



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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No. 57.] FRIDAY, MARCH 30. [1917.

Factories and Shops Act 1915.

DETERMINATION OF THE RUBBER TRADE BOARD.

IN accordance with the provisions of the *Factories and Shops Act 1915*, the Special Board appointed to determine the lowest prices or rates which may be paid to any person or persons, or classes of persons, employed in the process, trade, or business of a maker of all kinds of rubber goods, including rubber tyres of every description, has made the following Determination, namely:—

NOTE.—On the 4th day of November, 1912, the powers of the Rubber Trade Board were extended by the Governor in Council to enable it to fix the lowest prices or rates which may be paid to any persons employed in the process, trade, or business of

- (1) Reclaiming Rubber;
- (2) Manufacturing solution.

(1) That on the 23rd day of April, 1917, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2) **WAGES PER WEEK OF 48 HOURS.**

Apprentices or Improvers.	Other Employees.
MALES.	MALES.
Under 16 years of age 13s. 6d.	Calender hands 71s. 6d.
16 years of age 19s. 6d.	Mill hands, and first helpers on the calender 65s. 6d.
17 26s. 6d.	Dough mixers and men on washing machines 62s. 6d.
18 33s.	Weighters of compounds 62s. 6d.
19 40s.	Men in charge of forcing machine 60s.
20 46s.	Spreaders 62s. 6d.
	Hosemakers 62s. 6d.
FEMALES.	Makers of surgical or mechanical goods and mechanical lathe hands 62s. 6d.
Under 16 years of age 12s. 6d.	Makers of packing, belting, or mats 62s. 6d.
16 years of age 15s. 6d.	Heater men 61s. 6d.
17 18s.	Textile and strip cutters 60s.
18 22s.	Press hands 61s. 6d.
19 26s.	Makers of cycle tyres 59s.
20 29s.	Makers, repairers, or fitters of motor or motor cycle tyres 62s. 6d.
	Treadmakers 62s. 6d.
PROPORTION.	Moulders of motor or motor cycle tyres and solid tyres 71s. 6d.
<i>Apprentices.</i>	Other moulders 61s. 6d.
MALES.	Makers or joiners of motor or motor cycle or cycle tubes 59s.
One male apprentice to every three or fraction of	Repairers of motor or motor cycle tubes 62s. 6d.
three male workers receiving not less than 57s. 6d. per	Reclaimers 58s.
week of 48 hours.	Canvas dippers or impregnators 58s.
	Examiners 59s.
FEMALES.	Wrappers and strippers 59s.
One female apprentice to every three or fraction of	Persons employed liquoring 120s.
three female workers receiving not less than 31s. per	Persons employed on cores 60s.
week of 48 hours.	All others 57s. 6d.
<i>Improvers.</i>	
MALES.	FEMALES.
One male improver to every three or fraction of three	Adults 31s.
male workers receiving not less than 57s. 6d. per week of	
48 hours.	
FEMALES.	
One female improver to every female worker receiving	
not less than 31s. per week of 48 hours.	

TIME OF BEGINNING AND ENDING WORK.

(3) That the time of beginning and ending work shall be :—

Time of Beginning.	Time of Ending.
6 a.m.	8 p.m., Monday to Saturday

OVERTIME.

(4) That the following rates shall be paid for all work done :—

- (a) Outside the hours fixed in Clause (3) 1½d. per hour in addition of the rates fixed in this Determination
- (b) Within the hours fixed in Clause (3) in excess of 48 hours in any week . . . Time and a quarter

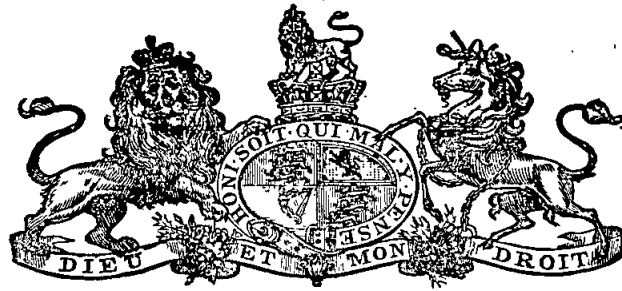
SUNDAYS AND HOLIDAYS.

(5) That time and a half shall be the special rate for all work done on Sundays, and double time for all work done on Good Friday, Easter Monday, New Year's Day, 26th day of January, 21st April, Christmas Day, or Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

L. F. S. ROBINSON,
Chairman.

Melbourne, 22nd March, 1917.

[1071]



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No. 58.]

TUESDAY, APRIL 3.

[1917.

LICENSING ACTS.

REGULATIONS FOR TAKING A POLL OF VOTERS ON THE
QUESTION OF GRANTING A MALLEE VICTUALLER'S
LICENCE.

1917.

LICENSING ACTS.

REGULATIONS FOR TAKING A POLL OF VOTERS ON THE QUESTION OF GRANTING A MALLEE VICTUALLER'S LICENCE.

At the Executive Council Chamber, Melbourne, the twentieth day of March, 1917.

PRESENT :

His Excellency the Governor of Victoria.

Mr. Lawson

Mr. McLeod

Mr. Hagelthorn

Mr. Hutchinson

Mr. Livingston

Mr. Adamson.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council, and in pursuance of the provisions of section 50, subsection 7 (c) of the *Licensing Act* 1916 (7 Geo. V. No. 2855) doth hereby make the following Regulations (that is to say):—

Name of area.

1. The name of an area proclaimed by the Governor in Council for the purposes of Section 50 of the *Licensing Act* 1916, shall be that specified in the proclamation.

Expenses of proclamation and poll.

2. A sum of Twenty-five pounds to cover the expenses consequent thereon shall be forwarded with any petition praying for the proclamation of a Mallee Victualler's licence area and for the granting of a Mallee Victualler's licence in such proclaimed area.

Appointment of returning officer.

3. Upon the proclamation by the Governor in Council of any area for the purposes of the aforesaid section the Licensing Court shall forthwith appoint under the seal of the Court one of the members of the Court to take a vote of the electors in the proclaimed area and to preside as Returning Officer at the poll therein.

Returning officer to appoint polling places and advertise poll.

4. Such member of the Licensing Court shall appoint such polling places as he may deem necessary, and proceed to take a poll of the electors in the said area pursuant to the said section. Having caused a roll of voters in the proclaimed area to be prepared, and having finally certified and signed the roll as correct, he shall by advertisement in the *Government Gazette* and by placards posted within the area give at least seven days' notice of the day fixed for the taking of the poll and of the names of the several polling places in the proclaimed area and of the purpose for which the poll is to be taken.

Booths to be provided.

5. The returning officer shall obtain as polling booths the use of suitable rooms or buildings by hiring or otherwise, or, if he deem it necessary, may cause to be erected booths for the purpose of taking the said poll. And in determining whether one, two, or more booths shall be provided at one polling place, he shall be guided by the practice adopted to secure sufficient accommodation for voters at elections of members of Parliament; and if under this regulation there shall be more than one booth at any polling place, there shall be affixed over the entrance of each booth in succession so many letters of the alphabet, in their alphabetical order, as shall denote the booth at which each voter, according to the initial letter of his surname, is to vote; and no voter shall vote in any booth save that which is so denoted by the initial letter of his surname. Provided always that no polling booth shall be in any house licensed for the sale of fermented or spirituous liquors, or upon the premises appertaining to such house.

How booths to be arranged and fitted.

6. Each booth shall be so divided or arranged that there shall be in the same one or more inner compartments opening only into that part of the booth in which the ballot-box is kept; and the returning officer or his deputy shall provide in every such compartment pencils, or pens and ink, for the use of the voters; and shall also provide for each booth a ballot-box having a lock and key, and with a cleft or opening therein capable of receiving the ballot-papers herein mentioned.

7. The returning officer shall preside and take the poll at some one booth of such polling place within the proclaimed area as he shall see fit, and such polling place shall be deemed the principal polling place; and he shall, by writing under his hand, appoint a deputy to act for him and take the poll at each of the other booths of the several polling places; and may also in like manner, if he think fit, appoint one poll clerk for each booth, to assist himself and his several deputies in taking the poll.

Returning officer to preside at one booth and appoint deputies at others.

Poll clerks to be appointed if necessary.

8. In the event of the returning officer being unable by reason of sickness or other sufficient cause to do or suffer to be done any act or acts, thing or things, whether prescribed by the Licensing Acts or by these Regulations or otherwise howsoever, in connexion with or incidental to his duties as returning officer, such returning officer may from time to time apply to the Licensing Court to appoint a substitute to do any such act or acts, or thing or things, which the returning officer is so rendered unable to do or suffer to be done through any such cause as aforesaid. Upon any such application, if the Court be satisfied as to the sufficiency of the cause, it may from time to time, under the seal of the Court appoint, and when appointed may remove, some one or more fit and proper person or persons to be a substitute or substitutes for such returning officer, to act either generally for such returning officer or to do or suffer to be done as and for the returning officer such particular act or acts, or thing or things, as the Court may think fit to limit in the appointment of such substitute. Upon the appointment of any such substitute, such substitute at any time may and shall as and for the returning officer do and suffer all such acts and things within the limits of his appointment (if any), and subject in every case to the like provision as though he were the returning officer; and these Regulations shall be construed accordingly.

Substitute returning officer may be appointed by Court.

9. Every substitute returning officer, deputy returning officer, and poll clerk shall, before he shall enter upon any of the duties assigned to him under these Regulations, make and sign before some justice a declaration in the form given in the First Schedule hereto.

Substitute, deputy, and poll clerk to make declarations. First Schedule.

10. The returning officer shall deliver before the day of polling to each of his deputies, for use at each polling booth, copies of the roll of voters for the area in and for which the poll is to be taken, certified under his hand to be true copies. He shall also cause to be printed ballot-papers in the form in the Second Schedule hereto, and shall deliver to each deputy, and shall himself retain, such numbers respectively of such ballot-papers, signed or initialed by him, as shall be sufficient for the persons entitled to vote at each booth at which he or his deputies respectively are to take the poll. He and his deputies shall keep an exact account of all such signed ballot-papers.

Area rolls.

Ballot-papers. Second Schedule.

11. The polling shall commence on the day appointed for the same at eight o'clock in the forenoon, and shall, unless lawfully adjourned, finally close at seven o'clock in the afternoon of the same day. Provided that any person, who at the time appointed for finally closing the poll is in any polling booth, and is entitled to vote at such poll, shall be permitted to vote.

Time of polling.

12. Before the time appointed for the commencement of the polling, the petitioners, or any number of them not being less than five, may under their hands appoint one person to be a scrutineer on their behalf at each polling booth; and any number not being less than five of the persons entitled to vote at such poll (other than the petitioners), who may be opposed to the grant of a Mallee victualler's licence may under their hands appoint one person to be a scrutineer on their behalf at each polling booth; and the persons so appointed shall be entitled to be present in the polling booth during the taking of the poll as scrutineers at the booth for which they are so appointed.

Scrutineers may be appointed.

13. The appointment of scrutineers under these Regulations shall be optional, and neither the absence of such scrutineers nor any defect or irregularity in the appointment of scrutineers under these Regulations shall in any manner affect the validity of any poll held under these Regulations.

Appointment of scrutineers optional.

Scrutineers
to make
declaration.

14. Every scrutineer before he shall act at any polling booth shall make and sign before the returning officer or deputy (as the case may be) who shall take the poll at such booth a declaration to the effect following :—

I [A.B.], a scrutineer appointed at the present poll, held under the Licensing Acts do solemnly declare that I will faithfully observe all the provisions of the said Acts and all the regulations made thereunder which relate to my office of scrutineer. And I do further solemnly promise and declare that I will not, as such scrutineer at the said poll, attempt to ascertain in what manner, in reference to the question to be determined at such poll, any person shall vote or have voted thereat; and that if, in the discharge of my duties at or concerning the said poll, I shall have learned, or, have the means of learning, in what manner, in reference to the question to be determined at such poll, any person shall vote or have voted thereat, I will not, by word or act, or by any other means whatsoever, directly or indirectly, divulge or discover, or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer in some court of justice of competent jurisdiction to impose such question.

Who may be
present in
polling booth.

15. The returning officer or deputy, the poll clerks, the scrutineers, and any voters not exceeding six in number not being actually engaged in voting, to be designated if necessary by the returning officer or deputy, shall alone be permitted at any one time to enter or remain in the polling booth during the taking of the poll.

Returning
officer or
deputy to close
and lock empty
ballot-box, and
keep key.

16. Immediately before proceeding to take the poll at any booth, the returning officer or deputy shall satisfy himself and the poll clerks (if any) and the scrutineers, if they so desire, that the ballot-box is empty, and shall forthwith close and lock the same, being still empty, and set and keep the same unopened upon the table at which he is to preside, and in view of such persons as shall from time to time be present in the polling booth, and shall keep the key of the said box.

Who may vote,
and where.

17. All persons whose names are on the certified roll of voters for the proclaimed area for which the poll is being taken are entitled to vote at any polling place for such area, but no person shall vote more than once at the same poll.

How votes to be
tendered.

18. Every person tendering his vote shall state to the returning officer or deputy his christian names and surname, and such other particulars as the said returning officer or deputy may, for the purpose only of ascertaining upon the roll the name intended by such person, require; and shall demand a ballot-paper.

Duty of
returning officer
or deputy on
vote being
tendered.

19. When any person has tendered his vote at any polling place in manner required, the returning officer or deputy shall ascertain that the name given by such person is upon the certified roll in force for the proclaimed area for which such poll is being taken.

Questions which
may be put to
voter.

20. After having found upon such certified roll the name intended by any person tendering his vote, the returning officer or deputy may if he think fit, and shall if requested by any scrutineer, put to any such person, before he shall have received a ballot-paper, and not afterwards, the questions following, hereinafter called "The prescribed questions" (that is to say) :—

(1) Are you the person whose name appears as [A.B., No.] on the certified roll of voters for the Mallee Victualler's Licence Area ?

(2) Have you already voted at the present poll ?

Voter may be
required to sign
book.

21. The returning officer or deputy may if he think fit, and shall if requested by any scrutineer, require any person tendering his vote, before he receives a ballot-paper, to sign his name in a book to be kept for that purpose.

Voter refusing to
answer, &c.

22. If any person shall refuse or omit distinctly to answer the prescribed questions, when put to him, or shall not answer question (1) in the affirmative or question (2) in the negative, or being required and being able to do so shall refuse or omit to sign his name as aforesaid, the returning officer or deputy, if not satisfied of his identity as the elector entitled to vote, or being satisfied that such person has already voted, shall prohibit him from voting then or afterwards at such poll.

23. When any person has tendered his vote in compliance with these Regulations, and the name in which he demands to vote appears on the certified roll for the proclaimed area, the returning officer or deputy shall, unless he has under the preceding regulation prohibited such person from voting, forthwith write upon the back of one of the ballot-papers issued under these Regulations, as near as practicable to the lower edge thereof, the number corresponding to the number set opposite to such person's name upon the roll, and so that in folding up such ballot-paper as hereinafter mentioned the voter may easily conceal from view the said writing; and shall deliver to such person such ballot-paper; and shall forthwith mark upon a certified copy of such roll, against the name of such person, the fact of his having received such ballot-paper.

Duty of returning officer when voter's name appears on roll.

24. Every person to whom a ballot-paper has been delivered shall forthwith retire alone to some unoccupied compartment of the polling booth, and shall there alone and without delay mark his vote on his ballot-paper by making a cross in the square opposite the word Yes when he desires to vote for the grant of a licence or in the square opposite the word No when he desires to vote against the grant of a licence, and shall fold up such ballot-paper in such manner as will conceal his vote, and shall deposit the ballot-paper so marked in the ballot-box in the presence of the returning officer or deputy.

How vote to be recorded.

25. If any person to whom a ballot-paper has been delivered as aforesaid shall be blind, or be unable to read, or be unable to write, or be otherwise unable to mark his ballot-paper, and shall signify the same to the returning officer or deputy, such returning officer or deputy may and shall, at the request of such person, and for him and in presence of a witness if so desired by such person, in the polling booth, or in a compartment, mark such ballot-paper in the manner in which such voter shall state he intends to vote.

How vote of blind or uneducated voter to be taken.

26. During the polling at any poll held under these Regulations no person shall take any ballot-paper out of the polling booth save into one of the compartments aforesaid; and save as provided in the last preceding regulation no person shall enter any such compartment while any other person shall be therein; and no person being in any such compartment shall remain there for a longer time than such as shall be reasonably required for the purpose of marking the ballot-paper.

No ballot-paper to be taken out of polling-booth

27. When the proceedings for taking the poll shall be interrupted or obstructed at any polling place by any riot or open violence, the returning officer or deputy (as the case may be) shall not for such cause finally close the poll, but shall adjourn the taking of the poll at the polling place at which such interruption or obstruction shall have happened to the following day; and if necessary such returning officer or deputy shall further adjourn such poll until such interruption or obstruction shall have ceased, when such returning officer or deputy shall again proceed with the taking of the poll at the place at which the same may have been so interrupted or obstructed.

Polling may be adjourned if interrupted by riot or open violence.

28. If from any cause no polling has been opened at any booth of a polling place on the day appointed, the polling at such booth shall stand adjourned to a day not later than seven clear days following the day upon which such polling was to have taken place, and the returning officer or deputy (as the case may be) shall forthwith cause public notice to be given thereof. If such adjournment be by a deputy, then he shall forthwith notify the same to the returning officer; and in case of any adjournment of the polling authorized by these Regulations, the returning officer shall not determine the result of the poll until the poll so adjourned has been finally closed and the ballot-papers transmitted to the returning officer.

Adjournment of poll in certain cases.

29. No vote shall be disallowed by the returning officer for informality so long as the intention of the voter is expressed actually or by reasonable intendment.

Votes not to be disallowed for mere informality.

30. Immediately upon the close of the poll the deputy at each polling booth throughout the area in which the poll is being taken shall, in the presence of such of the scrutineers as choose to be present, and of the poll clerks (if any), but of no other person, open the ballot-box used at the polling booth at which he has presided; and shall make up into one parcel the ballot-papers which have been used in voting at his polling booth during the poll; in another separate parcel the ballot-papers which

Deputy returning officer to forward ballot-papers, &c., to returning officer at principal polling place.

have remained unused; and in another separate parcel the certified copies of rolls supplied, and all books, rolls, and papers kept or used during the poll at his polling booth; and shall seal up the said several parcels, and shall indorse the same severally with a description of the contents thereof and with the name of the polling place and with the number of the polling booth (if more than one), and shall sign with his name the said indorsements; and shall transmit the said parcels to the returning officer at the booth presided over by the returning officer at the principal polling place, together with an account in which such deputy shall charge himself with the number of ballot-papers delivered to him, specifying therein the number thereof delivered to and used by voters and the number not so delivered and used; and every such account shall be verified by the signature of the said deputy. The returning officer shall in respect of the polling booth at which he presides make up and seal the ballot-papers, books, and rolls used by him during the polling, and indorse the same, together with a like account of ballot-papers duly verified by his signature, as is herein required in the case of a deputy.

Declaration of result of ballot.

31. On receipt of the several sealed parcels from the deputy returning officers the returning officer shall, at the booth presided over by him at such principal polling place, and in the presence of such of the scrutineers as choose to be present, and of the poll clerks (if any), and of no other person, open the several sealed parcels containing the ballot-papers used at the polling, and count the votes recorded; and shall by advertisement in the *Government Gazette* declare the determination of the voters of the proclaimed area, and forward a copy of such determination, and also the several sealed parcels relating to such poll, to the registrar of Licensing Courts, who shall cause such sealed parcels to be safely and secretly kept for six months and then without opening to be destroyed.

Previous regulations not to apply.

32. All Regulations for taking a poll of electors regarding victuallers' licences previously made under the provisions of the Licensing Acts, are hereby declared to be of no effect so far as regards any area proclaimed under Section 50 of the *Licensing Act 1916*.

Penalties.

33. If any person—

- (a) votes or offers to vote more than once at the same poll; or
- (b) departs or attempts to depart from any polling-booth after having received a ballot-paper without having deposited the same in the ballot-box;
- (c) enters any compartment while any other person is therein save as provided by clause 25 of these regulations;
- (d) personates any other person for the purpose of voting at such poll,

he shall on conviction, before a court of petty sessions be liable to a penalty of not more than £20 or imprisonment with or without hard labour for a term of not more than six months.

Allowances for expenses.

34. The rates of allowances for expenses of conducting a poll, shall be as follow, viz. :—

	£	s.	d.
1. To a substitute returning officer appointed to do all acts and things as and for the returning officer	5	0	0
2. To a substitute returning officer or a deputy returning officer for the polling day	2	0	0
3. To a poll clerk for the polling day	1	0	0
4. Hire or erection of booths :—The actual cost, as proved by vouchers.			
5. Stationery :—The actual cost, not to exceed in any case for each booth	0	2	0
6. Advertisements :—As certified by the Government Printer.			

7. Travelling expenses :—

	£	s.	d.
To a substitute returning officer, deputy returning officers, and to special messengers (except police)—Only where indispensably necessary, the actual expense incurred not to exceed per mile each way	0	0	6
To a poll clerk when travelling only between his place of residence and that of the nearest Police Magistrate, Justice of the Peace, or Commissioner for taking Declarations and Affidavits for the purpose of making a declaration—The actual expense incurred not to exceed per mile each way	0	0	6
In all the above cases when the travelling can be done by rail or coach—The actual fares only.			
And when the distance travelled exceeds 20 miles each way, for each day that he is necessarily absent from his residence, per diem, in addition—			
To a substitute returning officer	0	15	0
To a deputy returning officer	0	10	0

Under no circumstances whatever will any charge for refreshments be allowed.

FIRST SCHEDULE.



DECLARATION OF SUBSTITUTE RETURNING OFFICER, DEPUTY RETURNING OFFICER, OR POLL CLERK.

Under the Regulations for taking a Poll under the Licensing Acts on the question of granting a Mallee Victualler's Licence.

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 for taking a poll as to Mallee Victuallers' Licences under the Licensing Acts as Substitute Returning Officer (Deputy Returning Officer, or Poll Clerk as the case may be), with regard to the poll appointed to be taken on the _____ day of _____ 19 _____.

And I do further solemnly promise and declare that I will not at the said poll attempt to ascertain save in cases in which I am expressly authorized by law so to do, how any person shall vote or have voted; and that if, in the discharge of my duties at or concerning the said poll, I shall have learned, or have the means of learning, how any person shall vote or have voted thereat, I will not, by word or act, or by any other means whatsoever, directly or indirectly, divulge or discover, or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer.

Declared before me [one of His Majesty's Justices of the Peace] at _____ in the State of Victoria, this _____ day of _____ 19 _____ } Substitute Returning Officer (Deputy Returning Officer, or Poll Clerk as the case may be).

SECOND SCHEDULE.

Licensing Acts.

Form of Ballot-paper.

POLL ON THE QUESTION OF GRANTING A MALLEE VICTUALLER'S LICENCE

In the _____ Area.

YES
NO

Directions to Voters.

If you desire to vote FOR the grant of a licence mark a cross in the square opposite the word YES. If you desire to vote AGAINST the grant of a licence mark a cross in the square opposite the word NO.

The ballot-paper, when the voter has indicated thereupon his vote, is to be dropped into the ballot-box.

The voter is not permitted to take his ballot-paper out of the polling booth.

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

F. W. MABBOTT,
Clerk of the Executive Council.