removed to gaol they shall be destroyed and an entry to that effect made on the property sheets.
- Property of prisoners discharged from custody. 17. If the prisoner is bailed, discharged or allowed at liberty upon a suspended sentence, his property shall be handed over to him, and his receipt taken on one of the inventory forms. Such receipt shall be filed where the prisoner is finally dealt with.
- Property to be forwarded to gaol without delay. 18. If the prisoner is dealt with at the place where he is arrested, his property shall remain at the station until it can be conveniently forwarded to the gaol in which he has been confined. There shall, however, be no unnecessary delay in forwarding such property, and whenever possible it shall be forwarded with the prisoner and by the hands of his escort.
- Filing of receipts. 19. (1) Care shall be taken to obtain and file in proper order receipts for all property (including money) handed over to prisoners or their representatives.
(2) Receipts shall be obtained for all prisoners sent from one station to another or to a gaol. Gaol receipts for prisoners shall be filed at the stations from which such prisoners are last sent.
- Property to remain at watch-house until prisoner dealt with. 20. Property taken from a prisoner at a watch-house shall remain in charge of the watch-house-keeper until the prisoner has been dealt with or released on bail.
- Property of prisoners on remand to gaol and on return to watch-house. 21. (1) Where a prisoner remanded from a watch-house to a gaol had in his possession at the time of his arrest small articles of property which are required for personal use (e.g., reading glasses, toothbrush, or pipe) such property, together with any small sum of money the prisoner may have had at the time of arrest, may be forwarded to the gaol with the prisoner provided there is no dispute as to the ownership of the property.
(2) A separate inventory form in duplicate shall be prepared and handed with the property to the gaoler, who will receipt one copy which shall then be returned to the watch-house and filed with other papers relative to the prisoner.
(3) The original inventory form in duplicate shall show what property has been forwarded to the gaol.
(4) When a prisoner is returned from gaol to the watch-house to appear before the Court, he shall be searched. Any property found in his possession shall be shown on the original inventory forms, and the signature of the prisoner to the additional entries shall be obtained.
- Nil returns. 22. When a prisoner without property is sent to a gaol "nil" sheets must be sent with him.

23. (1) Orders given by prisoners for payment of money or delivery of property must be in writing and shall only be complied with by watch-house-keepers in cases where there is no reason to suspect that such money or property or any portion thereof was stolen, embezzled or otherwise illegally obtained by such prisoner or by others. Where there is any doubt, such orders must be submitted with a report of the facts to the Officer in charge of the Division or District.

Orders for payment of money belonging to prisoners.

(2) Each order given by a prisoner for payment of money must bear the appropriate duty stamp duly cancelled by him.

24. Where property which has been entered on inventory forms has to be removed from the watch-house for identification or other purpose, or because it is stolen or belongs to some other person, the member of the Force who takes such property shall give a receipt on one of the inventory forms and shall cause such property to be entered in the Station Property Book. The property receipt shall be handed to the watch-house-keeper to be attached to the appropriate inventory form.

Property removed from watch-house.

25. If an order of the Court has been made in reference to any property taken from the prisoner, a note of that fact embodying the order shall be made upon one of the inventory forms.

Order of court to be noted.

26. When a prisoner is discharged by any Court, the arresting member of the Force shall proceed with such discharged prisoner to the local Police station or watch-house and there see the property (if any) handed over.

Arresting member to see that property is handed to prisoner.

27. All receipts shall be numbered and filed in consecutive order, and reference thereto shall be entered in the watch-house books.

Receipts to be numbered.

28. The provisions of this Chapter shall with such adaptations as are necessary extend and apply also to and in respect of station lock-ups and detention rooms, and to all members of the Force who have charge of prisoners whether such members are appointed as watch-house-keepers or not.

Lock-ups and detention rooms.

29. Careful attention must be given to all Standing Orders relating to prisoners.

Standing Orders.

CHAPTER 11.

PROPERTY IN POSSESSION OF POLICE.

1. (1) A book shall be kept at C.I. Divisions and at each police station and elsewhere as directed by the Officer in charge of any District for the purpose of recording therein particulars of all property coming into the lawful possession of the Police, except such as is entered upon the property sheets of prisoners.

Property book to be kept.

(2) The member of the Force in charge of any place where any such book is kept or some person authorized by him shall be responsible for entering therein particulars of such property.

(3) On no account must property which has come into the possession of the Police be handed over to any claimant until particulars have been entered in the property book.

All property to be entered in book.

2. The entries in the book shall show the date on which the property came into the hands of the Police, the name of the person (if any) from whom it was taken or received, the circumstances relating to the taking or reception of such property, the name and register number of the member of the Force taking or receiving the same, the circumstances of the disposal, and any other particulars necessary for the purpose of making a full and complete record.

Particulars to be shown.

3. (1) When property is found by any person and handed over to the Police either in the street or at a police station, such property shall be carefully checked or counted (as the case may require) in the presence of the person who has handed it over.

Property found and handed to police.

(2) The full name and address of the finder is to be taken, together with particulars as to the place where the property was found.

Particulars of finder.

(3) If the property is handed over in the street, the member of the Force receiving it shall hand it in at his station at the first opportunity.

- Unclaimed property. 4. (1) When property which has been found and handed to the Police is not claimed (either by the rightful owner or the finder) at the expiration of three months, it shall be treated as unclaimed property, and a record thereof shall be shown on the return of unclaimed property which is forwarded in duplicate to the Superintendent's office at the end of every quarter.
- Efforts to find owners of property. (2) A member of the Force finding property in any circumstances shall make every effort to trace the rightful owner. If at the expiration of three months the property is not claimed a record thereof shall be placed on the list of unclaimed property.
- Return to rightful owner. 5. (1) When any property in the possession of the Police is claimed by any person appearing to be the rightful owner, the officer in charge of the station may hand the property over if he is satisfied that ownership is proved and on the claimant signing the book in the column set apart for the purpose.
- (2) In doubtful cases instructions shall be obtained from the Officer in charge of the District before the property is handed over.
- Disposal to finder. 6. When any such property is claimed by the finder, a full report shall be submitted to the Officer in charge of the District, who shall, before giving instructions regarding disposal, ascertain from the Officer in charge of the Information Bureau if any similar property has been reported stolen.
- Protection from sale, &c., of claimed property. 7. When any such property is claimed by any person appearing to be the rightful owner or by the finder, the member of the Force to whom the claim is made shall forthwith submit a report (additional to any report hereinbefore referred to) direct to the Property Steward or other member of the Force in whose custody such property then is, so that such property shall not be sold or otherwise disposed of pending settlement of the claim.
- Indemnity. 8. In all cases where property is handed over to claimants by Police, a full receipt and indemnity against further action in respect of such property shall be obtained from the person to whom it is so handed over. A printed form is supplied for this purpose on which the property should be sufficiently described to identify it clearly with the property in the property book.
- Lost and stolen property. 9. In all cases where lost property or property suspected of having been stolen or unlawfully obtained comes into the hands of the Police, a receipt shall be issued or sent to the finder (if any). Where the owner or the address of the owner is unknown, reports intimating that the owner of such property is required to communicate with the Police shall be circulated and supplementary reports shall be circulated when the property has been disposed of.
- Lists of unclaimed property to be forwarded quarterly. 10. The Officer in charge of each District shall furnish to the Chief Commissioner at the end of every quarter a list in duplicate of all unclaimed property which has been in the hands of the Police for more than three months, and the Chief Commissioner shall thereupon arrange for such property to be sold by auction. The lists shall in every case show the approximate value of the goods.
- Suspected property. 11. (1) When property suspected of having been stolen or unlawfully obtained comes into the hands of the Police and the rightful owner is not found within six months of the conviction of the offender an application shall be made to the Court of Petty Sessions for an order that such property be sold.
- (2) On the making of any such order a list of the property shall be forwarded in duplicate to the Officer in charge of the District for transmission to the Chief Commissioner, who shall thereupon arrange for the disposal of the property.
- (3) If in a prosecution relating to property suspected of having been stolen or unlawfully obtained the defendant is not convicted, the property shall be dealt with as disputed or (as the case requires) unclaimed property.
- Procedure on order by court for disposal of property. 12. (1) When any order is made by a Court of Petty Sessions regarding the disposal of property (including confiscated liquor) which is in the hands of the Police, it will not be necessary to furnish a receipt to the Clerk of Petty Sessions for such property.

(2) After the order has been made, a certified extract from the court register of the proceedings shall be obtained from the Clerk of Petty Sessions.

(3) When, afterwards, the property has been disposed of by sale or otherwise, the certificate shall be attached to the file and forwarded to the headquarters office for checking purposes.

(4) In cases where the property is forwarded to the headquarters office for disposal, a receipt for it shall be issued from the property receipt book at that office.

13. In every case in which liquor is confiscated the court shall be asked to direct that such liquor be sold by auction, and on such direction being given the liquor shall be sent to the Licensing Inspector's Office, Little Bourke-street, Melbourne, and particulars thereof immediately forwarded through the usual channel to the Chief Commissioner, who shall thereupon arrange for the sale of the liquor. Confiscated liquor.

14. When property of a perishable nature comes into the hands of the Police a report shall be submitted at once through the usual channel for the information of the Officer in charge of the District, who shall give the necessary instructions regarding disposal. Perishable property.

15. (1) Bicycles which have come into the possession of the Police at stations outside a radius of thirteen miles from the Post Office situated at the corner of Bourke and Elizabeth streets, Melbourne, and which are unclaimed after a period of three months shall be forwarded to the Property Steward, Russell-street. Bicycles.

(2) A report, together with the "C.O. and M.O." or "Owner Required" report shall be forwarded through the usual channel to the Officer in Charge, Melbourne District, for the information of the Property Steward.

(3) At stations within such radius such bicycles shall be kept for a period of seven days, and if not claimed within that time they shall be forwarded to the Property Steward together with the "C.O. and M.O." or "Owner Required" reports.

16. (1) In all cases where pistols or other weapons have come into the possession of the Police, a report setting out the particulars must be forwarded, with the weapons, to the Officer in charge of the District. Disposal of weapons.

(2) The Officer in charge of the District shall, at the end of each week forward the weapons and the weekly firearms return (in duplicate) to the Officer in Charge, Scientific Section, Melbourne. Receipts.

17. Where any property in the possession of the Police has been found in any vehicle of or on the premises of any public transport authority that authority shall be notified to enable collection by an official of the authority (after signing the necessary receipt and indemnity) for disposal in accordance with the law relating to such authority. Property found in trains, trams, &c.

18. It is the duty of the Property Steward at Russell-street, Melbourne, to take charge of all property coming into the lawful possession of the Police at Russell-street (including C.I. Branch Headquarters) whether such property was first brought in to Russell-street or has been forwarded from some other station or place, but excepting any property entered on the property sheets of prisoners. The Property Steward shall enter particulars thereof in a book to be provided for the purpose. Duties of Property Steward.

19. If any property is subsequently required for identification or other purposes, a receipt must be given for it by the member of the Force into whose possession it passes, and it must be returned to the officer in charge of the station or the Property Steward when no longer required. Property required for identification, &c.

20. In order that an effective check can be kept on unclaimed property, receipts shall be given and obtained and kept for audit purposes of all such property passing through the hands of the Police. When unclaimed or confiscated property is forwarded from stations or district offices to Melbourne for disposal by the Government auctioneer or otherwise, a receipt for it shall be given by the officer to whom it is handed over or despatched. Receipts and audit.

21. Officers when inspecting stations shall examine carefully the property books and ensure that all property has been accounted for and that the incomplete items are brought forward at the time of inspection. They shall certify as to the correctness or otherwise of the entries and sign their names in the book under such certificate. Inspection of property books.

CHAPTER 12. BADGES, MEDALS, ETC.

Valour Badge.

- Award of badge.** 1. When a member of the Force performs any act of Police duty of conspicuous merit, involving exceptional bravery, he may be awarded the Valour Badge by the Chief Commissioner, and, upon such award, such member shall be entitled to have the initials V.B. added after his name in all official documents and publications.
- Full details to be submitted.** 2. The badge shall be awarded upon the particular merit of each case, and whenever it is sought, the fullest details and evidence should be submitted for the consideration of the Chief Commissioner.
- Recklessness.** 3. Unnecessary acts of recklessness dictated by bad or rash judgment shall not constitute a valid claim for the Valour Badge.

The King's Police and Fire Services Medal.

- Award of medal.** 4. (1) Members of the Force shall report for the information of the Chief Commissioner any action by another member of the Force or any other person which appears to be deserving of consideration in connexion with the award of the decoration known as "The King's Police and Fire Services Medal."
- (2) Under a Royal Warrant dated the twentieth day of August, 1940, the said medal may be awarded to persons who have either performed acts of exceptional courage and skill or exhibited conspicuous devotion to duty as members of a recognized Police or Fire Service in any part of His Majesty's Dominions.
- Withdrawal of decoration.** 5. It is competent for His Majesty to cancel and annul the award to any person of the Decoration, and thereupon his name shall be erased from the Register of persons upon whom the Decoration has been conferred. Every person to whom the Decoration is awarded is required, before receiving it, to enter into an agreement to return the medal if his name is erased as aforesaid.
- Conditions of award.** 6. The Regulations made pursuant to the provisions of the said Royal Warrant prescribe the qualifications for the grant of the medal as follows:—
- (a) Conspicuous gallantry in saving life and property, or in preventing crime or arresting criminals, the risks incurred being estimated with due regard to the obligations and duties of the officer concerned.
 - (b) A specially distinguished record in administration or detective service, or other Police service of conspicuous merit.
 - (c) Success in organizing Police or Fire Services, or in maintaining their organization under special difficulties.
 - (d) Special services in dealing with serious or wide-spread outbreaks of crime or public disorder, or fire.
 - (e) Valuable political and secret services.
 - (f) Special services to Royalty and Heads of States.
 - (g) Prolonged service, but only when distinguished by very exceptional ability and merit.

Wearing of Medals.

- Places where decorations are to be worn.** 7. When military decorations or medals are worn by members of the Force they shall be placed in a horizontal line or lines on the left breast, either suspended from a single bar (the buckle of which should not be visible) or stitched to the tunic or jumper. The riband shall not exceed one inch in length unless the number of clasps require it to be longer. When the ribands only are worn they shall be attached to the tunic or jumper and must be half an inch in length. Medals shall be worn by members in uniform entitled to wear them when ordered on ceremonial occasions, but at all other times ribands only shall be worn by such members.
- Royal Humane Society.** 8. When worn, medals awarded for bravery by the Royal Humane Society and others shall also be worn on the left breast.
- First aid.** 9. When worn, badges obtained for efficiency in First Aid shall be worn on the left arm near the shoulder.
- Valour badge.** 10. The Valour Badge or riband shall be worn immediately after all decorations or medals awarded by the Sovereign.

CHAPTER 13.

TRANSFERS.

1. In order to maintain the discipline and efficiency of the Police Force members of the Force are liable to immediate transfer to any part of the State of Victoria. Members liable to immediate transfer.
2. A member of the Force may apply for transfer from one district or station to another district or station, or from one branch of the Service to another branch or from general to special duty. Applications for transfer.
3. Vacancies for appointments of sub-officers and constables shall from time to time be published in the *Police Gazette*, and applications for appointment to any vacancy which has occurred, or which is about to occur, shall not be submitted until a notification regarding the vacancy has been so published. Vacancies to be advertised.
4. When applying for appointment to any vacancy an applicant shall do so on the form provided through the usual channel setting forth concisely—
 - (a) his claims, qualifications, stations where he has served and length of time served at each;
 - (b) any ill-health or the necessity for a change of climate urged in support of any such application, with a supporting medical certificate attached; (where a medical certificate has been submitted and the applicant for transfer has not been successful in his application, it shall not be necessary for a fresh medical certificate to be forwarded on any future application, but reference to such medical certificate shall be recorded on subsequent applications. The duration of a medical certificate will be limited to twelve months);
 - (c) in the case of a married man applying for such a transfer involving the occupation of Government quarters, the number of members of the family residing with him and the age of the children;
 - (d) whether he has any near relatives residing in the sub-district to which he desires a transfer.Particulars to be stated in applications.
5. When submitting applications for transfer, members of the Force in charge of stations and Divisional Officers, where applicable, will record opinions of efficiency and good conduct or any other matter which may assist in determining the suitability or otherwise of the applicant for the position sought. Reports by officers in charge of stations, &c.
6. If there is no applicant or no suitable applicant for a vacant position, a suitable member of the Force who is not an applicant may be appointed by the Chief Commissioner. Vacancies may be filled without applications.
7. Members of the Force selected for transfer shall not take as an instruction to prepare for transfer the notification in the *Police Gazette* that their applications have been successful, but shall wait until directly instructed to move by their superior officers. Members not to proceed on transfer until instructed.
8. Members of the Force holding any positions whatever in connexion with other Government Departments or public authorities shall, when about to be transferred, notify the responsible officers of such Departments or authorities, and, where possible, submit to them the names of their successors. Other Departments to be notified.
9. When a member of the Force has been transferred, the file dealing with such transfer, after such member has reached the station to which he has been transferred, shall be endorsed with the date of his arrival and a statement as to whether such member will occupy quarters or not. In any case where a member occupied quarters and by transfer will not continue to occupy them, the date he vacated the quarters shall be inserted on the file. Transfer files shall in all cases be returned immediately. Correspondence relating to transfers.
10. (1) To expedite the necessary adjustments, and to avoid, as much as possible, overpayments and underpayments in the pay of members of the Force transferred from one station to another, that portion of a transfer file which is sent from the Chief Commissioner's Office to the district to which a member of the Force is to be transferred will have a printed form attached headed "Notice of Transfer." Notice of transfer.

Particulars to be entered on form.	(2) The particulars on this form must be filled in by the officer in charge of the station immediately on the arrival of the member transferred. The form will then be detached from the file and forwarded, without delay, direct to the Pay Branch, Chief Commissioner's Office, Melbourne. The transfer file will then be completed and returned through the usual channels.
Change of address.	11. Provision is made on the form for notification of change of address for pay purposes consequent upon the transfer, and these particulars must also be filled in by the officer in charge of the station, who should see that the member of the Force concerned is acquainted with the procedure, and that the address supplied is in accordance with his wishes. If no change is required a brief minute to that effect must be made. Only changes of address not due to official transfers are to be notified on Form 47.
Notice of transfer to be completed in every case.	12. A "Notice of Transfer" form must be completed in every case of temporary transfer. As in many such cases the file does not originate in the Chief Commissioner's Office, suitable action must be taken in the district office with regard to the despatch of the form to the station to which the temporary transfer is made. Similarly a "Notice of Transfer" form must be completed and despatched direct to the Pay Branch immediately on the return to his permanent station of a member of the Force who has been temporarily transferred.
Transfers to be effected within one month.	13. (1) When notification of transfer has been published in the <i>Police Gazette</i> , the Officer in charge of the District shall see that such transfer is effected within one month of the date on which it is ordered.
Reports to be submitted when instructions are not complied with.	(2) In any instance where it is necessary to depart from this instruction, a full report of the circumstances shall be submitted forthwith for the information of the Chief Commissioner. Only in very unusual circumstances will approval be given for any variation of this instruction.
Transfer expenses.	14. (1) When a member of the Force is on transfer from one station to another and he is entitled to have transfer expenses paid by the Department, the Railways (including Railway road motor vehicles) must be used for cartage of his furniture where such facilities are available.
Removals within metropolitan area.	(2) Arrangements are to be made with the Supervisor, Road Motor Transport, Batman-avenue, Melbourne, in all cases where a member of the Force is on transfer to or from the metropolitan area or from one suburban station to another, and consignment notes, not requisitions, are to be used.
Road transport.	(3) If for any special reason a member of the Force desires to use road transport in lieu of rail, he must apply for permission through the Officer in charge of his District, but in no circumstances shall he incur expenditure in this regard without having first ascertained that the necessary authority has been obtained.
Claims for road cartage.	(4) Any claim for reimbursement of road cartage between a country residence and the nearest railway station must be submitted on a L.2A Form through the District office.
Procedure when member is not entitled to claim expenses.	(5) Should any member of the Force who is not entitled to reimbursement of transfer expenses wish to have his furniture conveyed by rail to or from the metropolitan area, or from one suburban station to another, he may do so and use consignment notes for the cartage, but he must immediately submit a report of the circumstances to the Chief Commissioner's Office through the usual channels. The Department will settle the claim and then call upon the member of the Force to refund the amount.

CHAPTER 14.

EXCHANGE OFFICERS.

- Members of the Force from other States may be appointed.
1. (1) Notwithstanding anything contained in these Regulations, the Chief Commissioner may, in pursuance of any arrangement for temporary exchange of officers, appoint any member of the Police Force of any other State of the Commonwealth of Australia or of the Dominion of New Zealand to be a member of the Police Force of Victoria. Such member may be sworn in and shall thereupon be charged with the duties set forth in his oath of office. He shall for the purposes of discipline be a member of the Police Force of Victoria until his appointment is terminated, and may be referred to as an "exchange officer."
- (2) Any such appointment shall be for a limited time, and may be at any time terminated by the Chief Commissioner.

(3) Any exchange officer so appointed shall not, except for the purposes of discipline, be deemed to be a member of the Victoria Police Force, and shall not personally be entitled to any pay or allowances from the Department which, however, in respect of the payment thereof, may act as agent for the Police Force of the State or Dominion in whose employment such member is permanently employed.

2. Any such exchange officer so appointed shall be deemed to be subject to the provisions of these Regulations, except in so far as the same are inconsistent with any Act or Regulations of the State or Dominion in which he is permanently employed. Subject to regulations.

3. Any member of the Police Force of Victoria whilst performing duties in any other State or Dominion in pursuance of any such arrangement for the temporary exchange of officers shall be deemed to be continuing in the employment of the Victoria Police Force, and shall, until recalled, perform his duty under the superintendence of, and obey all lawful orders of, the officers under whom he may be placed. He shall be subject to the Regulations of the Police Force of the State or Dominion in which he is serving, except where such Regulations are inconsistent with the Police Regulation Acts, these Regulations, or the orders of the Government of the State of Victoria. Members performing duties in other States.

CHAPTER 15.

CHARGES FOR POLICE SERVICES.

1. The services of Police applied for by promoters of entertainments, sports, &c., for duty within a place where payment is made for admission shall be charged for as follows:— Scale of charges for police services.

Foot Police—5s. per man per hour, including time spent going and returning.

Mounted Police—6s. per man per hour, including time spent going and returning.

2. The services of Police applied for by Government Departments, municipalities, corporations, banks, firms, &c., for escorting or guarding money or valuable property shall be charged for as follows:— Escorting money or valuable property.

For all Police—12s. per man for the first two hours or portion thereof, and thereafter an additional charge of 6s. for each hour or portion thereof, including time spent in going from and returning to their station.

3. No charge shall be made for Police necessary to regulate traffic or to perform usual Police duties outside any place of entertainment. Regulation of traffic.

4. Any member of the Force who is summoned to give evidence in any Court in any civil case or on behalf of the defence in any criminal case shall, before entering the witness box, claim from the party calling him his wages and other expenses incurred. If the time spent in going to, attending, and returning from Court is less than four hours, wages for half a day shall be claimed. If the period exceeds four hours, wages for a full day shall be collected. But in no case shall the liberty of any person who is charged with a criminal offence be endangered by reason of the fact that he is unable to pay the expenses of the members of the Police Force who are summoned to give evidence. Expenses of attendance at court.

5. When a member of the Force is summoned to give evidence in any such case, a report setting out the nature of the evidence to be given, and any information available as to the financial position of the person who has caused the summons to be issued, shall be submitted to the Officer in charge of the District who shall decide whether or not expenses are to be claimed. Officer in charge of district to decide if expenses are to be claimed.

6. Where sufficient time is not available to obtain instructions from the Officer in charge of the District, the member of the Force concerned shall exercise his own discretion as to whether or not expenses shall be claimed, and shall afterwards report the facts to the Officer in charge of the District. Member to exercise discretion.

(2) In the case of ex-members who rejoin, the former certificate shall be permanently retained by the Officer in Charge, Police Depot, and upon ultimate retirement a new certificate denoting the periods of service shall be given.

(3) Certificates of discharge shall show the cause of leaving the Force in one of the following ways:—

- (a) Completion of service.
- (b) Injuries received.
- (c) Infirmary of body.
- (d) Probation not confirmed.
- (e) Resignation.
- (f) Discharge.
- (g) Dismissal.

(4) The Chief Commissioner may insert any entry as to conduct which he feels justified in recording, but certificates issued in cases of (a) to (f) in sub-clause (3) are generally endorsed with one of the following entries:—

- Exemplary.
- Very good.
- Good.
- Generally good.

(5) No entry as to conduct under case (f) need be given by the Chief Commissioner, but the following entry, as the service of the ex-member warrants, may be recorded: "Generally good up to date of incident leading to discharge."

(6) No reference to conduct shall be made under case (g).

(7) If a certificate is lost or mislaid, a duplicate can only be issued by authority of the Chief Commissioner upon production of proof of the loss.

(8) The Chief Commissioner is the only authority to whom reference may be made as to the conduct and character of any individual while a member of the Force. When ex-police members refer to any member of the Force for a character or testimonial, the inquiry must be submitted to the Chief Commissioner through the usual channels.

10. (1) In any circumstance where a member of the Force displays unusual moral or physical courage, or shows exceptional tact and skill in dealing with a difficult case, unusual zeal, energy, and perseverance in following it up, and judgment and discretion generally in conducting it to a conclusion, the Officer in charge of the District shall, if he considers the conduct of such member justifies a commendatory entry being placed on his record sheet, cause a report giving full particulars to be furnished to the Chief Commissioner, and shall attach any files relating to the case. Favourable entries.

(2) The Chief Commissioner shall inquire into the merits of each case and, if satisfied that the conduct of the member merits a favourable entry, shall cause such entry to be made accordingly. If not so satisfied he shall notify the Officer in charge of the District in which the member is stationed. Action by Chief Commissioner.

11. (1) When an adverse entry is made on a record sheet relating to conduct or efficiency the member of the Force concerned shall be furnished with a copy of such adverse entry. Adverse entries.

(2) If an Officer shortly to retire decides to place an adverse entry on a record sheet the member of the Force concerned shall be notified in sufficient time to enable him to seek a redress of grievance should he so desire.

12. Particulars of private rewards which members of the Force are allowed to receive shall not be entered on their record sheets. Rewards.

13. When an Officer who is in charge of a District is transferred from or finally leaves such District from any cause, he may, if in a position to do so, make an entry on the record sheet of any member of the Force stationed in such District, giving his personal opinion of the character and efficiency of any such member. No such entry shall be made in cases where the Officer concerned has not had an opportunity of forming a correct estimate of the capacity of men in the District. Entry to be made by officer in charge when leaving district.

Entry to be made when member is transferred to another district. 14. In any case where a member of the Force is transferred to another District, or from any cause severs his connexion with the Force, the Officer in charge of the District shall make an entry on the record sheet of the member concerned, giving dates and particulars.

Entry when suspended member found guilty. 15. When a member of the Force has been suspended and is found guilty of the offence in respect of which he was suspended the Officer in charge of the District shall on the face of the member's record sheet under the heading "Transfers" enter the date and period of the suspension.

Completed sheets to be forwarded to Chief Commissioner. 16. The record sheets of all members who die or are discharged (on resignation or otherwise) or dismissed from the Force shall be completed without delay and forwarded to the office of the Chief Commissioner, to be there filed for reference.

Officer in charge to see that proper entries are made. 17. When a member of the Force is transferred from one District to another, the Officer in charge of the District to which he is transferred shall see that the member's record of conduct and service contains the required entries.

Members to be permitted to peruse sheets. 18. Members of the Force shall be permitted to read their record sheets at convenient times on application to the Officer in charge of the District.

Fines to be recorded. 19. (1) Particulars of fines imposed upon members of the Force for breaches of duty or acts of misconduct shall be entered on their record sheets. The Chief Commissioner shall decide as to whether the particulars of any penalty imposed upon a member of the Force in a Court of justice should be entered on his record sheet.

Reprimands not to be recorded. (2) A record of charges upon which members of the Force have been "cautioned" or "reprimanded" shall not be entered upon their record sheets.

Awards for valour, &c. 20. The Officer in charge of the District concerned shall make a suitable entry on the record sheets of members of the Force who are awarded military distinctions, the Police Valour Badge, the King's Police Medal, the Royal Humane Society's Medal or Certificate, the First-aid Medal or Certificate, or any other distinction.

How entries are to be made. 21. In connexion with these entries, Officers in charge of Districts shall observe the following instructions:—

On the first page in the personal description portion of the record sheet, a brief entry shall be made under the heading "Remarks," thus:—

Police Valour Badge (date of award).

A similar method shall be followed in regard to the other distinctions mentioned, and the wording may be reduced. For the Royal Humane Society's distinction, the entry opposite "Remarks" shall be—

R.H.S. Medal (date of award),

and the same method shall be adopted in connexion with military or other awards gained.

On the inside of the record sheet, under the heading "Conduct and efficiency," the Officer in charge of the District shall make a suitable entry containing a condensed statement of the act or acts for which the distinction was awarded.

CHAPTER 17.

ILLNESS.

Single men to go to hospital. 1. (1) All unmarried male members of the Force who are ill shall, where such a course is practicable and desirable, be sent to the Police Hospital for treatment.

(2) Any married member of the Force who is ill may be ordered to proceed to the Police Depot Hospital for examination by the Police Medical Officer.

Married men to report illness. 2. Any married male member of the Force who is ill and unfit for duty shall notify the officer in charge of the station to which he is attached of his inability to attend and the nature

of his ailment. Such notification shall be made at least half an hour before the time fixed for the commencement of such member's duty to enable the officer in charge to make arrangements to fill the vacancy. This regulation applies also to single members of the Force who are living out of barracks.

3. Single members of the Force residing in barracks who are ill and unfit for duty shall report verbally to the officer in charge of the station if able to do so. If, from any cause, it is not practicable for a verbal report to be made, a notification shall be sent to the officer in charge as early as possible. Single men to report illness verbally.

4. (1) On receipt of a notification that any member of the Force is ill and unfit for duty, the officer in charge of the station to which such member is attached shall cause such member to be visited by a sub-officer (or, in the case of an ill policewoman, by the senior policewoman or a member of the Women Police authorized by her). A report must then be submitted by the sub-officer giving particulars as to the condition of the member of the Force so visited. Visit by sub-officer.

(2) A member of the Force who has reported sick shall remain at his residence so that he may be so visited.

5. If an officer in charge of a station becomes ill he shall report the fact to the Officer in charge of the Division or District at the earliest possible moment. Sickness of men in charge of stations.

6. (1) A member of the Force claiming to have sustained injury or contracted illness directly attributable to his duty must furnish forthwith through the usual official channels for the information of the Chief Commissioner a detailed report regarding such injury or illness, together with the names of any witnesses of the occurrence. All such claims are subject to the approval of the Chief Secretary. Injury or illness attributable to duty.

(2) If the member is unable for any reason to furnish such report forthwith evidence of the occurrence must be furnished as soon as practicable by the member concerned or by any other member to whom the circumstances are reported.

(3) If no report is furnished at the time the injury is received or the illness contracted, any subsequent claim for such injury or illness to be regarded as "on duty" will not be recognized unless satisfactory reasons can be advanced for the delay. No claim shall be entertained in any case where the member concerned has received injury or contracted illness through his own unauthorized illegal or improper acts.

(4) When any such claim is approved by the Chief Secretary as "on duty," the member concerned may, in addition to any special leave with pay to which he is entitled, receive treatment at the Police Hospital free of charge or, when applicable, may submit a claim for reimbursement of medical expenses incurred.

(5) No claim for reimbursement of medical expenses shall be considered in any case where it is shown that the member was ordered to proceed to the Police Hospital when in a condition to do so without detriment to his health, but did not so proceed.

7. In case of sudden illness of a member of the Force while on duty, he shall report either to the officer in charge of the relief, the member in charge of the section or station, or the constable in charge of the adjoining beat, or some other appropriate member and, if unfit to continue working, shall, if able, proceed to the station and report his condition. Sudden illness.

8. If a member fails to comply with the foregoing instructions, an excuse that he was absent from his beat or other duty through illness will not be accepted without proof, and the onus of such proof shall be upon the member. Failure to report.

9. The Chief Commissioner may direct that any member of the Force be examined by the Police Medical Officer or by the Police Medical Board or by a medical practitioner with a view to obtaining an opinion as to the member's mental or physical condition, and his fitness to continue temporarily or permanently in the performance of police duty. Examination by police medical officer.

10. All cases of serious illness or dangerous injuries to members of the Force shall be reported by Officers in charge of Districts immediately the facts are ascertained by them for the information of the Chief Commissioner. Serious illness to be reported to Chief Commissioner.

Hospital stoppages.	11. (1) Any male member of the Force under the rank of sub-inspector may become an in-patient or out-patient of the Police Hospital upon application and subject to a deduction from his pay of 6s. per day as an in-patient and 3s. per day as an out-patient. (2) Any male member of the Force of or above the rank of sub-inspector may become an in-patient or out-patient of the Police Hospital upon application and subject to a deduction from his pay of 12s. per day as an in-patient and 5s. per day as an out-patient.
Member to proceed to hospital when directed.	12. Any member of the Force ordered by his superior officer to attend at the Police Hospital shall proceed there forthwith, unless he can produce satisfactory medical testimony of his unfitness to travel.
Members in country districts may enter local hospital.	13. A member of the Force performing duty in a country district may, when ill or injured, use a local hospital upon obtaining an order to that effect from his officer before or immediately after admission, and upon his undertaking to pay the usual charges, which may thereupon be deducted from his pay.
Stoppages of pay.	14. All stoppages of pay on account of illness shall be deducted in the office of the Chief Commissioner from the pay of the member of the Force concerned.

CHAPTER 18.

PENSIONS.

Definitions.	1. In this Chapter, unless inconsistent with the context or subject-matter—
"Pensioner."	"Pensioner" means a person to whom a pension has been granted under the provisions of the Act.
"Retired member of the Force."	"Retired member of the Force" includes a member of the Force who is permitted under the provisions of clause 3 of this Chapter to make an application for a pension or gratuity prior to his retirement.
"Schedule."	"Schedule" means the schedule to this Chapter.

Applications for Pensions, Gratuities, and Allowances.

Applications.	2. An application for a pension, gratuity, or allowance shall be signed by the applicant, and shall be made to the Chief Commissioner of Police in the form of a statutory declaration under the provisions of Division 4 of Part IV. of the <i>Evidence Act</i> 1928.
Retiring members.	3. A member of the Force who has been informed that he is about to be retired may, not more than two calendar months before the date on which it is intended to retire him, make an application for a pension or gratuity, notwithstanding that he is still a member of the Force.
Retired member.	4. An application by a retired member of the Force for a pension or gratuity shall be made in accordance with Form 1 in the Schedule.
Widow.	5. An application by a widow of a former member of the Force for a pension or gratuity shall be made in accordance with Form 2 in the Schedule.
Mother or guardian.	6. An application by a mother or guardian of the children of a former member of the Force for an allowance or gratuity shall be made in accordance with Form 3 in the Schedule.
Dependant.	7. An application by a dependant of a former member of the Force for a gratuity shall be made in accordance with Form 4 in the Schedule.
Inquiries into applications.	8. On receipt of an application for a pension, gratuity, or allowance, the Chief Commissioner shall examine such application. If it appears to him that on any material point the evidence is insufficient for the just determination of the application he shall cause to be made such further investigation as appears to him desirable, and may, for the purposes of such investigation, examine the applicant or any other person on oath.

9. For the purposes of investigation of any such application, a certificate under the hand of the Secretary to the Police Department, in accordance with Form 5 in the Schedule, relating to—

Certificate of
Secretary to
Department.

- (a) the age of the member of the Force;
- (b) the date of his appointment to the Force;
- (c) the number of years he has actually served;
- (d) the rate of salary paid to him;
- (e) the reason of his retirement; or
- (f) any other matter relating to his service in the Force—

and stating that the information contained in such certificate has been obtained from the records of the Police Department shall be prima facie evidence of the correctness of the statements contained therein.

10. When an application is made for a special pension, the Chief Commissioner shall fully investigate the circumstances in which injury was received.

Special
pensions.

11. (1) If the application is made under the provisions of section 43 of the Act and if the Chief Commissioner considers that a further medical examination is desirable, he shall notify the applicant, in accordance with Form 6 in the Schedule, to appear before the Medical Board at a time and place to be stated in such notice in order to be medically examined.

Medical
examination.

(2) The Medical Board shall medically examine the applicant at such time and place or at such other time or place as the Board shall then determine, and shall forthwith after such examination forward a medical certificate to the Chief Commissioner.

(3) Forthwith on the receipt of any medical certificate the Chief Commissioner shall send a copy thereof to the applicant.

Copy to
applicant.

12. On the completion of such investigations as appear to him desirable, the Chief Commissioner shall forward such application to the Police Superannuation Board, together with—

Papers to be
forwarded to
Super-
annuation
Board.

- (a) all the documents relating to his investigations;
- (b) medical certificate (if any) of the Medical Board;
- (c) the medical certificate (if any) given by the independent Board appointed under sub-section (8) of section 48 of the Act;
- (d) the certificate of approved service required by sub-section (2) of section 47 of the Act (if so required); and
- (e) his report on the application.

13. When any recommendation of the Police Superannuation Board is approved by the Governor in Council, the Chief Secretary shall cause notice thereof to be given to the Chief Commissioner, and the Chief Commissioner shall forthwith send to the applicant notice in writing in accordance with Form 7 in the Schedule informing him of the result of his application.

Notice of
decision of
Board to be
sent to
applicant.

14. At any time after the receipt of any application under the Act, the Police Superannuation Board may require the Chief Commissioner to make any further investigations on any matter relating to such application.

Further
investigation.

15. When a pension is granted on the ground of incapacity for the performance of duty, the Police Superannuation Board may at any time call upon the pensioner to appear before the Medical Board in order to be medically examined.

Medical
Board.

Approved Service and Deductions from Service for Sickness, Misconduct, and Neglect of Duty.

16. Any deductions from service which may be made under the provisions of section 47 of the Act shall be made by the Chief Commissioner.

Deductions
from service.

17. (1) In ascertaining what is the approved service of a member of the Force for the purposes of section 47 of the Act, the Chief Commissioner may deduct from the actual service of such member such period as to him may seem just in respect of—

Approved
service.

- (a) sickness, where such sickness is feigned or simulated or arises from carelessness, recklessness, improper or vicious conduct, excessive indulgence in alcohol, improper, illegal or immoral practices; and

(b) misconduct (for the purposes of this clause "misconduct" shall include the breaches of duty and acts of misconduct set out in Chapter 6 of these Regulations).

(2) No such deduction shall exceed the period (including any period during which such member of the Force is suspended from duty) during which such member is absent from duty on account of such sickness or misconduct or shall be made in respect of any sickness or misconduct unless such member of the Force has been duly found guilty thereof under the Act.

Report to be submitted when member found guilty. 18. When a member of the Force is under the Act found guilty of any sickness or misconduct, the Officer in charge of the Police District in whose charge such member is shall send to the Chief Commissioner the depositions and all other papers relating to the proceedings, including a certified extract or certificate of the decision of any Court, Board, Officer or other appropriate Tribunal, together with a full report of the circumstances of the case; and the Chief Commissioner upon the receipt thereof may, subject to the Act, make such deduction from the service of such member as in his discretion he thinks just.

Notice of deduction. 19. The notice of deduction required to be given by sub-section (3) of section 47 of the Act may be given in accordance with Form 8 in the Schedule, and shall give particulars of such deduction and of the grounds thereof, and shall state the name of the superior officer (if any) whose act prevents the reckoning of any period as approved service, and the nature of such act.

Certificate of approved service. 20. The certificate of approved service required by sub-section (2) of section 47 of the Act may be given by the Chief Commissioner in accordance with Form 9 in the Schedule.

Certificate of deductions. 21. For the purposes of any application under this Chapter, the production to the Police Superannuation Board of a certificate under the hand of the Secretary to the Police Department relating to the period or periods deducted from the service of any particular member of the Force shall be prima facie evidence of the correctness of the particulars stated therein.

Payment of Pensions, Gratuities, and Allowances.

Account for gratuity. 22. A person to whom a gratuity has been granted shall render his account, in accordance with Form 10 in the Schedule, to the Chief Commissioner of Police.

Declaration. 23. Every person rendering such an account shall sign the declaration set out on the particular form of account applicable to his case.

General Public Accounts Regulations to apply. 24. Subject to this Chapter, the General Regulations respecting public accounts under the *Audit Act 1928* shall apply to the payment of accounts for pensions, gratuities, and allowances, and for the return of rateable deductions under the Act.

Appeals against Acts of Superior Officers which Prevent the Reckoning of any Period as Approved Service.

Appeals. 25. Where an act of a superior officer, not being the Chief Commissioner, prevents any member of the Force from reckoning any period of actual service as approved service, he may, subject to this Chapter, appeal to the Chief Commissioner against such act.

Notice. 26. The appellant shall, within fourteen days after notice of deduction has been given to him, send to the Chief Commissioner notice in writing, in accordance with Form 11 in the Schedule, of his intention to appeal and of the grounds of such appeal.

Hearing of appeal. 27. On receipt of such notice of appeal, the Chief Commissioner shall appoint a time and place, being not more than 28 days from the date of such receipt, for the hearing of the appeal, and shall send to the appellant, to the person laying the charge (if any), and to the superior officer whose act is questioned, notice thereof in writing, in accordance with Form 12 in the Schedule, so as to reach them at least seven days before the time so appointed.

28. At such time and place, or at such other time or place to which he may then adjourn the hearing of the appeal, the Chief Commissioner shall hear and determine such appeal, and shall forthwith after such determination notify his decision in writing to the appellant, to the person laying the charge (if any), and to the superior officer.

Determination
of appeal.

29. The Chief Commissioner shall inquire into the matter of the appeal without regard to legal forms and solemnities, and shall be directed by the best evidence procurable, whether the same is such evidence as the law requires or admits in other cases or not, and it shall be lawful for the Chief Commissioner to receive or reject, as he deems fit, any evidence that may be tendered.

Investigation
of appeals.

30. The appellant, the person laying the charge (if any), and the superior officer whose act is questioned, may, on the hearing of such appeal, call such material witnesses as they desire. The appellant may be represented by counsel, but no costs of employing counsel shall be allowed on any appeal.

Witnesses
may be
called.

31. If in the opinion of the Chief Commissioner the appeal has been made vexatiously and without any reasonable probability of success, he may order the appellant to pay such costs as in his discretion he may fix, but not exceeding the actual costs of the person laying the charge (if any) and his witnesses, and of the superior officer and his witnesses on such appeal.

Costs may
be allowed
against
appellant.

32. No order for costs shall be made against the person laying the charge (if any) or against the superior officer; except that, if the Chief Commissioner is satisfied that the person laying the charge (if any) or the superior officer acted maliciously and without reasonable and probable cause, he may direct him to pay the appellant such costs as in his discretion he may fix.

When person
laying charge
may be
ordered to
pay costs.

33. In any case the Chief Commissioner may direct that the costs of any witnesses called on any appeal be paid by the Police Department on the same scale as costs are paid to witnesses in criminal cases heard before Courts of Petty Sessions.

Expenses of
witnesses.

34. When any costs are ordered to be paid by a member of the Force, such costs may be deducted from any salary, pension, gratuity, or rateable deductions which may be due to him.

Costs may be
deducted
from pay.

Appeals against Opinions of the Medical Board.

35. When any person is dissatisfied with the opinion of the Medical Board on any medical question arising under the provisions of section 48 of the Act, he may, subject to these Regulations, appeal to an independent Board as provided by the Act.

Appeals
against
decision of
Medical
Board.

36. The Medical Board shall forthwith after the completion of any medical examination send its medical certificate to the Chief Commissioner, who shall forthwith forward such certificate to the Police Superannuation Board as to the further medical examination of such person.

Certificate
of Board.

37. Where for the purpose of section 48 of the Act any person is medically examined by the Medical Board, the Chief Commissioner shall forthwith on receipt of the medical certificate send a copy thereof to such person.

Copy to be
sent to
member
concerned.

38. The appellant shall, within fourteen days after he has received such copy of the medical certificate, send to the Chief Commissioner notice in writing, in accordance with Form 13 in the Schedule, of his intention to appeal and of the grounds of such appeal. The Chief Commissioner shall forthwith send notice of such appeal to the Chief Secretary.

Notice of
appeal.

39. Within 28 days after receipt by him of such notice the Chief Secretary shall duly appoint an independent Board of three legally qualified medical practitioners in accordance with subsection (8) of section 48 of the Act, and shall notify the Chief Commissioner of such appointment.

Independent
Board.

40. The Chief Commissioner shall send to the appellant notice of the time and place appointed (being not more than 28 days after the appointment of such independent Board) for his further medical examination. Such notice shall be in accordance with Form 14 in the Schedule.

Notice of
examination
by Board.

Examination and certificate. 41. At such time and place, or at any other time or place to which such independent Board shall then adjourn the examination, such independent Board shall medically examine the appellant and give its decision thereon in the form of a medical certificate, and shall forthwith send such medical certificate to the Chief Commissioner.

Appellant to attend before Board. 42. It shall be the duty of the appellant to attend at the time and place appointed and, if he is a serving member of the Force, he shall be given such leave as may be necessary to enable him to attend. He shall submit himself to any medical examination which the independent Board may desire to make or may direct to be made.

Copy of certificate to be sent to appellant. 43. The Chief Commissioner shall forthwith send a copy of such medical certificate to the appellant, and shall forward such medical certificate to the Police Superannuation Board.

Vexatious appeals. 44. Where the independent Medical Board certifies in its certificate that an appeal made to it under these Regulations is made vexatiously and without any reasonable probability of success, and that such lack of reasonable probability of success must, in its opinion, have been known to the appellant, the Chief Commissioner may order the appellant to pay such reasonable costs of the independent Medical Board as in his discretion he may fix, and such costs may be deducted from any salary, pension, gratuity, or rateable deductions which may be due to the appellant.

SCHEDULE.

FORM 1.

Police Regulations.

Application by Retired Member of the Force for Pension or Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, I may be granted such ordinary pension, special pension, or gratuity as I may be by law entitled to receive.

Name of applicant in full.

Full postal address.

Rank and number on retirement.

Give date and place of your birth.

On what date were you appointed to the Force?

On what date were you retired from the Force?

On what date are you due to retire from the Force?

What was the cause of your retirement?

Do you apply for an ordinary pension, special pension, or a gratuity?

If you apply for a special pension, what is the nature of the injury you have received, and the circumstances thereof?

Do you claim that such injury was accidental or non-accidental? (*See section 39 (2) of the Act.*)

Declaration.

I, _____ of _____, in the State of Victoria, _____, the above-named applicant, do solemnly and sincerely declare that the statements made by me in answer to the above questions are true and correct in every particular, that I honestly believe myself to be entitled to the payment of a pension or gratuity, and that I have not rendered myself liable to a forfeiture of pension by reason of any breach of the provisions of section 51 of the *Police Regulation Act 1928*.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this _____ day of _____, in the year of our Lord One thousand nine hundred and _____

J.P.

FORM 2.

Police Regulations.

Application by Widow of Member of the Force for Pension or Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, I may be granted such widow's ordinary pension, special pension, or gratuity, as I may be by law entitled to receive.

Name of applicant in full.

Full postal address.

What was your husband's full name?

Give his rank and number (if any).

On what date was he appointed to the Force?

When and where did he die?

What was the cause of his death?

At the time of death, was he serving in the Force?

If not, give date of his retirement.

At the time of death, was he in receipt of a pension? If so, give particulars.

When and where were you married to him?

Were you living with him at the time of his death?

If not, how much did the above-named member of the Force contribute towards your support during the past twelve months?

Do you apply for an ordinary pension, special pension, or gratuity?

If you apply for a special pension, do you claim that the injury from which your husband died was non-accidental? (*See section 39 (2) of the Act.*)

Declaration.

I, _____ of _____, in the State of Victoria, _____, the above-named applicant, do solemnly and sincerely declare that the statements made by me in answer to the above questions are true and correct in every particular, that I honestly believe myself to be entitled to the payment of a pension or gratuity, and that I have not rendered myself liable to a forfeiture of pension or gratuity on account of misconduct, or by reason of any breach of the provisions of the *Police Regulation Act 1928*.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this _____ day of _____, in the year of our Lord One thousand nine hundred and _____

J.P.

FORM 3.

Police Regulations.

Application on Behalf of the Children of a Deceased Member of the Force for an Allowance or Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, such allowance or gratuity may be granted to the under-mentioned children as they may by law be entitled to receive, and I further apply that such allowance or gratuity be paid to me for the use and benefit of such children.

Full name of applicant.

Full postal address.

Are you the mother or guardian of the under-mentioned children?

What was the full name of the father of the under-mentioned children?

Give his rank and number (if any).

On what date was he appointed to the Force?

When and where did he die?

What was the cause of his death?

At time of death, was he serving in the Force? If not, give date of his retirement.

At time of death, was he in receipt of a pension? If so, give particulars.
Do you apply for an allowance or gratuity in respect of such children?
State in respect of the children—

Full Name of Child.	Date of Birth.	Place of Birth.	Where Living at Present.	Full Maiden Name of Mother.
1st Child				
2nd Child				
3rd Child				
4th Child				

Declaration.

I, _____, of _____, in the State of Victoria, _____, the above-named applicant, do solemnly and sincerely declare that the statements made by me in answer to the above questions are true and correct in every particular, that I honestly believe the said children to be entitled to the payment of an allowance or gratuity, and that if an order is made for the payment to me of any such allowance or gratuity, I will carefully and conscientiously administer the same for the sole use and benefit of the said children.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this _____ day of _____, in the year of our Lord One thousand nine hundred and _____

J.P.

FORM 4.

Police Regulations.

Application by Dependant of Deceased Member of the Force for a Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, I may be granted such gratuity as I may be by law entitled to receive.

Name of applicant in full.

Full postal address.

Occupation.

Give the date and place of your birth.

What was the full name of the member of the Force in respect of whose services this application is made?

Give his rank and number (if any).

State your relationship to him.

On what date was he appointed to the Force.

When and where did he die?

What was the cause of his death?

At the time of death, was he serving in the Force?

If not, give the date of his retirement.

At the time of death, was he in receipt of a pension? If so, give particulars.

To what extent were you dependent on such member of the Force?

How much per week are you earning now? (If earning, give name and address of employer; if not earning, give reason thereof.)

By whom were you employed during the last twelve months?

How much did you earn during the last twelve months?

How much did each of your children (if any) contribute to your support during the last twelve months?

How much did the above-named member of the Force contribute to your support during the last twelve months?

Do you keep a shop, or lodginghouse, or boardinghouse, or conduct a business of any kind, or have you an interest in any shop or business?

What is the nature of the same, and what net income did you receive therefrom during the last twelve months?

Has any one agreed to maintain you in whole or in part, or to make any payments to you in consideration of property you have transferred?

During the last twelve months, did you receive free board or free lodging, or both? (State which received, for how long received, and from whom received.)

What other income have you received during the last twelve months? (Include rents, dividends, interests, and any other income. The nature and the amount of the income in each case should be stated.)

What house and land property do you own?

Where is it situated?

What is the nature of the title?
 What is its full capital value?
 Is any of the property mortgaged or otherwise encumbered?
 Have you a share or interest in any other property?
 What is the nature and value of such property?
 Do you own live stock, furniture, vehicles, or any other personal property?
 (Give particulars and value of each article.)
 Have you any money in any bank, savings bank, building society, or
 other financial institution? (State names, addresses, and amounts.)
 Is your life assured? (If so, state name of company, policy number,
 amount, and age at which amount payable, and state by whom the
 premiums are paid.)
 Have you any money or property not previously disclosed? (Give
 full particulars of any such property.)
 What property have you disposed of during recent years?

Declaration.

I, _____ of _____, in the State
 of Victoria, _____, the above-mentioned applicant, do
 solemnly and sincerely declare that the statements made by me in answer
 to the above questions are true and correct in every particular, that I
 honestly believe myself entitled to the payment of a gratuity, and that
 I have not rendered myself liable to a forfeiture of gratuity on account
 of misconduct, or by reason of any breach of the provisions of the *Police
 Regulation Act 1928*.

And I make this solemn declaration conscientiously believing the same
 to be true, and by virtue of the provisions of an Act of the Parliament
 of Victoria rendering persons making a false declaration punishable
 for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this
 _____ day of _____, in the year
 of our Lord One thousand nine hundred and _____

J.P.

FORM 5.

*Police Regulations.**Certificate of the Secretary to the Police Department.*

I, _____, Secretary to the Police
 Department of the State of Victoria, do hereby certify that, according
 to the records of the Police Department, the following particulars of the
 age and service of the under-mentioned member of the Police Force of
 the State of Victoria are true and correct:—

Full name of member.

He was born on the _____ day of _____, 19 _____.

(Then set out any of the following):—

He was appointed to the Force on the _____ day of _____, 19 _____.

He has actually served in the Force for a period of _____.

He was retired on the _____ day of _____, 19 _____.

He died on the _____ day of _____, 19 _____.

His annual rate of pay at the time of retirement (or death) was _____.

The average annual rate of his pay during the three years immediately
 preceding his retirement (or death) was _____.The reason of his retirement was _____ (or any
 other matter relating to his service in the Force.)

And I certify that the information contained in this certificate has
 been obtained from the records of the Police Department.

Given under my hand this _____ day of _____, 19 _____.

Secretary to the Police Department.

FORM 6.

*Police Regulations.**Notice to Applicant to Attend Before the Medical Board.*

To

Take notice that you are required to attend at the hour of _____
 o'clock in the _____ noon, on the _____ day of _____,
 19 _____, before the Medical Board, in order to
 be medically examined.

Dated the _____ day of _____, 19 _____.

Chief Commissioner of Police.

FORM 7.

Police Regulations.

Notice to Applicant of Result of Application for Ordinary or Special Pension or Children's Allowance.

To

Take notice that the investigation and consideration of your application dated the _____ day of _____, 19____, for

_____, has now been completed.

Your application has been refused; or

You have been granted—

an ordinary pension;

a special pension;

an allowance for each of the children, AB., C.D., and E.F., at the rate of £ _____ per annum, dating from the

_____ day of _____, 19____.

A "Not Negotiable" cheque for the amount due will be forwarded to you every fortnight direct from the Pensions Office, State Treasury, Melbourne, which office, as well as the local police, should be notified of any change in your address.

Chief Commissioner of Police.

Notice to Applicant of Result of Application for Gratuity.

When gratuity is granted, this form is to be used:—

To

You have been granted a gratuity of £ _____, to be paid to you forthwith, or in the following manner:—

(Set out manner of payment ordered.)

Please sign enclosed account for £ _____ where marked in pencil, and return it to me as soon as possible.

Dated this _____ day of _____, 19____.

Chief Commissioner of Police.

FORM 8.

Police Regulations.

Notice of Deduction.

To

Take notice that, for the purpose of ascertaining your approved service under the provisions of section 47 of the *Police Regulation Act 1928* I have deducted from your actual service the period from the _____ day of _____ to the _____ day of _____,

both days inclusive. The grounds on which I have made such deduction are as follow:—

(If arising through the act of a superior officer, add these words):—

You are prevented from reckoning such period as approved service by reason of the act of your superior officer (rank and name) whereby he (here set out the nature of the act)

Dated the _____ day of _____, 19____.

Chief Commissioner of Police.

FORM 9.

Police Regulations.

Certificate of Approved Service.

I, _____, being the Chief Commissioner of Police for the Police Force of the State of Victoria, do hereby certify, for the purposes of section 47 of the *Police Regulation Act 1928*, that the approved service of A.B., formerly a member of the Police Force of the said State, is a period of _____ years and upwards, and that such period of approved service has been a period of diligent and faithful service on the part of the said A.B.

Given under my hand the _____ day of _____, 19____.

Chief Commissioner of Police.

FORM 10.

Police Regulations.

Victoria Police.

Payable at
Treasury Register Number

Pay Office, Victoria.
Treasury Voucher Number

POLICE GRATUITY.

Police Regulation Act 1928.

Financial Year _____, 19____.

The Government of Victoria,

Dr. to

Amount of gratuity granted me . . . : :
Total (pounds, shillings, and pence) . . . : : :

Declaration.

I, ^{*formerly a member of the Police}
 Force of the State of Victoria, ^{the widow of}
 formerly a member of the Police Force of the State of Victoria,
^{a dependant of}
 a member of the Police Force of the State of Victoria:
^{*the mother of}
^{guardian}

and ^{the children of}
 formerly a member of the Police Force of the State of Victoria, do hereby
 declare that I am entitled to payment of the above-mentioned gratuity,
 and that I have not rendered myself liable to a forfeiture thereof by
 reason of any breach of the provisions of the *Police Regulation Act 1928*.

* Strike out what is inapplicable.

The claimant to sign here

Address

Date 19

I certify to the best of my knowledge and belief, after due inquiry,
 that the foregoing account is true and correct in every particular.
 Chief Commissioner of Police,
 19

Certifying Officer.

Received on the day of 19
 from Esquire, the sum of pounds
 shillings pence, in full payment of the above account.

Witness to payment and signature

FORM 11.

Police Regulations.

*Notice of Appeal Against an Act of a Superior Officer which Prevents the
 Reckoning of any Period of Service as Approved Service.*

To the Chief Commissioner of Police.

Take notice that, in accordance with the provisions of the *Police
 Regulation Act 1928*, and the Regulations thereunder, I intend to appeal
 to you against the under-mentioned act of my superior officer
 (rank) (name) which prevents me from reckoning
 as approved service the period from the day of
 19, to the day of 19
 both days inclusive.

The act against which I appeal is as follows:—

(Here set out fully the act complained of, and the circumstances
 thereof.)

The grounds on which I make this appeal are as follow:—

(Here set out fully the grounds of appeal.)

My full name is

My number is

My rank is

My station is

Dated this day of 19
 Appellant.

FORM 12.

Police Regulations.

*Notice of Time and Place of Hearing Appeal Against Act of Superior
 Officer.*

Take notice that I have appointed the
 day of 19, at the hour of o'clock in
 the noon, at , for the hearing of an appeal
 by against an act of his superior officer
 which prevents him from reckoning the period from the
 day of 19, to the day of
 19, both days inclusive, as approved service.

Dated this day of 19
 Chief Commissioner of Police.

To the appellant.
 To the above-named superior officer.

(or)

To the person laying the charge (if any).

FORM 13.

Police Regulations.

Notice of Appeal Against Opinion of the Medical Board.

To the Chief Commissioner.

Take notice that, in accordance with the provisions of the *Police
 Regulation Act 1928*, and of the Regulations thereunder, being dissatisfied
 with the opinion of the Medical Board on the under-mentioned medical
 question, I intend to appeal to an independent Board of three legally
 qualified medical practitioners, to be appointed for the purpose by the
 Honorable the Chief Secretary.

The opinion with which I am dissatisfied is as follows:—

The grounds on which I make this appeal are as follow:—

My full name is

My full postal address is

(If still in the Force)

My number is

My rank is

My station is

Dated the day of , 19 .
Appellant.

FORM 14.

Police Regulations.

Notice of Time and Place of Medical Examination Before an Independent Board.

Take notice that an independent Board of three legally qualified medical practitioners appointed for the purpose by the Honorable the Chief Secretary, will proceed to medically examine you on the day of , 19 , at the hour of o'clock in the noon, at , at which time and place your attendance is required.

Chief Commissioner of Police.

To the Appellant.

CHAPTER 19.

DUTY AND LEAVE.

Hours of Duty.

- Day duty.** 1. The hours of duty in Melbourne and other cities shall be as follows:—
- (a) Day duty shall commence at 6 a.m. and continue until 10 p.m. for which purpose half the available duty men shall be told off.
 - (b) The first relief shall commence duty at 6 a.m. and remain on duty until 2 p.m.
 - (c) The second relief shall commence duty at 2 p.m. and remain on duty until 10 p.m.
 - (d) Men on day shifts shall change reliefs every alternate day to the intent that the men on duty between 2 p.m. and 10 p.m. on one day, shall resume duty on the following day at 6 a.m. and continue until 2 p.m. Men finishing duty at 2 p.m. shall not be required to resume duty until 2 p.m. on the following day.
- The above hours of duty may be varied by the Officer in charge of the District.
- Night duty.** 2. The men on night duty shall parade at 10 p.m. and remain on duty from that hour until six o'clock the next morning.
- Refreshments.** 3. During the eight-hours shift, both day and night, the police on duty shall be allowed one hour for refreshment, which must be taken at a police station, or some other approved place, where they may be found without difficulty. This provision shall extend to watch-house-keepers and other members of the Force engaged in similar duties where such cover a continuous eight-hour relief. During the hour allowed for refreshment police shall remain in uniform.
- Fortnightly changes.** 4. The night and day duty men shall change every fourteen days.
- Country districts.** 5. In small towns or boroughs the hours of duty shall be arranged to suit local requirements, having due regard to the police strength in such places.
- Time off for extra duty performed.** 6. All work performed by any member of the Force in excess of eight hours (whether continuous or not) in any one day should be met by a corresponding grant of time off at the earliest opportunity.
- Days off.** 7. When the exigencies of the service permit, every member of the Force shall be granted two days off in every fourteen days, one of which wherever practicable shall be a Sunday.

8. Time off and days off granted pursuant to clauses 6 and 7 (except any days off falling due during the annual leave period) shall not be added to annual leave or carried over at the end of the financial year unless in exceptional circumstances and with the approval of the Officer in charge of the District, and, if more than seven days, with the approval of the Chief Commissioner.

Time and days off not to be added to annual leave.

9. Sub-officers in charge of stations shall ensure that the time and days off as aforesaid are granted to the members of the Force under their charge in their proper order and whenever extra duty is performed. Time off shall not be allowed to accumulate, but shall be taken within one month whenever possible. The Officer in charge of the District shall ensure that all arrears of time off and days off are taken as early as possible.

Sub-officers to grant time off.

10. When circumstances require the services of all police in any District time and days off may remain in abeyance until the return of normal conditions, when they may be resumed in the order of those who were first entitled thereto when the suspension took place.

Time and days off may be suspended in exceptional circumstances.

11. Sub-officers in charge of stations shall keep a record of all time and days off due to members of the Force, and when any member of the Force is transferred to another station particulars of any time or days off due to him shall be endorsed on the document known as "the route." The record shall be open for inspection at any reasonable time by any member attached to the station.

Record of time and days off to be kept.

12. (1) Immediately upon the completion of escort or other duty by any members of the Force they shall report themselves to the member of the Force in charge of the place where the duty is completed and shall, unless extraordinary circumstances supervene, be instructed by him to return by the most economical means. Members in charge of stations must exercise intelligent discretion when considering the return of a man to his station, and shall allow a reasonable time for rest, meals, &c. If seven hours have elapsed between the time of starting and the time of reporting his arrival, the constable should not be compelled to return to his station until the following day. If the escorting member is senior to the member in charge of the station at which he reports, he will be responsible for his return to his station within a reasonable time.

Escort duty, &c.

(2) Members of the Force travelling on duty from the country to Melbourne or suburbs may report at the police station which is most convenient, having regard to all the circumstances.

13. In addition to the usual hour for meals, police on point duty are allowed two rests of 15 minutes during each term of duty. The meal hours and rest period shall be taken at the time fixed by the sub-officer in charge of the men.

Meal and rest hours.

14. At the end of each quarter a report must be submitted by members in charge of sub-districts to the Officer in charge of the District setting out the time off and days off due to the men at the station.

Quarterly report to be submitted.

15. Any member who declines to take time off or a day off when ordered thereby abandons his privilege, but the convenience of the men should, where possible, be considered.

Time off to be taken when ordered.

16. All time off granted to any member for sport, recreation or other special purpose will be debited to him and deducted from any time off due to him for extra duty performed. If at the end of the financial year the time off taken by any member exceeds the amount of time off due to him for extra duty performed by more than four days, then any period in excess of four days is to be deducted from annual leave.

Time off for sport to be debited.

17. Members employed in positions which do not involve the performance of duty on Saturday afternoons or Sundays are not ordinarily entitled to time off. Special cases will be determined by the Officer in charge of the District. But in view of the fact that the annual leave granted is 28 days, any time off required by such members should be ordinarily set off against portion of such annual leave.

Members with week-ends off.

Transfers. 18. When a member of the Force has received notice of transfer to another station, all time off and days off due to him will be granted to him before the date of transfer, unless the Officer in charge of the District to which he is transferred approves of it being carried over to that District. If any time off or days off is carried over, a report setting out particulars is to be forwarded to the Officer in charge of the District to which the member has been transferred.

Officers to inspect record. 19. Officers when inspecting stations are to inspect the records of time off and days off due to members, and when any breach of the above regulations is detected, a report is to be submitted to the Officer in charge of the District.

Application to C.I.B. 20. The above regulations in this Chapter are not to be enforced strictly in relation to members of the Criminal Investigation Branch where the special conditions of that Branch so require.

Annual Recreation Leave.

Annual leave. 21. Subject to the convenience of the Police Force Officers, sub-officers, first-constables, and constables shall be allowed four weeks' leave of absence in each year.

Financial year. 22. For the purposes of annual leave the year shall be deemed to commence on the 1st July, and terminate on the 30th June following.

Leave not taken to lapse. 23. Save in exceptional or extraordinary circumstances and with the approval of the Chief Commissioner, leave of absence not taken in the year in which it is due shall lapse.

Sick Leave.

Malingering, &c. 24. Whenever a member of the Force is absent on account of sickness, injury, or disability which is feigned or simulated, or when it arises from carelessness, improper or vicious conduct, excessive indulgence in alcohol, improper, illegal, or immoral practices, his full pay is liable to be stopped, in addition to any other punishment which may be inflicted.

Venereal disease. 25. A member of the Force who contracts a venereal disease shall report the matter to his superior officer without delay, whereupon he shall be granted the usual terms of sick leave, provided that if so instructed by such superior officer he presents himself when and where directed for medical attention. If a member of the Force contracts a venereal disease and fails to report the fact as hereinbefore provided, he shall be dealt with for breach of duty or act of misconduct, and his pay shall be stopped for the time he is off duty. The Officer in charge of the District shall notify the Chief Commissioner of all cases coming under his notice where members of the Force fail to carry out these instructions.

Sick leave. 26. In the case of illness of a member of the Force, the conditions under which leave of absence may be granted shall be as set out below.

Basis for determining leave due. 27. When leave with pay is approved, the basis for determining the amount which may be granted shall be ascertained by crediting the member with the following periods, such leave to be cumulative:—

	Leave on Full Pay.	Leave on Half Pay.
On completion of six months' service	16 days	16 days
On completion of two years' service and each year's service thereafter	8 days	8 days

Deductions from leave due. 28. (1) To determine the leave for which a member is eligible at any time, all leave granted during his service at rates of full pay and half pay respectively shall be deducted from the appropriate period ascertained under the provisions of the preceding clause.

Leave granted at less than half pay. (2) Where a member has been granted leave of absence with pay at a rate less than half pay he shall, for the purpose of this clause, be deemed to have been granted leave on half pay for such number of days at the rate of half pay as is appropriate to the amount of pay allowed to him for such absence.

29. After deduction has been made as provided in the preceding clause the period remaining at each rate of pay shall be the amount of leave for which a member is eligible. Leave due after deductions.

30. Notwithstanding the amount of sick leave standing to the credit of any member, continuous leave with pay shall not be granted for any period longer than 26 weeks on full pay, inclusive of any recreation leave which may be granted, and 26 weeks on half pay. In the case of a member who has 52 weeks' continuous leave with pay, no further leave with pay shall be granted until such member has completed a period of duty of not less than four weeks. Maximum leave with pay.

31. (1) For each week a member is absent on leave with full pay the amount of leave on full pay standing to his credit shall be reduced by six days. Deduction for each week's leave.

(2) For each week a member is absent on leave with half pay, the amount of leave with half pay standing to his credit shall be reduced by six days, notwithstanding that his pay is reduced to half pay for seven days.

(3) Where the absence exceeds one or more weeks, but does not extend to a further week, the number of weeks shall be recorded as hereinbefore provided, and the remaining days shall be debited as a period of less than a week.

32. When the period of leave granted to a member with pay (whether full pay or half pay) does not extend to a week, his appropriate credit shall be reduced by the number of days he would have been required to be on duty if he had not been absent on sick leave. Deductions for less than one week.

33. For the purpose of sick leave under this Chapter a week shall be deemed to be any period of seven consecutive days, inclusive of a Sunday. Definition of "week."

34. When a member has been granted leave on half pay or without pay, restoration to full pay shall date only from the day on which the member actually resumes duty. Restoration to full pay.

35. For the purpose of sick leave under this Chapter "service" means continuous service, inclusive of any period of absence on leave, provided that, in determining at any time the amount of leave standing to the credit of a member who has been absent on leave without pay (other than for the purpose of service with any Naval or Military Expeditionary Force or the Commonwealth Defence Force) continuously for a period extending beyond six months, such period as is in excess of six months shall not be counted as service. "Service" defined.

36. Sick leave for a period of one day or less may be granted by the Officer in charge of the District without a medical certificate being furnished. Every such case must be reported to the Chief Commissioner as soon as practicable. Sick leave for one day.

37. For any period exceeding one day, a satisfactory certificate for a period not exceeding seven days by a duly qualified medical practitioner shall be furnished, setting out the cause of such absence. Extensions of such leave may be granted subject to the same conditions. Sick leave exceeding one day.

Provided that the Chief Commissioner may approve of sick leave for a period not exceeding 28 days being granted on the recommendation of the medical officer at the Police Hospital:

Provided further that the Chief Commissioner may require a medical certificate to be furnished with respect to any absence.

38. Subject to clause 25 no leave shall be granted with pay on account of illness caused by the misconduct of the member, or in any case of absence from duty without sufficient cause. Where the Chief Commissioner has occasion for doubt as to the cause of illness or the reason for absence, he shall before accepting a medical certificate refer such certificate to the Police Medical Officer for report. Absence due to misconduct.

39. If the number of days during which a member is absent in any year without a medical certificate exceeds five days in the aggregate, the number of days' absence in excess of five shall not be granted as sick leave, but shall be deducted from the member's annual recreation leave, or be granted without pay. When absence without certificate exceeds 5 days.

Additional leave may be granted members who served in war.

40. Where the Police Medical Officer certifies that the illness of a member with at least six months' service is directly attributable to or is aggravated by approved war service, such member on the exhaustion of his credit of leave with full pay, or if he has no leave with full pay standing to his credit, may be granted additional leave with full pay up to but not exceeding eight days in the aggregate during any year of service, and the additional leave so granted shall not be regarded as a debit against the member.

Leave for member who sustains injury or contracts illness on duty.

41. (1) If any member in the discharge of his duties sustains bodily injury, or contracts illness directly attributable to his duty, of such a nature as to incapacitate him from duty, and the Chief Commissioner is satisfied that such illness or injury was not contributed to by such member's negligence or misconduct, the Chief Secretary may, upon the recommendation of the Chief Commissioner, approve of such injury or illness as "on duty," whereupon such member shall be granted leave on full pay during such incapacity, notwithstanding the amount of sick leave standing to his credit.

(2) Leave granted under this clause shall not be regarded as a debit against the member, and shall not exceed a continuous period of 52 weeks inclusive of any other leave granted with pay.

Member suffering from pulmonary tuberculosis.

42. (1) Any member suffering from pulmonary tuberculosis, who is certified by the Police Medical Officer to be probably curable, may be granted extended leave of absence not exceeding six months on full pay and three months on half pay.

(2) Where any member who has received extended leave as aforesaid is not so far recovered as, in the opinion of the Police Medical Officer, to be able to resume his duties, such member may be granted such further leave not exceeding twelve months on such terms and conditions as the Governor in Council thinks fit.

(3) Any leave granted under this Regulation may be made conditional on the member undergoing treatment in an approved sanatorium when so recommended by the Police Medical Officer.

(4) Any leave so granted in excess of the amount standing to his credit shall not be debited against the member.

Certifying member's fitness to resume duty.

43. Where a member is continuously absent from duty on account of illness beyond a period of thirteen weeks, he shall not be permitted to return to duty until the Police Medical Officer has certified that he is fit to resume duty.

CHAPTER 20.

TRAVELLING EXPENSES.

Scale of travelling expenses.

1. Subject to this Chapter, members of the Force travelling on duty shall be entitled to receive expenses under the scale and conditions following:—

Officers. s. d.

- (a) For each day on which an officer is necessarily absent from his station on duty for not less than eight hours 6 0
- (b) For each day on which an officer is necessarily absent from his station on duty for not less than twelve hours 8 0
- (c) For each night on which an officer is necessarily absent from his station on duty 8 0
- (d) After the first night and up to seven days inclusive, a daily rate of 16s., and for part of a day 9d. per hour.
- (e) After seven days in one place, at the rate of 12s. 6d. per day, and for part of a day 7d. per hour.

Sub-Officers, First Constables, and Constables.

- (f) For each day on which a sub-officer, first constable, or constable is necessarily absent on duty, other than beat or regular duty, as follows:—

- (1) When necessarily absent from his station on duty for not less than five hours and not exceeding eight hours—3s.
- (2) When necessarily absent from his station over eight hours and not exceeding twelve hours—6s.

- (3) When necessarily absent from his station over twelve hours and not exceeding twenty-four hours—9s.
- (g) For each night necessarily absent from his station on duty, for which lodging is obtained—4s.
- (h) After the first night and up to seven days inclusive, a daily rate of 13s., and for a part of a day 7d. per hour.
- (i) After seven days in the one place, at the rate of 10s. per day, and for part of a day 5d. per hour.
- (j) Subject to the provisions of paragraphs (k) and (l) of this clause, travelling expenses of members of the Force, their wives, and children, and reasonable cost of removing furniture shall be allowed when such members are transferred from one station or district to another station or district. In cases of transfer of members of the Force or their furniture to and from country districts, or from one country district to another (if the cost of removal is paid for or to be borne by the Government), the railways shall be utilized wherever such facilities are available.
- (k) Members of the Force, when transferred through their own fault, will not be allowed any expenses, and may be required to pay their own rail fares and that of members of the Force sent to relieve them.
- (l) Members of the Force shall not be allowed transfer expenses under paragraph (j) of this clause if at their own request they are transferred to a station and their travelling expenses have been paid within four years of appointment thereto, and such members must not use railway requisitions: Provided that where there are special circumstances connected with any transfer the Chief Commissioner may, with the approval of the Chief Secretary, after considering all the facts, allow transfer expenses.
- (m) In the case of members of the Force who own motor cars and who transport themselves and families by car when on transfer, such members may claim the equivalent of rail fares or the mileage rate, whichever is the least cost to the Government.
2. In all cases where travelling expenses for absence on duty are claimed, the hours of duty must be continuous before allowances become payable. Hours of duty to be continuous.
3. Members of the Force stationed in Melbourne and suburbs who are withdrawn from their stations or divisions for duty within the metropolitan area shall not be entitled to claim travelling expenses under these Regulations unless such duty entails the securing of sleeping accommodation away from their homes. Metropolitan area.
4. Members of the Force stationed within the urban and suburban areas of Ballarat, Bendigo, and Geelong who are withdrawn from their stations for duty within such urban and suburban areas shall not be entitled to claim travelling expenses under these Regulations unless such duty entails the securing of sleeping accommodation away from their homes. Country centres.
5. Members of the Force attached to Motor Car and Motor Cycle Patrols shall not be entitled to claim travelling expenses under these Regulations whilst performing patrol duty, unless such duty entails their being absent from their headquarters at least nine hours. Members of patrol.
6. For the purpose of this Chapter, the term "metropolitan area" shall be deemed to include all police stations and places within a radius of 13 miles of the post office situated at the corner of Bourke and Elizabeth streets, Melbourne. Definition of metropolitan area.
7. The boundaries of the suburban areas of Ballarat, Bendigo, and Geelong shall be defined by the Chief Commissioner, who may at any time and from time to time alter or vary such boundaries as he thinks proper. Boundaries of country centres.
8. (1) Where any member of the Force stationed within the metropolitan area or within the urban or suburban areas of Ballarat, Bendigo, or Geelong, who has been withdrawn from his station for duty within such metropolitan area or urban or

suburban areas is required to work for a consecutive period covering two or more meal hours, and by so doing has incurred out-of-pocket expenses, the Chief Commissioner may, after considering the facts of the case, allow reimbursement of a sum not exceeding the actual amount expended.

(2) Claims for expenses under this Regulation shall be submitted on Form L.2A, and a report setting out particulars of the expenditure should accompany the claim.

Times at which "day" and "night" commence.

9. Under this Chapter, the day shall be reckoned to commence at 6 a.m. and end at midnight, and the night to commence at 12 midnight and end at 6 a.m., but, if unavoidable circumstances necessitate an earlier departure than 6 a.m., the day shall be reckoned as commencing from such starting time, while, should circumstances prevent a return to station until after midnight, the day shall be reckoned as ending at the hour of such arrival on return to station. The daily rate under sub-clauses (d) and (h) of clause 1 of this chapter shall be considered to begin from 6 a.m. of the day following the first night claim, and any period thereafter short of the complete 24 hours shall be charged at the hourly rate. In any claim at the hourly rate a period of half an hour or over may be reckoned as an hour, but no claim shall be allowed for any period less than half an hour.

Expenses not allowed to member at own station.
Sports, &c.

10. In no circumstances shall travelling expenses be paid to any member of the Force doing duty at his own station.

11. No allowances shall be paid under these Regulations for attendance at races, sports, shows, or other duty where suitable board, lodging, refreshment, or money allowance is provided.

Travelling by sea or train.

12. No allowances will be paid to any member of the Force travelling on steam or sailing vessels where the ticket covers food and sleeping accommodation. No claim may be made under paragraphs (c) and (g) of clause 1 of this Chapter by members of the Force travelling by train where a sleeping berth is provided.

Day and night claims.

13. Members of the Force who claim for an absence of eight hours or more extending past midnight cannot also claim for the night.

Cases not provided for by regulations.

14. In cases not provided for in the preceding Regulations of this Chapter, the Chief Commissioner shall inquire into and deal with claims submitted by members of the Force.

Electoral and vermin inspectors.

15. Members of the Force acting as electoral or vermin inspectors shall be allowed travelling expenses under the above scale.

Form of account.

16. All travelling expense claims, other than those referred to in sub-clause (2) of clause 8 of this Chapter, shall be submitted on Form 46.

Claims to be rendered fortnightly.

17. Travelling expense claims shall be forwarded to the Officer in charge of the District fortnightly, and the periods for which they are rendered shall be alternate with the pay periods. For example—If a pay-day is on Saturday the 14th of the month, the period for travelling allowances shall end on Saturday the 21st of the same month, and so on. Claims must be submitted as soon as the period for which they are rendered is completed, and the Officer in charge of the District shall transmit them so that they reach the Chief Commissioner's office not later than the Thursday preceding each pay-day.

Scale for vehicles owned by members of the Force.

18. (1) Members of the Force who use their own motor cars, motor cycles with side-cars, motor cycles, or bicycles, on police duty, shall be allowed to claim for such hire in accordance with the following scale:—

	For the first 5,000 miles in a financial year.	Mileage over 5,000 miles in a financial year.
(a) Motor cars—		
Over 9 horse-power ..	6½d. a mile.	6d. a mile.
9 horse-power and under ..	5½d. a mile	5d. a mile.
(b) Motor cycles with side cars ..	3d. a mile	2½d. a mile.
Motor cycles ..	2½d. a mile	2d. a mile.
(c) Bicycles—	1d. a mile	irrespective of mileage.

(2) In every claim made under this clause in respect of the use of a motor car there shall be inserted the make and horse-power of such car as shown on the certificate of registration thereof.

(3) In the case of sub-districts specified by the Chief Commissioner to be motor cycle sub-districts, members who use their own motor cars or motor cycles with side-cars on police duty shall be allowed to claim for such travelling as is within their motor cycle duties only the rate per mile prescribed for motor cycles.

19. (1) When application is made by any Officer or sub-officer ^{Emergency duty.} for the services of a constable for emergency work, such as duty at summer resorts or at country stations during the period of harvest, the length of time for which the constable will be required must be definitely stated.

(2) The period of absence will be considered as "temporary duty" up to one month, but immediately on the expiration of one month of continuous duty such member must be temporarily transferred to the station or District where he is performing duty. When a member is sent to open a temporary station where accommodation is provided by the Department, he must be transferred as from the date of commencing duty at the temporary station.

(3) Subject to the provisions of this Chapter, travelling expenses may be claimed for periods of temporary duty not exceeding one month, but will cease when the member has been temporarily transferred.

(4) The following conditions are to be observed where the services of members are required for emergency duty:—

(a) Single constables are to be selected for emergency or relieving duty when possible, except when a married constable asks to be appointed.

(b) Members doing emergency duty are not to be retained at stations or in Districts longer than the period originally stated unless exceptional circumstances arise, such as extension of sick leave, &c.

(c) If it is necessary to extend the original period, the approval of the Officer in charge of the District to which the relieving constable is attached must be obtained, and after the expiration of one month the member concerned is to be temporarily transferred.

CHAPTER 21.

PROMOTIONS.

1. In this Chapter, unless inconsistent with the context or Definitions, subject-matter—

"Inspector" includes Chief Inspector.

"Police Examinations Board" means the Board of Examiners appointed under clause 2 of this Chapter.

"Schedule" means schedule to this Chapter.

"Superintendent" includes Inspecting Superintendent.

2. For the purpose of conducting theoretical examinations there shall be a Board of Examiners appointed by the Governor in Council consisting of three persons as follows:—

A Police Magistrate (who shall be Chairman);

An Inspector of the Education Department; and

An Officer of Police.

3. Except as hereinafter provided members shall not apply either directly or indirectly for promotion, nor use or solicit political or other influence to obtain it. ^{Members not to apply for promotion.}

4. The claims of any member to promotion shall be considered with due regard to his past career, character, personality, attainments, diligence, energy, conduct, discretion and fitness to bear the responsibilities of the higher rank. ^{Qualifications.}

5. No member shall be recommended for promotion to any rank until he has passed the theoretical examination qualifying him for such promotion. ^{Eligibility.}

6. On 1st May in each year the Officer in charge of each District shall submit to the Chief Commissioner a list containing the names of all members in the District who are recommended for promotion. ^{Recommendations to be submitted annually.}

to the various ranks and grades in the Force for the year commencing 1st July following. Such list shall be prepared having regard to clause 4 of this Chapter.

Member who has not passed practical examination.

7. The fact that any member has not passed the practical examination shall not be a bar to the consideration of his claims to be included in the list of recommendations for promotions.

List of recommendations to be published in Police Gazette.

8. The Chief Commissioner shall, on receipt of the lists of members recommended for promotion, forthwith cause it to be published in the *Police Gazette*, and any member who feels aggrieved by the omission of his name from any such list may, within fourteen days from the date of such publication, by writing forwarded through the usual official channels to the Chief Commissioner, appeal to a Board constituted as hereinafter provided.

Appeal.

Appeal Board.

9. To consider appeals by members, pursuant to clause 8 of this Chapter, a Board to be called the "Appeal Board" shall be constituted, and shall consist of one Superintendent of Police appointed annually by the Governor in Council, one Superintendent of Police appointed annually by the Chief Commissioner, and one Officer of Police above the rank of sub-inspector, elected by members of the Force below the rank of sub-inspector, as hereinafter provided. The senior superintendent appointed or elected as aforesaid shall be the chairman of the Board.

Appeals to be forwarded to Board by Chief Commissioner.

10. All appeals lodged with the Chief Commissioner, pursuant to clause 8 of this Chapter, shall be forwarded by him to the chairman of the Appeal Board.

Duties of Appeal Board.

11. The Appeal Board shall within one month after receipt thereof consider each such appeal, and may either refer the name of any appellant who, in the opinion of the Board, has claims to inclusion in the list to the Police Promotions Board (constituted as hereinafter referred to) for consideration, or may dismiss the appeal; and the decision of the Appeal Board shall be final. The decision of a majority of members of the Appeal Board shall be the decision of the Board.

Appellants to be notified of result of appeal.

12. When all appeals have been considered by the Appeal Board, the chairman of such Board shall send a notification in writing to each appellant setting out the result of his appeal.

Constitution of Police Promotions Board.

13. (1) To consider the claims of members whose names appear in the said promotion lists after all appeals, pursuant to clause 8 of this Chapter, have been determined, a Board to be called the "Police Promotions Board" shall be constituted, and shall consist of the Chief Commissioner (who shall be chairman) and two other members. One of such members shall be the Officer who recommended the member of the Force concerned for promotion, and the other shall be an Officer above the rank of sub-inspector, elected by constables and sub-officers of the Force as hereinafter provided. In any case in which the member of the Board who has been elected by members of the Force is also the Officer who recommended the candidate for promotion, the third member of the Board shall be a member of the Appeal Board nominated by the Chief Commissioner.

(2) If for any reason the Officer who recommended a member of the Force for promotion is unable to act as a member of the Police Promotions Board, the third member of the Board shall be an Officer above the rank of sub-inspector nominated by the Chief Commissioner.

Power of Chief Commissioner to nominate member of Board.

14. Where a member of the Police Promotions Board is the Officer in charge of a District who has not recommended a member of the Force for promotion, and such member by appeal has had his name referred to the Police Promotions Board for consideration, such Officer shall not sit on such Board when dealing with that particular case, but his place thereon during the consideration of such case shall be taken by a member of the Appeal Board nominated by the Chief Commissioner.

Meetings.

15. The Police Promotions Board shall meet when required by the Chief Commissioner.

Duties of Promotion Board.

16. The Police Promotions Board shall consider the claims of all members recommended for promotion as aforesaid, and may disallow any such recommendation, and remove from the list the name or names of the member or members of the Force concerned. The decision of the said Board shall be final in every case.

17. The Police Promotions Board shall prepare from the lists submitted to it, pursuant to clause 13 of this Chapter, a list of members recommended by it for promotion, and submit it to the Chief Commissioner, who shall cause it to be published in the *Police Gazette*. List to be submitted to Chief Commissioner.

18. Where under clause 16 of this Chapter the Board disallows any recommendation and removes any name from the list, the chairman of the Board shall forthwith, in writing, notify each member concerned of such action. Member to be notified if name removed.

19. Save as hereinafter expressly provided, a member of the Force shall, in order to become eligible for promotion, qualify in both the theoretical and practical examinations prescribed by these Regulations, but nothing herein contained shall prevent a member who has previously qualified again presenting himself at any subsequent examination with a view of obtaining a higher position on the promotion list. Recommended candidates must pass examination before promotion.

20. Theoretical examinations as follows shall be held annually:— Theoretical examinations.
 (a) For the first promotion of constable;
 (b) For promotion of senior constable to Officer.

21. The dates of such examinations shall be fixed by the Chief Commissioner and notified in the *Police Gazette*. Dates to be notified.

22. No member shall be permitted to present himself at the theoretical examination for the first promotion of a constable until he has served at least four years in the Force. Service before examination.

23. No member shall be permitted to present himself at the theoretical examination for promotion from the rank of senior constable to that of Officer until he has served ten years in the Force. Senior constable to officer.

24. Unless otherwise specially provided, no member shall be promoted to any rank or grade below the rank of inspector until he has passed a practical examination qualifying him for such rank or grade. Practical examination before promotion.

25. No member shall be permitted to present himself for practical examination for any rank or grade until he has passed the theoretical examination for such rank or grade and has reached the rank or grade next below that for which he is a candidate: Theoretical examination before practical examination.

Provided that where there are not sufficient qualified members in the next lowest rank or grade to fill all vacancies, the Chief Commissioner may permit qualified members in a lower rank or grade to present themselves for practical examination.

26. A member desiring to present himself for any of the examinations shall apply in writing through the usual official channels to the Chief Commissioner. Applications to attend examinations.

27. The Police Examinations Board shall conduct examinations as prescribed by clause 20 of this Chapter, in accordance with a syllabus as prescribed by the Chief Commissioner, and after each such examination shall forward to the Chief Commissioner a list showing the names of candidates who have passed arranged in order of merit, and the total number and percentage of marks obtained by each. List of candidates who pass to be forwarded to Chief Commissioner.

28. To conduct practical examinations a Board to be called the "Practical Examinations Board" shall be constituted, and shall consist of three members, two of whom shall be Officers of Police, to be appointed annually by the Chief Commissioner. The third member shall be a barrister and solicitor of the Supreme Court, and shall be appointed by the Governor in Council. Constitution of Practical Examinations Board.

29. The senior Officer of police shall be the chairman of the Board, the decision of the majority of which shall be the decision of the Board. Chairman.

30. Practical examinations shall be held at such date, time, and place as are fixed by the Chief Commissioner. Dates of examinations.

31. Examinations by the Practical Examinations Board shall be conducted in such manner as will, in the opinion of the Board, test the knowledge of candidates in the duties of and their suitability for the rank or grade to which promotion is sought. Conduct of examinations.

Questions. 32. Without affecting the generality of the last preceding clause, the Practical Examinations Board may at any such examination, if it deems fit, put oral questions or set written exercises dealing with practical police problems, the conduct of cases in court, and such other matters dealing with practical police duties as it considers necessary.

Qualifications. 33. The Practical Examinations Board in conducting its examinations shall have due regard to the personality and demeanour of candidates, and to their suitability for higher rank.

List of candidates who pass to be forwarded to Chief Commissioner. 34. At the conclusion of the practical examinations the said Board shall forward to the Chief Commissioner a list showing the names of candidates who passed, arranged in order of merit, and the total number and percentage of marks obtained by each.

Allocation of marks. 35. Marks shall be allotted to both theoretical and practical examinations by the Police Examinations Board and the Practical Examinations Board respectively, and any candidate who obtains in each subject of such examinations at least 60 per cent. of the number of marks allotted to such subject shall be deemed to have passed:

Provided that where a candidate in any theoretical subject other than Law and English obtains at least 50 per cent. of the marks allotted to that subject and obtains in the aggregate 60 per cent. of the total marks allotted at such examination the Examining Board may in its discretion include the name of such candidate in the list of those who have qualified as passing the examination:

Provided further that any candidate whose name does not appear on the list of those who have qualified as passing the theoretical examination, but who at such examination has obtained not less than 60 per cent. of the number of marks allotted for Law and English (such latter subject excluding dictation) may sit at a subsequent theoretical examination for those subjects in which he has failed to obtain at least 60 per cent. of the number of marks allotted, and, if at such subsequent examination he obtains at least 60 per cent. of the number of marks allotted to each such subject, he shall be deemed to have passed such last-mentioned examination and for the purposes of clauses 36 and 37 of this Chapter to have obtained at least 60 per cent. but less than 75 per cent. of the aggregate number of marks allotted at the theoretical examination.

Order of promotion of candidates obtaining credit passes. 36. The names of candidates who—
 (a) have passed the theoretical examination;
 (b) have passed the practical examination;
 (c) have obtained 75 per cent. or more of the aggregate number of marks allotted in each of the examinations; and
 (d) whose names appear on the list of recommendations for promotion finally approved by the Promotions Board—

shall be included in order of seniority in the Promotion List for promotion to the next higher rank or grade. Such candidates shall receive priority of promotion over all other candidates and in the relative order in which their names appear on the list.

Order of promotion of candidates who pass. 37. The names of candidates who—
 (a) have passed the theoretical examination;
 (b) have passed the practical examination;
 (c) have obtained at least 60 per cent. and less than 75 per cent. of the aggregate number of marks allotted in each of the examinations; and
 (d) whose names appear on the list of recommendations for promotion finally approved by the Promotions Board—

shall be placed on the Promotion List below the names of those candidates referred to in clause 36 of this Chapter. The order in which such names shall appear on the said list shall be determined by the relative seniority of such members, who shall receive promotion in such order: Provided that any candidate whose name appears on the promotion list for promotion from the rank of constable to that of first constable by virtue of this clause shall not be entitled to receive such promotion until he has served six years in the Force.

38. (1) Any member who, prior to 30th May, 1930, had by examination qualified for the rank of sergeant or officer shall be deemed to have passed the theoretical examination, and shall be credited with the percentage of marks obtained by him at the examination which he passed; but before becoming eligible for promotion to any rank or grade he shall be required to pass a practical examination in accordance with these Regulations and, in addition, must be recommended for promotion in the approved list of recommendations for promotion. The order in which the name of any such member shall appear on the Promotion List shall be determined in accordance with clauses 36 and 37 of this Chapter.

Concession to members who passed examinations prior to 30th May, 1930.

(2) Notwithstanding anything in these Regulations any member who, prior to 30th May, 1930, had passed any practical or theoretical examination prescribed by the Regulations for the time being governing the promotion of members shall be deemed to have passed the relative practical or theoretical examination (as the case may be) prescribed by these Regulations, and shall be credited with the percentage of marks obtained by him at the examination which he passed. The order in which the name of any such member shall appear on the Promotion List shall be determined in accordance with clauses 36 and 37 of this Chapter.

39. Notwithstanding anything in these Regulations, any member who, prior to 31st May, 1940, has passed the theoretical examination for promotion of sergeant to sub-inspector shall be deemed to have passed the theoretical examination for promotion of senior constable to officer, and to have obtained at such last-mentioned examination the number of marks obtained by him at such first-mentioned examination.

Concession to certain other members.

40. If any member named in the list of recommendations for promotion approved by the Police Promotions Board has, in the opinion of the Chief Commissioner, since become unfitted for promotion, the Chief Commissioner shall, before recommending him for promotion to any vacancy and before such vacancy is filled, call a meeting of the said Board to consider the altered circumstances. If the Board decides that his name should be removed from the list, notification thereof shall be published in the *Police Gazette*, whereupon the list already published shall be deemed to be amended accordingly.

Removal of name from promotion list.

41. If any member named in the list of recommendations for promotion approved by the Police Promotions Board has since become unable to accept promotion, he shall notify the Chief Commissioner in writing to that effect, and his name shall forthwith be removed from the list.

Member unable to accept promotion to notify Chief Commissioner.

42. When a vacancy occurs in the rank of sub-inspector, sergeant first class, sergeant second class or senior constable, such vacancy shall only be filled by the appointment of a member who is in the rank or grade next below that in which the vacancy occurs. But where there are not sufficient qualified men in such lower rank or grade to fill all vacancies, appointments may so far as necessary be made from qualified men in a lower rank or grade.

Filling of vacancies.

43. A constable shall not be eligible for promotion to the rank of first constable until he has completed five years' service in the Force.

Eligibility of constable for promotion.

44. A first constable shall not be eligible for promotion to the rank of senior constable until he has completed ten years' service in the Force.

Eligibility of first constable.

45. (1) Notwithstanding anything in these Regulations, the Chief Commissioner, where in his opinion specially meritorious service has been rendered by any member of the Force, may appoint such member to the rank of first constable or senior constable, and may recommend such member to the Governor in Council for promotion to the rank of sergeant second class, sergeant first class or sub-inspector without regard to the fact that such member has or has not previously passed any examination. But where any member so promoted has not previously passed the prescribed qualifying examinations, he shall hold brevet rank only until he passes such examinations. The seniority in rank or grade of any such member shall date from the day on which he is appointed to the substantive rank.

Special promotions.

(2) Notwithstanding anything in these Regulations any constable who has served for a period of seven years as a police wireless operator and who—

- (a) has passed the prescribed theoretical examination;
- (b) has obtained 75 per cent. or more of the aggregate number of marks allotted for such examination;
- (c) has obtained a first-class wireless operator's certificate of proficiency issued by the Postmaster-General's Department; and
- (d) is recommended for promotion in the list finally approved by the Promotions Board—

may be promoted to the rank of first constable although he has not passed the prescribed practical examination. But before any first constable so appointed becomes eligible for further promotion, he must pass the prescribed theoretical and practical examinations.

(3) Notwithstanding anything in these Regulations for the purpose of improving the efficiency and organization of the police—women members of the Force the Chief Commissioner may appoint from policewomen who have served in the Force for not less than five years such first constables and senior constables as he thinks necessary. To enable policewomen to qualify for promotion to the rank of first constable and senior constable, practical examinations shall be held at such times as the Chief Commissioner directs and clauses 26 and 28 to 35 of this Chapter (with any necessary modifications and alterations) shall apply thereto.

Member not promoted during year to be considered for following year.

46. Any member whose name has by virtue of this Chapter been included in the approved list of recommendations for promotion, but who has not been promoted prior to the 30th June next following, shall be considered for promotion with other qualified candidates for the following year.

Qualifications of such members.

47. The provisions of this Chapter as to recommendation by the Officer in charge of a District, appeal and final approval by the Police Promotions Board, shall apply in all respects to any such member as if his name had not previously been included in the promotion list.

Publication of names of successful candidates.

48. The Chief Commissioner shall after each examination cause the names of successful candidates and the number of marks respectively gained by them to be published in order of merit in the *Police Gazette*.

Promotion of officers.

49. The Chief Commissioner may at any time submit to the Governor in Council recommendations for the promotion of eligible Officers to the rank of inspector, chief inspector or superintendent; but, where it is his intention so to recommend an Officer who is junior in rank to any sub-inspector, inspector or chief inspector then serving, the Chief Commissioner shall, at least 14 days before making such recommendation, give notice in writing of his intention by prepaid letter forwarded to each such sub-inspector, inspector or chief inspector, who may, in manner hereinafter provided, appeal against such recommendation to the Selection Board.

Appeal.

Selection Board.

50. To determine such appeals a Board to be called the "Selection Board" shall be constituted, and shall consist of the Chief Commissioner (who shall be chairman), a superintendent appointed by the Governor in Council, and a superintendent elected by chief inspectors, inspectors, and sub-inspectors, as hereinafter prescribed.

Elections.

51. The Chief Electoral Officer shall be the returning officer to conduct any election of a superintendent to be a member of the Selection Board, or of an Officer above the rank of sub-inspector to be a member of the Police Promotions Board or of the Appeal Board.

Assistant returning officer.

52. Such returning officer may, by writing under his hand, appoint some person or persons to assist him in the posting, receiving, and inspection of the ballot-papers, in the counting of the votes, and generally in the conduct of the election.

53. The returning officer and every person employed to count the votes at any election shall, before entering on any of his duties in connexion with an election, make and sign before some justice of the peace the following declaration:—

Duties of
returning
officer.

I do solemnly declare that I will faithfully and impartially, according to the best of my skill and judgment, exercise and perform all the powers, authorities and duties reposed in or required of me by the Regulations under the *Police Regulation Act 1928* as returning officer (or person employed in counting the votes) for the election of a member of the Selection Board (or of a member of the Appeal Board or Police Promotion Board as the case may be). And I do further solemnly promise and declare that I will not at any such election attempt to ascertain how any person has voted, and that, if in the discharge of my said duties at or concerning any such poll, I learn how any person votes, I will not by word or act directly or indirectly divulge or disclose same.

54. The returning officer shall give at least 28 days' notice, by advertisement published in the *Police Gazette*, of his intention to proceed on a certain day, to be named in such advertisement, to hold any election as aforesaid, and shall in such advertisement name the day of nomination, being a day not less than 14 days prior to the day named for holding such election; on or before which all candidates for election must be nominated as herein-after provided, and also name the time and place when and where such nominations will be received.

Date of
election to be
advertised.

55. Within 7 days after the publication of such advertisement the Chief Commissioner shall forward to the returning officer a list of all chief inspectors, inspectors, and sub-inspectors then serving who are eligible to vote for the election of a member of the Selection Board or (as the case requires) a list of all constables and sub-officers then serving who are eligible to vote for the election of a member of the Police Promotions Board or the Appeal Board, together with the correct address of each.

Names of
members
eligible to
vote to be
forwarded to
the returning
officer.

56. In order that any superintendent may be duly nominated for the Selection Board, there shall be lodged or delivered by post, addressed to the returning officer at the place appointed, before 4 o'clock in the afternoon on the day of nomination, a nomination paper in accordance with Form 1 in the Schedule, signed by not less than three chief inspectors, inspectors or sub-inspectors and by the candidate.

Nominations.

57. If on the expiration of the time prescribed for nomination for election to the office of representative of chief inspectors, inspectors, and sub-inspectors on the Selection Board no superintendent is nominated, the Governor in Council may appoint a member without previous election to fill such office, and the member so appointed shall for all purposes be deemed to have been appointed as if properly elected to such Selection Board.

Procedure
when no
candidate
nominated.

58. If only one superintendent is duly nominated, the returning officer shall declare such person to have been duly elected a member of the Selection Board, to date from the day appointed for holding the election, and shall notify that fact by advertisement published in the *Police Gazette*; but if more than one person is duly nominated a poll shall be taken, and the returning officer shall forthwith cause ballot-papers to be printed in accordance with Form 2 in the Schedule, and shall sign or initial each paper. One of such ballot-papers, together with an unfastened envelope addressed to the returning officer, shall be forwarded by post in a secured envelope to each chief inspector, inspector or sub-inspector whose name appears on the list of electors aforesaid.

Procedure
when one
or more
candidates
are
nominated.

59. The voter after having recorded his vote thereon shall enclose such ballot-paper in the envelope furnished to him, and shall seal, stamp, and post or deliver the same so that it shall be received by the returning officer before noon of the day fixed for holding such election. Any ballot-paper which is not contained in such envelope or in which the directions in Form 2 in the Schedule have not been complied with, shall not be counted

Ballot-papers.

in making up the poll. The decision of the returning officer as to the validity or invalidity of a ballot-paper shall be final.

Scrutineers. 60. Each candidate shall be entitled to appoint, in writing, one scrutineer to be present when the returning officer opens the envelopes containing the ballot-papers on the day of holding the election. Every scrutineer shall before he acts as such make and sign before the returning officer or his substitute a declaration to the effect of that contained in clause 53 of this Chapter.

Counting of votes. 61. The returning officer shall, as soon as practicable after the hour fixed for receiving ballot-papers, proceed in the presence of any scrutineers appointed as aforesaid to open the envelopes with his address printed thereon which have been returned to him, and shall count the votes received, and may from time to time adjourn the counting to a day and hour to be fixed by him.

Returning officer to declare successful candidate elected. 62. Where there are only two candidates, the returning officer shall proceed to ascertain the number of votes cast for each candidate, rejecting all invalid ballot-papers, and shall declare the candidate who receives a majority of the votes to be duly elected; but if the same number of votes is cast for each candidate, the returning officer shall give a casting vote.

Preferential voting. 63. Where there are more than two candidates, the returning officer shall deal with the ballot-papers in accordance with the provisions of the law for the time being relating to preferential voting at elections for the Legislative Assembly so far as applicable, *mutatis mutandis*, to a poll under this Chapter.

Name of successful candidate to be published in Police Gazette. 64. Forthwith after the completion of the count, the returning officer shall publish in the *Police Gazette* the name of the superintendent who has been elected. Such notice shall be conclusive evidence of the result of the election.

Destruction of ballot-papers. 65. The returning officer shall, not less than seven days after the publication in the *Police Gazette* of the result of the election, cause all ballot-papers received by him to be destroyed.

Elected member to hold office for three years. 66. The elected member of the Selection Board, the Police Promotions Board, and the Appeal Board respectively shall hold office for three years from the date of his election if he so long continues a member of the Force. Any vacancy on any such Board, howsoever occurring, shall be filled in the prescribed manner within six weeks from the occurrence of such vacancy. Except that where a vacancy in any office which is filled by election occurs within three months before the effluxion of time, the election to fill such vacancy may be held after such effluxion of time. A member of any such Board elected to fill a vacancy other than a vacancy due to effluxion of time shall hold office so long as the member in whose place he was elected would have held office had he continued in office, and no longer.

Appeals. 67. Appeals made in pursuance of clause 49 of this Chapter shall be in writing, and shall be lodged with the Chief Commissioner within fourteen days of the date of posting of the notification referred to in the said clause.

Determination of appeals. 68. The Selection Board shall hear and, after carefully considering the claims of each appellant, determine all appeals submitted and properly presented to it. For such purposes the Board may test the capacity of appellants by oral questions, written exercises dealing with practical police problems, or such other means as to the said Board seems necessary.

Decision to be forwarded to Chief Commissioner. 69. The Selection Board, after having determined all appeals before it, shall submit its decision in the form of a recommendation to the Chief Commissioner.

Appellant to be notified. 70. Each appellant shall be notified in writing of the decision of the Selection Board, and the Chief Commissioner shall consider such decision before making his final recommendation to the Governor in Council.

Elections for Promotions Board and Appeal Board. 71. The provisions of clauses 55 to 65 of this Chapter with respect to the election of a member of the Selection Board shall apply to the election of a member of the Police Promotions Board and Appeal Board respectively, subject to such modifications as are necessary, including modifications to the effect that the nomination paper of any candidate at any such election may be

signed by any three constables or sub-officers, and that the nomination paper to be used shall be in accordance with Form 3 in the Schedule.

72. Notwithstanding anything in these Regulations, the Governor in Council may at any time remove from the Board any member of the Force appointed or elected to be a member of the Police Examinations Board, the Practical Examinations Board, the Police Promotions Board, the Selection Board, or the Appeal Board.

Removal of
members of
Board.

73. Notwithstanding anything in these Regulations, the Chief Commissioner may appoint any constable to the rank of first constable, without regard to the fact that he has or has not passed any qualifying examination, if he has completed ten years' service and has been recommended for such appointment by the Officer in charge of the District in which he is serving.

Promotions to
rank of first
constable.

74. If the Chief Commissioner proposes, by recommendation to the Governor in Council, to depart from the order of the Promotion List as determined by these Regulations, he shall, when submitting such recommendation, furnish a report to the Chief Secretary, giving the reasons for such recommendation.

Departure
from order of
list for
promotion to
rank of
sergeant or
officer to be
reported to
Chief
Secretary.

75. When the Chief Commissioner, in promoting any constable or first constable, departs from the order in which his name appears in the Promotion List as determined by these Regulations he shall forthwith furnish a report to the Chief Secretary giving his reasons for such promotion.

First
constable
or senior
constable.

SCHEDULE.

FORM 1.

Form of Nomination.

We, the undersigned inspectors or sub-inspectors of the Police Force, hereby nominate (state Christian name and surname) a superintendent of the Police Force, for the office of member of the Selection Board, under the *Police Regulation Act 1928*, and Regulations made thereunder.

(Here are to follow the signatures.)

A.B., Inspector.

C.D., Sub-Inspector.

(NOTE.—There must be not less than three nominators.)

I, the above-named
such nomination.

hereby consent to

(Signed)

Dated this

day of

, 19

FORM 2.

Ballot-Paper.

Election of a Member of the Selection Board (or the Police Promotions Board or the Appeal Board) under the *Police Regulation Act 1928* and Regulations made thereunder.

(Candidates' names arranged in alphabetical order of surnames.)

A.B.

C.D.

E.F.

G.H.

I.J.

K.L.

Directions.

The voter must place the figure 1 opposite the name of the candidate whom the voter wishes to be elected. The voter must then place opposite the name of each of the remaining candidates the figures 2, 3, 4 (and so on as the case requires) to indicate the order of the voter's preference for each such candidate.

After marking the ballot-paper, the voter must enclose it in the accompanying printed envelope and must then seal and stamp and post or deliver such envelope to the address of the returning officer in time to reach him before noon on the day of , 19

FORM 3.

Form of Nomination.

We, the undersigned members of the Police Force, hereby nominate
(state Christian name and surname)
an officer of police above the rank of sub-inspector of
for the office of Member of the Police Promotions Board (or the Appeal
Board) under the *Police Regulation Act 1928*, and Regulations made
thereunder.

(Here are to follow the signatures.)

A.B., Sergeant of Police.

C.D., Constable.

(NOTE.—There must be not less than three nominators.)

I, the above-named (state rank) hereby consent
to such nomination.

(Signed)

Dated this day of , 19 .

And the Honorable William Slater, His Majesty's Chief
Secretary for the State of Victoria, shall give the necessary
directions herein accordingly.

C. W. KINSMAN,

Clerk of the Executive Council.



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 351]

TUESDAY, AUGUST 12.

[1947

Factories and Shops Acts.

DETERMINATION OF THE TINSMITHS BOARD.

NOTE.—(1) This Determination applies to the whole of the State of Victoria.

NOTE.—(2) Sheet Metal.—First Class Bench Work was proclaimed on 24th May, 1938, as an Apprenticeship Trade under the *Apprenticeship Act 1928*, for the Metropolitan District.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, Melbourne (price 3d.).

NOTE.—(3) On the 7th February, 1938, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person employed in the process, trade, or business of metal polishing, and such power was conferred exclusively on the Electroplaters Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 7th February, 1938, has had the power to determine the lowest prices or rates which may be paid to any persons or classes of persons employed in the process trade or business of preparing or manufacturing articles made of tin plate or other metal, 10 gauge or lighter, including the japanning of such articles, but not including persons cutting patterns of boots, shoes, and slippers, or persons employed in the process trade or business of metal polishing, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 8th May, 1947, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES.

Adults.	Per Week of 44 Hours—		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
(a) Sheet Metal Section.			
Sheet metal worker (1st class)	7 12 0	7 18 6	7 9 0
Sheet metal worker (2nd class)	6 18 0	7 4 6	6 15 0
Spinner (1st class)	7 2 0	7 8 6	6 19 0
Spinner other	6 7 0	6 13 6	6 4 0
Die setter	6 7 0	6 13 6	6 4 0
Die setter—press operator working from blue prints or plans	6 18 0	7 4 6	6 15 0
Press operator (heavy)	6 5 0	6 11 6	6 2 0
Press operator (light)	6 3 0	6 9 6	6 0 0
Solderer and dipper	6 5 0	6 11 6	6 2 0
Drop hammer stamper	6 5 0	6 11 6	6 2 0
Guillotine operator (as defined)	6 18 0	7 4 6	6 15 0
Guillotine operator (other)	6 3 0	6 9 6	6 0 0
Guttering machinist	6 3 0	6 9 6	6 0 0
Power machinist (not otherwise specified)	6 3 0	6 9 6	6 0 0
(b) Welding Division.			
Welder—			
1st class, other than when using Cutler machine	7 15 0	8 1 6	7 12 0
1st class, using Cutler machine	7 0 0	7 6 6	6 17 0
2nd class	6 9 0	6 15 6	6 6 0
3rd class	6 5 0	6 11 6	6 2 0
Tack welder	6 7 0	6 13 6	6 4 0
(c) Canister-making.			
Die setter and/or machine setter and/or leading press hand	6 7 0	6 13 6	6 4 0
Canister-maker by hand and riveter by hand	6 7 0	6 13 6	6 4 0
Solderer and dipper	6 3 0	6 9 6	6 0 0
Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over	6 7 0	6 13 6	6 4 0
Operator of power capping machines or metal pots on automatic machines	6 5 0	6 11 6	6 2 0
Operator of other power presses and other power machines	6 3 0	6 9 6	6 0 0
Cap solderer (not otherwise classified)	6 3 0	6 9 6	6 0 0

WAGES—continued.

Adults.	Per Week of 44 Hours—		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
<i>(d) Galvanizing.</i>			
Galvanizer	6 14 0	7 0 6	6 11 0
Tinner and grease tinner	6 14 0	7 0 6	6 11 0
Assistant working over metal pot	6 5 0	6 11 6	6 2 0
Pickler	6 4 0	6 10 6	6 1 0
All others in this Division	6 0 0	6 6 6	5 17 0
<i>(e) Painting and Japanning.</i>			
Artistic japanner and goldworker	6 18 0	7 4 6	6 15 0
Spray operator	6 7 0	6 13 6	6 4 0
Grainer, liner, and filliter	6 3 0	6 9 6	6 0 0
Painter and lacquerer	6 3 0	6 9 6	6 0 0
Dipper	6 3 0	6 9 6	6 0 0
<i>(f) Porcelain Enamelling.</i>			
Fuser	6 13 0	6 19 6	6 10 0
Fuser on medallions, badges, or buckles	6 3 0	6 9 6	6 0 0
Inspector—1st class (i.e., one who inspects finished enamel work as to quality)	6 4 0	6 10 6	6 1 0
Inspector (other)	6 1 0	6 7 6	5 18 0
Mill hand and mixer	6 4 0	6 10 6	6 1 0
Packer and despatcher	6 4 0	6 10 6	6 1 0
Pickler	6 4 0	6 10 6	6 1 0
Rackman	5 19 0	6 5 6	5 16 0
Sand and shot blaster	6 17 0	7 3 6	6 14 0
Sprayer	6 5 0	6 11 6	6 2 0
Swiller, gripper, and brusher	6 3 0	6 9 6	6 0 0
Employee not elsewhere classified in any Division	5 10 0	5 16 6	5 7 0
<i>(g) General.</i>			
Process worker	6 3 0	6 9 6	6 0 0
*Storeman and/or packer (tool and/or material store)	6 4 0	6 10 6	6 1 0

* Nothing in this classification shall require or permit the payment by an employer of any rates of ordinary wages lower than those paid or purporting to have been paid to storemen and packers by that employer pursuant to any Wages Board Determination when such rates were paid immediately prior to the 1st August, 1944.

Leading Hands.

Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty employees, 12s. per week extra; more than twenty employees, 18s. per week extra.

Ship Repairing.

Employees engaged on ship repairs shall be paid the following additional margins:—

	s.	d.
Tradesmen	3	0 per week.
All other labour	2	0 per week.

APPRENTICESHIP.

3. (Other than those covered by the Apprenticeship Commission.)

Apprenticeship Trades.

(a) An employer shall not employ minors in the following trade or occupation otherwise than under a contract of apprenticeship as hereinafter provided:—

Sheet-metal worker—1st class.

Period of Apprenticeship.

(b) If the apprentice when indentured is under the age of seventeen years—five years; if over the age of seventeen years—four or five years, at the option of the contracting parties.

Contract of Apprenticeship.

(c) Every contract of apprenticeship hereinafter made shall contain—

- (i) the names of the parties;
- (ii) the date of birth of the apprentice;
- (iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
- (iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
- (v) the date at which the apprenticeship is to commence or from which it is to be calculated;
- (vi) all other conditions of apprenticeship.

Cancellation or Suspension of Indenture.

(d) Subject to the approval of the Secretary for Labour, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if, in the opinion of the Secretary for Labour, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Instruction in Welding.

(e) The training of apprentices to sheet-metal work shall include instruction in electric welding and/or oxy-acetylene welding as far as is practicable with the facilities available in the shop in which they are trained.

Proportion.

(f) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed.

Subject to this sub-clause the proportion of apprentices who may be taken by an employer shall not exceed one apprentice to every three or fraction of three tradesmen in the trade concerned.

In the trade of—

Welder—1st class ;

the proportion of apprentices who may be taken by an employer shall not exceed one apprentice for every two or fraction of two tradesmen in the trade concerned.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and, in ascertaining such proportion, an employer actually working in any workshop shall be deemed to be a tradesman.

A person who is for a term not exceeding two years taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

Adult Apprentices.

(g) Any apprentice who cannot complete his full term of apprenticeship before reaching his twenty-second birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

Probationary Period.

(h) Minors may be taken on probation for three months and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

Wages.

(i) The minimum weekly rates of wages for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

The total wage of apprentices shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(j) WAGES PER WEEK OF 44 HOURS.

				Total Wage Payable—		
				Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.			
<i>Four and Five-year Terms.</i>						
	Per Week.	Per Week.	Per Week.			
1st year	22½	s. d.	s. d.	£ s. d.	£ s. d.	£ s. d.
2nd year	30	1 0	1 0	1 3 6	1 5 0	1 3 0
3rd year	45	1 6	1 6	1 12 6	1 14 0	1 11 6
4th year	75	2 0	2 3	2 8 6	2 11 6	2 7 0
5th year	95	2 0	3 0	4 0 0	4 5 0	3 17 6
				5 1 0	5 7 0	4 18 0
<i>Four-year Terms.—Apprentices commencing after the Age of 17 Years.</i>						
1st year	26	..	0 9	1 7 0	1 8 6	1 6 0
2nd year	45	1 0	1 6	2 8 0	2 11 0	2 6 6
3rd year	75	2 0	2 3	4 0 0	4 5 0	3 17 6
4th year	95	2 0	3 0	5 1 0	5 7 0	4 18 0

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

(k) The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

Overtime and Shift Work.

(l) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he so desires.

No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, Determination or regulation applicable to him.

Payment by Results.

(m) An apprentice shall not work under any system of payment by results.

Lost Time.

(n) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(o) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Attendance at Technical Schools.

(p) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

Annual and Sick Leave.

(q) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 15 and 16 hereof respectively.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (a) Subject to the exception hereinafter provided, the minimum rates of wages for adult and junior females and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be as follows:—

WAGES PER WEEK OF 44 HOURS.

	Percentage of Needs Basic Wage.	Constant Loading.	Total Wage Payable—		
			Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
		s. d.	£ s. d.	£ s. d.	£ s. d.
<i>I.—Adult Females.</i>					
Under three months' experience	65	3 0	3 8 6	3 13 0	3 6 6
All others	75	3 0	3 18 6	4 3 6	3 16 6
<i>II.—Junior Females.</i>					
17 years of age and under	40	1 0	2 1 6	2 4 0	2 0 0
18 years of age	47½	1 3	2 9 0	2 12 6	2 8 0
19 years of age	55	1 6	2 17 0	3 0 6	2 15 6
20 years of age	62½	2 0	3 5 0	3 9 0	3 3 0
<i>III.—Male Junior Labour.</i>					
Under 16 years of age	25	0 6	1 5 6	1 7 6	1 5 0
16 years of age	35	0 9	1 16 0	1 18 6	1 15 0
17 years of age	47½	1 0	2 9 0	2 12 0	2 7 6
18 years of age	60	1 0	3 1 6	3 5 6	3 0 0
19 years of age	75	2 0	3 17 6	4 2 6	3 15 6
20 years of age	90	2 0	4 13 0	4 18 6	4 10 0

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s.

The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee.

Provided that this sub-clause shall not operate to reduce the rates paid to any female employee as from the beginning of the first pay period to commence in August, 1942.

Prohibited Occupations.

(b) Junior employees shall not be employed:—

- (i) If under the age of 16 years—
using electric arc or oxy-acetylene blow pipe; or
- (ii) If under 18 years of age—
die setting on power presses, or as operators of power driven guillotines.

SPECIAL RATES.

5. In addition to the wages prescribed in clauses 2, 3, and 4 hereof, the following special rates and allowances shall be paid to employees including apprentices and unapprenticed juniors:—

Boiling-down Works.

(a) Working in boiling-down works—1d. per hour extra.

Cold Places.

(b) Working for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

Confined Spaces.

(c) Working in confined space (as defined), 3d. per hour extra.

Dirty Work.

(d) Work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day in which case it shall be given during the next working day), or else the said allowance shall be paid.

In any case where an organization alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it shall have the right to bring such case before the Wages Board.

Hot Places.

(e) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

Lead Works.

- (f) Working in lead works—1d. per hour extra.

Meat Digestors and Oil Tanks.

- (g) Working on repairs in oil tanks or meat digestors—1½d. per hour extra. Provided that if any employee is so engaged for more than half of one day or shift he shall be paid the prescribed allowance for the whole day or shift.

Sanitary Works.

- (h) Working in sanitary works—1d. per hour extra.

Slag Wool.

- (i) Employees handling loose slag wool, loose insul wool or other loose material of a like nature used for providing insulation against heat, cold or noise, shall when so employed on ship construction or ship repairing or on the construction, repair or demolition of furnaces, walls, floors and/or ceilings be paid 4d. per hour extra.

Slaughtering Yards.

- (j) Working in slaughtering yards—1d. per hour extra.

War Damaged Ships.

- (k) All employees engaged in the cutting and removal of torn, twisted, and displaced structural materials from vessels which have been damaged by bomb, mine, shell, or torpedo shall be paid extra rates as follows :—

- (i) where such damaged structural materials are covered in oil residue and/or other unusually obnoxious substances, and there is a risk of such materials falling, or there are difficulties in the way of securing a safe foothold for working—2d. per hour extra ;
- (ii) where the work is carried out in the presence of explosives or combustible materials under conditions under which there is a risk of fire or explosion—4d. per hour extra ;
- (iii) where as well as working under the conditions specified in paragraph (i) hereof an employee works under those specified in paragraph (ii) hereof—6d. per hour extra.

The question of whether the conditions specified in paragraphs (i) or (ii) hereof or both of them exist in any particular case shall be settled by agreement between the foreman and the workman concerned provided that in cases of disagreement the matter shall be settled as provided in sub-clause (d) hereof in the case of dirty work, and the provisions of that clause shall apply to claims under this sub-clause. In any case in which it is agreed or decided that the specified conditions exist the extra rate prescribed shall be paid for the whole of the time the employees are engaged cutting and removing the materials mentioned.

Wet Places.

- (l) An employee working in any place where his clothing or boots become saturated, whether by water, oil or otherwise, shall be paid 2d. per hour extra : Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable and effective protective clothing and/or footwear : And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

Special Rates not cumulative.

- (m) Where more than one of the disabilities entitling a workman to extra rates exist on the same job, the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

Rates not Subject to Penalty Additions.

- (n) The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

TRAVELLING AND BOARD.

6. (a) An employee who on any day or from day to day is required to work at a job away from his accustomed workshop or depot shall at the direction of his employer present himself for work at such job at the usual starting time ; but for all time reasonably spent in reaching and returning from such job (in excess of the time normally spent in travelling from his home to such workshop or depot and returning) he shall be paid travelling time, and also any fares reasonably incurred in excess of those normally incurred in travelling between his home and such workshop or depot.

An employee who with the approval of his employer uses his own means of transport for travelling to or from outside jobs shall be paid the amount of excess fares which he would have incurred in using public transport unless he has an arrangement with his employer for a regular allowance.

- (b) An employee—

- (i) engaged in one locality to work in another ; or
- (ii) sent from his usual locality to another for employment which can reasonably be regarded as permanent, involving a change of residence, shall be paid travelling time whilst necessarily travelling between such localities, and, for a period not exceeding three months, expenses.

- (c) An employee sent from his usual locality to another (in circumstances other than those prescribed in sub-clause (b) hereof) and required to remain away from his usual place of abode shall be paid travelling time whilst necessarily travelling between such localities, and expenses whilst so absent from his usual locality.

- (d) The rate of pay for travelling time shall be ordinary rates, except on Sundays and holidays, when it shall be time and a half.

- (e) The maximum travelling time to be paid for shall be twelve hours out of every twenty-four hours, or when sleeping berth is provided by the employer for all-night travel, eight hours out of every twenty-four.

- (f) " Expenses " for the purpose of this clause means :—

- (i) All fares reasonably incurred.

For boat travel the fares allowed shall be first-class on coastal boats, and on interstate boats where there is no second-class as distinct from steerage ; and for rail travel, second-class, except where all-night travelling is involved, when they shall be first-class, with sleeping berth where available.

- (ii) Reasonable expenses incurred whilst travelling, including 2s. 6d. for each meal taken.

- (iii) A reasonable allowance to cover the cost incurred for board and lodging.

- (g) A camping allowance of 3s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles or other temporary shelter is necessary ; Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sunday.

- (h) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop ; Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

HOURS OF WORK.

Day Workers.

7. (a) Subject to the exceptions hereinafter provided the ordinary hours of work shall be 44 per week to be worked in five days of 8 hours (Monday to Friday inclusive) and one day (Saturday) of 4 hours; or five days (Monday to Friday inclusive) of 8 hours 48 minutes each continuously except for meal breaks at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday.

In localities where the recognized half-holiday is on a day other than Saturday the day so recognized may be substituted for Saturday for all the purposes of this Determination.

Provided that the spread of hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

Five-days Week.

(b) In any case in which the ordinary week's work of 44 hours can be performed in five days as aforesaid without—

- (i) detriment to the public interest;
- (ii) loss in the value of goods handled or to be handled;
- (iii) reducing the efficiency of production; or
- (iv) reducing the efficacy of the necessary service,

the employer shall on or before the 1st July, 1946, allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid. Any dispute as to whether the ordinary hours of work can in any case or cases be worked in five days without detriment, loss or reduction as aforesaid shall be determined by the Wages Board upon application made by or on behalf of the employees. Upon such an application proof that the working of a five-days week will result in such detriment, loss or reduction as aforesaid shall be upon the employer.

This sub-clause shall not apply to employees engaged on the maintenance and servicing of plant.

It is a condition of the allowing of a five-days week hereunder that if required employees shall comply with the reasonable and lawful orders of the employer as to working overtime, including the working of overtime on Saturday.

SHIFT WORK.

Definitions.

8. (a) For the purposes of this clause:—

- "Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.
- "Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.
- "Night shift" means any shift finishing subsequent to midnight and at or before 8 a.m.
- "Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice.

Hours—Continuous Work Shifts.

(b) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined.

The ordinary hours of such shift workers shall not exceed—

- (i) 8 in any one day; or
- (ii) 48 in any one week; or
- (iii) 88 in 14 consecutive days; or
- (iv) 176 in 28 consecutive days.

Subject to the following conditions such shift workers shall work at such times as the employer may require:—

- (i) A shift shall consist of eight hours, inclusive of crib time.
- (ii) Except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.
- (iii) twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

Hours—Other than Continuous Work.

(c) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 44 in any week to be worked in five shifts of 8 hours 48 minutes, on Monday to Friday inclusive, or five shifts of 8 hours and one shift (Saturday) of 4 hours; or
- (ii) 88 in fourteen consecutive days in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week; or
- (iii) 132 in 21 consecutive days in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the Employer. An employee shall not be required to work for more than six hours without a break for a meal.

Except at regular change over of shifts an employee shall not be required to work more than one shift in each 24 hours.

Rosters.

(d) Shift rosters shall specify the commencing and finishing times of ordinary working hours of the respective shifts.

Variation by Agreement.

(e) The method of working shifts may in any case be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment.

The time of commencing and finishing shifts once having been determined may be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment, or in the absence of agreement by seven days' notice of alteration given by the employer to the employees.

Afternoon or Night Shift Allowances.

(f) Shift workers on continuous work whilst on afternoon or night shifts shall be paid $7\frac{1}{2}$ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

An employee who—

- (i) during a period of engagement on shift works night shift only; or
- (ii) remains on night shift for a longer period than four consecutive weeks; or
- (iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,

shall during such engagement, period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

(fi) The minimum rate to be paid to any shift worker for work performed between midnight on Friday and midnight on Saturday shall be time and a quarter. Such extra rate to be in substitution for and not cumulative upon the shift premiums prescribed in the first and second paragraphs of sub-clause (f) hereof.

Overtime.

(g) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

- (i) if employed on continuous work be paid at the rate of double time; or
- (ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter,

except in each case when the time is worked—

- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time; or.
- (vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 14 (b) hereof.

Provided that when not less than 8 hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

Sundays and Holidays.

(h) Shift workers on continuous work shifts for work done on a rostered shift the major portion of which is performed on a Sunday or holiday shall be paid at the rate of time and a half.

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 11 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate; provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

Junior and Female Employees.

(i) Female shift workers, apprentices or juniors whilst on afternoon or night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. per shift, whichever is the higher.

MIXED FUNCTIONS.

9. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

10. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior the rate for overtime shall be not less than the rate herein prescribed or 1s. 6d. per hour, whichever is the higher.

Except as provided in this sub-clause or sub-clause (b) hereof in computing overtime each day's work shall stand alone.

Rest Period after Overtime.

(b) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(c) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (b) of this clause where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five-days Week.

(d) A day worker on a five-days week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the day previous.

Standing By.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness.

Meal Hours—General.

(f) For work done during meal hours and thereafter until a meal-hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

Meal Hours—Maintenance Employees.

(g) Subject to the provisions of the second part of sub-clause (f) of this clause an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

Crib Time.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-days week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

Tea Money.

(i) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 2s., and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshops who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

Transport of Employees.

(j) When an employee, after having worked overtime, or a shift for which he has not been regularly rostered, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

HOLIDAYS AND SUNDAY WORK.

11. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

By agreement between any employer and his employees, other days may be substituted for the said days or any of them as to such employer's undertaking.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

Provided that where employees are necessarily engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day, work done on holidays shall be paid for at the rate of time and a half for the first eight hours and double time thereafter.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall, on being relieved from duty, be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

(d) Employees, other than on shift, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

EXTRA RATES NOT CUMULATIVE.

12. Extra rates in this Determination, except rates prescribed in clause 5, are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

13. (a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon termination of the employment wages due to an employee shall be paid to him on the day of such termination, or forwarded to him by post on the next working day.

(d) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter hour, with a minimum of a quarter of an hour.

(e) On or prior to pay day, the employer shall state to each employee, in writing, the amount of wages to which he is entitled, the amount of deductions made therefrom, and the net amount being paid to him.

CONTRACT OF EMPLOYMENT.*Weekly Employment.*

14. (a) Except as hereinafter provided, employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any break down in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall except as provided by clause 15 hereof lose his pay for the actual time for such non-attendance.

Casual Employment.

(d) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs.

Late Comers.

(e) Notwithstanding anything elsewhere contained in this Determination an employer may select and utilize for time-keeping purposes any fractional or decimal proportion of an hour (not exceeding a quarter of an hour) and may apply such proportion in the calculation of the working time of employees who without reasonable cause promptly communicated to the employer report for duty after their appointed starting times or cease duty before their appointed finishing times.

An employer who adopts a proportion for the aforesaid purpose shall apply the same proportion for the calculation of overtime.

SICK LEAVE.

15. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence without deduction of pay, subject to the following conditions and limitations :—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer (or in the event of dispute the Wages Board) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) of this clause which has in any year not been allowed to an employee by an employer as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the sick leave prescribed in respect of that year. Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of two years, but for no longer from the end of the year in which it accrues.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

ANNUAL LEAVE.*Period of Leave.*

16. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee on weekly hiring in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave, including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 11 of this Determination and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

Broken Leave.

(d) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(e) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

- (i) any interruption or termination of the employment by the employer if such interruption or termination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 15 shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. Provided however that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3½ hours for each completed one month of continuous service and in respect of service after that date at the rate of 7½ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

Calculation of Month.

(g) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

Leave to be Taken.

(h) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clauses (l) and (m) hereof payment shall not be made or accepted in lieu of annual leave.

Time of Taking Leave.

(i) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(j) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

Where leave has been granted to an employee pursuant to this sub-clause before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each one complete month of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-twelfth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause 11 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a shift worker or an employee taking his leave pursuant to sub-clause (d) of this clause either of whom shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (l) hereof wages shall be at the rate prescribed by clauses 2, 3 and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

Proportionate Leave on Dismissal.

(l) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 3½ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for 7½ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

(m) Where an employer closes down his plant or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply:—

- (i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave, paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall subject to sub-clause (f) hereof also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.

Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.

- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

*MISCELLANEOUS.**Accommodation and Conveniences.**Boiling Water.*

17. (a) (i) Employers shall provide boiling water for employees at meal times.

Drinking Water.

- (ii) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water from bubble taps or other suitable drinking fountains.

First Aid Outfit.

(iii) In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain at a place or places reasonably accessible to all employees an efficient First Aid Outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act* 1928 requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles :—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolyzed	1 jar
Picric acid solution, made according to the following recipe or prescription :— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Lockers.

(iv) An employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop, or hanging facilities which afford reasonable protection for employees' clothes. In any case in which compliance with this paragraph necessitates the provision of lockers or new or improved hanging facilities, they shall be provided by the 1st July, 1946, unless the employer proves to the satisfaction of the Wages Board that he is unable by reason of shortage of material or labour or any other difficulties to provide such new or improved facilities, in which case their provision may be postponed for such period or periods as the Wages Board determines.

Washing and Sanitary Conveniences.

(v) Employers shall provide proper and sufficient washing and sanitary conveniences.

*Clothing, Equipment and Tools.**Damage to Clothing and Tools.*

(b) (i) Compensation to the extent of the damage sustained shall be made where in the course of the work clothing or tools are damaged or destroyed by fire or molten metal or through the use of corrosive substances. Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

Gloves.

(ii) Suitable canvas or leather gloves shall be provided by employers for operators of pneumatic tools and/or punch and shearing machines and suitable gloves or pads for such other work as the foreman and employee may agree.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one) or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said equipment shall be provided.

In any case where an organisation alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it may bring such case before the Wages Board.

Goggles.

(iii) Suitable mica or other goggles shall be provided by the employer for each employee using emery wheels or where used by more than one employee such goggles shall be sterilized before being used by another employee. An employee when working on emery wheels shall wear the goggles provided for his protection.

Goggles containing celluloid shall not be considered suitable for the purposes of this provision.

Masks.

(iv) Where necessary suitable masks shall be provided for employees required to use compressed air for blowing dust from electrical machinery or equipment. An employee when performing such work shall wear the mask provided for his protection. Masks containing celluloid shall not be considered suitable for the purposes of this provision.

Protective Clothing—Galvanising, &c.

(v) Employers shall provide suitable protective aprons, rubber gloves, and rubber boots or clogs, to employees engaged in the manual handling of materials over hot galvanising or tinning pots or pickling or plating baths.

Protective Equipment—Welding.

(vi) Employers shall provide a sufficient supply of the undermentioned equipment to enable each welder and his assistant when engaged on work necessitating its use to be supplied with same :—

- (a) Suitable asbestos sheets,
- (b) Hand screens or helmets fitted with coloured glass (or in the case of oxy-acetylene operators protective glasses with side shields),
- (c) Anti-flash goggles,
- (d) Aprons, leather sleeves and leggings (or coveralls of flame-proof material) and gauntlet gloves and
- (e) Gum or other insulating boots when working in places so damp that danger of electric shock exists.

An employee who is pursuant to this paragraph supplied with any of the equipment specified herein shall wear or use as the case may be such equipment in such a way as to achieve the purpose for which it is supplied.

Where electric arc operators are working screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

Tools.

(vii) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metal workers, snips used in the cutting of stainless steel, monel metal, and similar hard metals. The employee shall replace or pay for any tools so provided if lost through his negligence.

Females—Rest Period and Seats.

(c) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

When requested by employees and where practicable suitable seats shall be provided by the employer for female employees.

Ventilation.

(d) (i) While any work is being carried on in any confined or enclosed space in which—

(a) fumes, gases, dust or vapours which may be dangerous or injurious are liable to be present or to be generated in the course of the work; or

(b) the atmosphere may otherwise become vitiated,

the employer shall install a suction exhaust apparatus, through which by means of a power-driven fan air is drawn from the vicinity of the work in relation to which it is installed.

Where it is impracticable to install such suction exhaust apparatus the employer shall take all such steps as are necessary to ensure safe working conditions in any such confined or enclosed space.

This sub-clause shall not be deemed to be inconsistent with the Harmful Gases, Vapours, Mists, Smokes and Dust Regulations 1945 (published in the Victorian Government Gazette No. 21, dated 7th February, 1945) and shall not apply to any processes or occupations to which those Regulations apply.

(ii) Employers shall provide adequate ventilation in workshops where tinning or galvanising and pickling is carried on, and in workshops where fusing of wet enamel is carried on, facilities for the free circulation of air. Any dispute under this sub-clause shall be determined by the Wages Board.

SHOP STEWARDS.

18. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

RIGHT OF ENTRY OF UNION OFFICIALS.

19. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions:—

(i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.

(ii) That he interviews employees only at places where they are taking their meal.

(iii) That not more than one representative of each of not more than three unions be on the premises at any one time.

(iv) That no one representative visit the premises more than once in each week.

(v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Wages Board.

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the midday meal break the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement, at such times and under such conditions as the Wages Board may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, or the employment of females upon work which is alleged to be unsuitable for females, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

(i) That he discloses to the employer or his representative the complaint which he desires to investigate.

(ii) That he makes his investigations in the presence of the employer or his representative (if the employer so desires).

(iii) That he does not interfere with work proceeding in the workshop or plant.

(iv) That he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization concerned if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that
above-named organization.

is a duly accredited representative of the

(SEAL)

General Secretary.

Specimen signature of holder—

Date—

Strictly not transferable.

TIME AND WAGES BOOK.

20. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed: Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

NOTICE BOARD.

21. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited Union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

Any notice posted on such board not so signed or countersigned may be removed by an accredited Union representative or by the employer.

DEFINITIONS.

22. (1) "Confined space" means a compartment or space access to which is through a man-hole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and includes such a space:—

(i) in the case of a ship, inside complete tanks, chain lockers, and peaks; in bilges, under engine beds, under engine room and stokehold floors, or under or inside boilers.

(ii) in other cases, inside boilers, steam drums, mud drums, fire boxes of vertical or road vehicle boilers, furnaces, flues, combustion chambers, receivers, buoys, tanks, superheaters, or economizers.

(2) "Process worker" means an employee engaged on:—

- (i) Repetition work on any automatic, semi-automatic, or single purpose machine or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine nor for the dimensions of the products other than by checking with gauges, which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or
- (ii) in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or
- (iii) In specialized processes not requiring use of hand tools except hammers, pliers, screw drivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.

(3) "Ship repairs" means:—

- (i) All repair work done on ships.
- (ii) All work other than the making of spare parts and stores done in a workshop used for ship repairs only.
- (iii) Work done in a workshop used for both ship repairing and other heavy metal fabrication on which employees are engaged both on the ship and in the workshop.

(4) "Sunday" means all time between midnight Saturday and midnight Sunday.

(5) "Year" means the period between the 1st day of June in each year and the next 31st day of May.

Welding.

(6) "Welder—1st class" means a tradesman using electric arc and/or oxy-acetylene blowpipe and/or coal gas cutting plant or flame hardening who is required to apply general trade experience as a welder or flame hardener respectively.

(7) "Welder—2nd class" means an adult employee using an electric arc or oxy-acetylene blowpipe who is not a welder—1st class or welder—3rd class.

(8) "Welder—3rd class" means an adult employee using an electric spot or butt welding machine or cutting scrap with an oxy-acetylene blowpipe.

Sheet Metal.

(9) "Sheet metal worker—1st class" means a tradesman working to scaled prints or drawings or applying general trade experience or knowledge to the making of sheet metal products and/or the erection or installation thereof.

(10) "Sheet metal worker—2nd class" means an adult employee working at the bench in the making and/or repairing of sheet metal products not calling for the use of prints or drawings or measurements.

(11) "Canister making" means the making of canisters and other tin containers in quantities by specialized processes.

(12) "Guillotine operator" means an adult male employee who for the greater part of his time is engaged on work involving the use by him of prints or drawings or the determination by him of sizes of material to be cut for the production of sheet-metal products by 1st or 2nd class sheet-metal workers.

(13) "Sheet metal" means sheets of metal 10-gauge or lighter.

(14) "Spinner—1st class" means an adult employee required to make his own chucks, spin up the job to drawings, measurement, or blue prints, and/or who applies general trade knowledge and experience to the making of spun articles by jobbing methods.

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 24.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Victoria— Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts	5 1 0	6 0	5 7 0	Melbourne
Yallourn—6s. 6d. in excess of basic wage for Melbourne. Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE.

24. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in August, 1947, the amounts of the basic wage shall be as prescribed in clause 23.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's 'all items' retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

In addition to the basic wage prescribed by clause 23, any adult employee of a classification specified hereunder shall be paid the margin and loading hereinafter assigned to that classification, and such loading shall be deemed to be part of his ordinary rate of wage for all purposes of this Determination :—

Classification.	Margin.	Loading.
<i>(a) Sheet Metal Section.</i>		
Sheet metal worker (1st class)	s. d. 39 0	s. d. 6 0
Sheet metal worker (2nd class)	27 0	4 0
Spinner—1st class	31 0	4 0
Spinner, other	17 0	3 0
Die setter	17 0	3 0
Die setter—press operator working from blue prints or plans	27 0	4 0
Press operator (heavy)	15 0	3 0
Press operator (light)	13 0	3 0
Solderer and dipper	15 0	3 0
Drop hammer stamper	15 0	3 0
Guillotine operator (as defined)	27 0	4 0
Guillotine operator (other)	13 0	3 0
Guttering machinist	13 0	3 0
Power machinist (not otherwise specified)	13 0	3 0
<i>(b) Welding Division.</i>		
Welder—		
1st class, other than when using Cutler machine	42 0	6 0
1st class, using Cutler machine	29 0	4 0
2nd Class	19 0	3 0
3rd class	15 0	3 0
Tack welder	17 0	3 0
<i>(c) Canister-making.</i>		
Die setter and/or machine setter and/or leading press hand	17 0	3 0
Canister-maker by hand and riveter by hand	17 0	3 0
Solderer and dipper	13 0	3 0
Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over	17 0	3 0
Operator of power capping machines or metal pots on automatic machines	15 0	3 0
Operator of other power presses and other power machines	13 0	3 0
Cap solderer (not otherwise classified)	13 0	3 0
<i>(d) Galvanizing.</i>		
Galvanizer	24 0	3 0
Tinners and grease tanners	24 0	3 0
Assistant working over metal pot	15 0	3 0
Pickler	14 0	3 0
All others in this Division	10 0	3 0
<i>(e) Painting and Japanning.</i>		
Artistic japanner and goldworker	27 0	4 0
Spray operator	17 0	3 0
Grainer, liner, and filliter	13 0	3 0
Painter and lacquerer	13 0	3 0
Dipper	13 0	3 0
<i>(f) Porcelain Enamelling.</i>		
Fuser	23 0	3 0
Fuser on medallions, badges, or buckles	13 0	3 0
Inspector—1st class (i.e., one who inspects finished enamel work as to quality)	14 0	3 0
Inspector (other)	11 0	3 0
Mill hand and mixer	14 0	3 0
Packer and despatcher	14 0	3 0
Pickler	14 0	3 0
Rackman	9 0	3 0
Sand and shot blaster	24 0	6 0
Sprayer	15 0	3 0
Swiller, gripper, and brusher	13 0	3 0
Employee not elsewhere classified in any Division	Nil	3 0
<i>(g) General.</i>		
Process worker	13 0	3 0
Storeman and/or packer (tool and/or material store)	14 0	3 0

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 12th June, 1947.