



VICTORIA GOVERNMENT GAZETTE.

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WEDNESDAY, MAY 17.

[1939

Land Act 1928.

AREAS OF LANDS COMPRISED IN CERTAIN CLASSES DIMINISHED OR INCREASED.

PROCLAMATION

By His Excellency the Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia,
&c., &c., &c.

WHEREAS by the *Land Act 1928* it is amongst other things enacted that the Governor in Council may, by Proclamation to be published in the *Government Gazette*, at any time diminish or increase the area of land comprised in any of the classes mentioned in Part I., Division 1, section 5, of the said *Land Act 1928*, but that the area of lands which may be sold by auction (Class 6) shall not be increased except as in certain cases in the said Act provided: Now therefore I, the Lieutenant-Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, and in accordance with the provisions of sections 94 and 117 of the *Land Act 1928* aforesaid, do hereby diminish or increase (as the case may be) the areas of Crown lands comprised in Classes 1, 3, 6, and 7 respectively of the classes mentioned in section 5 of the *Land Act 1928* aforesaid to the extent set forth in the subjoined Schedule (that is to say):—

Schedules referred to.

CLASSES DIMINISHED OR INCREASED.

XC 29243.

County.	Parish.	Allotment and Section.	Area.	Diminished.	Increased.	Description.
				Class.	Class.	
Talbot ...	Creswick ...	19d, sec. Q	A. R. P. 3 1 19	7	—	In north-west of parish
Normanby ...	Glenaulin ...	13, sec. A	22 2 30	3	6	
Ripon ...	Ararat ...	9B, sec. 19	4 3 0	7	—	
Kara Kara ...	Glenlogie ...	9C, sec. 1	1 0 0	7	—	

CLASS INCREASED.

County.	Parish.	Allotment.	Area.	Class.	Description.
			A. R. P.		
Gladstone ..	Borong ...	11E, 83c, sec. 5	103 0 0	1	In south-east of parish

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this sixteenth day of May, in the year of our Lord One thousand nine hundred and thirty-nine, and in the third year of the reign of His Majesty King George VI.

(L.S.)

F. W. MANN.

By His Excellency's Command,

A. E. LIND,
Commissioner of Crown Lands and Survey.

GOD SAVE THE KING!

No. 90.—6476/39 —PRICE 6d.; Quarterly, 7s. 7d.; Half-Yearly, 15s. 2d.; Yearly, 30s. 4d.

PUBLIC HALF-HOLIDAYS.

PROCLAMATION

By His Excellency the Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

IN pursuance of the provisions contained in Part VII. of the *Public Service Act 1928* (19 Geo. V., No. 3757), I, the Lieutenant-Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, do by this my Proclamation appoint the days and dates hereunder mentioned to be observed as Public Half-Holidays at the places respectively specified, viz.:—

Public Half-Holidays from the Hour of Twelve o'clock noon:—

TUESDAY, THE 23RD DAY OF MAY, 1939, throughout the Shire of Seymour*;
TUESDAY, THE 30TH DAY OF MAY, 1939, throughout the Borough of Colac*.

* Races.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this sixteenth day of May, in the year of our Lord One thousand nine hundred and thirty-nine, and in the third year of the reign of His Majesty King George VI.

(L.S.)

F. W. MANN.

By His Excellency's Command,

H. S. BAILEY.

Chief Secretary.

GOD SAVE THE KING!

BANK HALF-HOLIDAYS.

PROCLAMATION

By His Excellency the Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

IN pursuance of the provisions contained in Part III. of the *Banks and Currency Act 1928*, I, the Lieutenant-Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation appoint the days and dates named hereunder as special days to be observed as Bank Half-Holidays at the places specified, that is to say:—

Bank Half-Holidays from the Hour of Twelve o'clock noon:—

THURSDAY, THE 18TH DAY OF MAY, 1939, at Coleraine;
TUESDAY, THE 23RD DAY OF MAY, 1939, at Seymour;
THURSDAY, THE 25TH DAY OF MAY, 1939, at Casterton.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this sixteenth day of May, in the year of our Lord One thousand nine hundred and thirty-nine, and in the third year of the reign of His Majesty King George VI.

(L.S.)

F. W. MANN.

By His Excellency's Command,

H. S. BAILEY.

Chief Secretary.

GOD SAVE THE KING!

DEPARTMENT OF CROWN LANDS AND SURVEY.

REVOCATION OF APPOINTMENT OF BAILIFF OF CROWN LANDS.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, has, by Order made on the 9th May, 1939, revoked the appointment of Frank Hardy Phillips as a Bailiff of Crown Lands, which was approved by the Governor in Council on the 28th January, 1927.

C. W. KINSMAN,
Clerk of the Executive Council.

At the Executive Council Chamber,
Melbourne, 9th May, 1939.

APPOINTMENTS.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, has, by Orders made on the 9th day of May, 1939, been pleased to make the following appointments, viz.:—

DEPARTMENT OF LANDS AND SURVEY.

Draughtsmen.

JOHN DUNSTAN LINES,
BYRNE ERNEST GOODRICK,
FRANK LYNTON FURZE, and
DONALD EDWIN LEWIS.

to be Draughtsmen, Class "E," Professional Division, Department of Lands and Survey; vacancies having occurred, and the Public Service Commissioner having certified on the 26th April, 1939, that appointments are required, that there are no persons available and fit in the Public Service to be promoted or transferred to fill the vacant offices, and that the persons named are fit and proper persons and duly qualified to be appointed to fill such vacancies on probation for three months.

Members of Committee of Management.

ARTHUR ERNEST WATSON, and
JOHN THOMAS BERKLEY.

to be members of the Committee of Management of the land temporarily reserved by Order in Council of 24th September, 1924, as a site for a Public Hall in the City of St. Kilda, at Elwood, in the place of Robert Henry Morley and George Hardy Robinson, both resigned: Provided, however, that the said Arthur Ernest Watson and John Thomas Berkley shall hold office as members of such Committee of Management for so long only as they continue to be Councillors and the elect of the Council of the City of St. Kilda.

DEPARTMENT OF LAW.

Magistrates.

JOHN CAMERON, Newstead, and
ROBERT CHARLES JEFFREYS, Marong.

to Keep the Peace in the Midland Bailiwick of the State of Victoria;

ERIC VICTOR BEER, St. James,

to Keep the Peace in the Northern Bailiwick of the State of Victoria;

MARK HENRY FORSYTH, Ararat,

to Keep the Peace in the Western Bailiwick of the State of Victoria; and

JONAS ORMONDE HOLT, 137 Lower Heidelberg-road, Ivanhoe,

HARRY VINCENT SAMPSON, 50 Kingston-street, Hampton, and

SYDNEY MANSFIELD FOX POLLARD, 10 Libna-street, Carnegie,

to Keep the Peace in the Central Bailiwick of the State of Victoria.

Commissioners for Taking Declarations, &c.

The under-mentioned to be Commissioners for taking Declarations and Affidavits under the provisions of Division 8 of Part IV. of the *Evidence Act 1928*, on the conditions as stated:—

RALPH JOSHUA PICOT, Raes Hill, Bendigo—to resign upon removing from the neighbourhood of Raes Hill, Bendigo;

HENRY JOHN GROSS, 12 Kingston-street, Richmond—to resign upon removing from the neighbourhood of 12 Kingston-street, Richmond; and

HERBERT LIONEL GOLDSMITH, The Rialto, Collins-street, Melbourne—to resign upon removing from the neighbourhood of The Rialto, Collins-street, Melbourne.

Deputy Coroner.

ALBERT CHARLES LESTER, J.P., St. Arnaud, to be a Deputy Coroner, pursuant to the provisions of the *Coroners Act 1928*, to act and have jurisdiction for and during the absence of the Coroner at and in the vicinity of St. Arnaud.

Sworn Valuator.

ALEXANDER HUGH WITHAM, 118 Queen-street, Melbourne, to be a Sworn Valuator, pursuant to the provisions of section 14 of the *Transfer of Land Act 1928* (No. 3791), for the Counties of Bourke, Buln Buln, and Mornington.

Bailiff of County Court.

WILLIAM JESSE MILLARD, First Constable of Police, Piangil, to be also a Bailiff of the County Court at Swan Hill, in the place of H. E. Hopkins, resigned.

DEPARTMENT OF MINES.

Warden's Clerks (Acting).

JOSEPH ALPHONSUS LOWREY
to act as Warden's Clerk at Balrnisdale and Bruthen, during the absence on annual leave of M. L. Killeen; and

JACK HEFFILL
to act as Warden's Clerk at Bendigo, during the absence on annual leave of W. P. Walsh.

DEPARTMENT OF PUBLIC WORKS.

Members of Architects Registration Board.

PERCY EDGAR EVERETT,
WILLIAM RUPERT DEAN, and
GEORGE RAYMOND KING.
to be Members of the Architects Registration Board of Victoria, for a period of two years from the 9th April, 1939.

STATE RIVERS AND WATER SUPPLY COMMISSION.

Waterworks Trust Commissioners.

WILLIAM GOODA,
ALBERT GEORGE HURLSTON, and
MARK BRASHER,
to be Commissioners of the Tongala Waterworks Trust, and to hold office as such during the present terms of office of S. S. Strutt, J. L. Allan, and G. Greiner, respectively, as Councillors for the North-Eastern Riding of the Shire of Deakin, subject to the provisions of the Water Acts;

HUGH CAMPBELL WILSON,
FRED FISHER, and
WILLIAM ROBERT JACKSON,
to be Commissioners of the Foster Waterworks Trust, and to hold office as such for a period of four years from the date hereof, subject to the provisions of the Water Acts; and

EDGAR HECTOR PATTERSON
to be a Commissioner of the Hamilton Waterworks Trust, for a further period of four years, dating from the 12th May, 1939, his present term of office expiring on the 11th May, 1939.

DEPARTMENT OF TREASURER.

Auditor, State Savings Bank.

ADOLF ALEXANDER FITZGERALD
to be an Auditor for the purpose of auditing the accounts of the Commissioners of the State Savings Bank of Victoria, under section 124 (2) of the *State Savings Bank Act 1928*, appointment to be in force until the 23rd December, 1942.

C. W. KINSMAN,
Clerk of the Executive Council.

At the Executive Council Chamber,
Melbourne, 9th May, 1939.

RESIGNATIONS.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, has, by Orders made on the 9th day of May, 1939, accepted the resignations of the persons named hereunder of the offices mentioned, viz.:—

DEPARTMENT OF LANDS AND SURVEY.

HARRY PICKERING JONES, Clerk, 5th Class, Clerical Division, as an officer of the State Public Service of Victoria, as from and inclusive of 7th May, 1939.

DEPARTMENT OF LAW.

HAROLD EDWARD HOPKINS as a Bailiff of the County Court at Swan Hill.
BERTRAM NOEL PICKFORD as a Probation Officer, pursuant to the provisions of the *Children's Court Act 1928*, for the Children's Court at Camberwell.

DEPARTMENT OF TREASURER.

JAMES THOMAS CARR as 5th Class Clerk, Taxation Office, to date from and inclusive of 30th April, 1939.

C. W. KINSMAN,
Clerk of the Executive Council.
At the Executive Council Chamber,
Melbourne, 9th May, 1939.

NOTICE FOR PUBLIC OFFICERS.

THE attention of public officers is invited to the notice appearing on page 1580, relative to the provisions of motor car hire for public Departments in respect of the two (2) year period, 1st July, 1939, to the 30th June, 1941. Officers are requested to bring the matter before owners of local motor car hire services.

W. J. JUNGWIRTH, Secretary,
Premier's Department.

PUBLIC SERVICE OF VICTORIA.—VACANCIES.
PROFESSIONAL DIVISION, DEPARTMENT OF LAW.

APPLICATIONS will be received by the Public Service Commissioner (Victoria) up to Friday, the 26th May, 1939, from officers of the Public Service of Victoria who are qualified for appointment to the under-mentioned positions:—

Stipendiary Magistrate, Class "A", Children's Courts.

Yearly Salary.—£728, minimum; £800, maximum.

Duties.—To be Chairman of the Bench of Children's Courts throughout Victoria; to direct the functions of the Children's Court Officers and of Probation Officers and from time to time to deliver to Honorary Magistrates and Probation Officers lectures upon the functions required of them under the *Children's Court Act 1928*.

Qualifications.—To possess a knowledge of the laws of Evidence and the Criminal law so far as they relate to juvenile delinquents; to be at least 35 years of age and of suitable temperament and character; to have a knowledge of sociology and child psychology and to have had experience in the control of children.

Probation Officer (Male), Class "D", Children's Courts.

Yearly Salary.—£325, minimum; £416, maximum.

Duties.—To perform, under the direction of the Stipendiary Magistrate of Children's Courts, the functions prescribed by the *Children's Court Act 1928*; to deliver lectures from time to time to Honorary Probation Officers upon the said functions and generally to instruct such honorary workers in the performance of their duties under the said Act.

Qualifications.—To have a knowledge of sociology and child psychology and to have had experience in the control of delinquent and "problem" children; to be of suitable character and temperament and to have had practical experience in social work.

Probation Officer (Female), Class "E", Children's Courts.

Yearly Salary.—£221, minimum; £299, maximum.

Duties and Qualifications.—As for Probation Officer (Male), Class "D", Children's Courts.

By order,

J. FRAZER,
Secretary.

Office of the Public Service Commissioner (Victoria),
Melbourne, 16th May, 1939.

Public Service Act 1928 (No. 3757), Sections 90 and 91.

EXEMPTIONS.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and upon the recommendation of the Public Service Commissioner, has, by Order made on the 9th day of May, 1939, exempted the officers specified hereunder from the provisions of sections 90 and 91 of the *Public Service Act 1928* (No. 3757), that is to say:—

DEPARTMENT OF TREASURER.

Officers of the Taxation (Income Tax) Branch, Department of Treasurer, who are required to work overtime in connexion with the issue of assessments, such exemptions to be operative for the period from the 16th April, 1939, to the 28th April, 1939, both dates inclusive.

C. W. KINSMAN,
Clerk of the Executive Council.
At the Executive Council Chamber,
Melbourne, 9th May, 1939.

TO THE HONORABLE THE CHIEF SECRETARY.

I HEREBY give you notice that it is my intention, on Saturday next, the twentieth day of May, to issue a Writ for the Election of a Member to serve in the Legislative Assembly of Victoria for the Electoral District of Hawthorn.

Dated this seventeenth day of May, One thousand nine hundred and thirty-nine.

T. TUNNECLIFFE,
Speaker.

DEPARTMENT OF LAW.

COURTS OF PETTY SESSIONS AT DRYSDALE.—DAY
AND HOUR ALTERED.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and in pursuance of the provisions of section 61 of the *Justices Act 1928*, doth by an Order made on the sixteenth day of May, 1939, hereby appoint every alternate Monday, at Ten o'clock a.m., as a day and hour for the holding of Courts of Petty Sessions at Drysdale (in lieu of the days and hours heretofore appointed)—to take effect as from and inclusive of the 29th May, 1939.

C. W. KINSMAN,
Clerk of the Executive Council.

At the Executive Council Chamber,
Melbourne, the 16th May, 1939.

NOTICE TO MARINERS.—VICTORIA.

[No. 13 of 1939.]

THE following Notice to Mariners, which has been received from the Harbor Master, Geelong, is published for general information.

D. STEVENSON,
Port Officer.

Ports and Harbors Branch, Department of Public Works,
Melbourne, 8th May, 1939.

THE GEELONG HARBOR TRUST COMMISSIONERS.

PORT OF GEELONG.—BEACON TO BE ERECTED.—LIGHT BEACON
TO BE ESTABLISHED.—BUOY TO BE WITHDRAWN.

A. Beacon to be Erected.

Date.—Commencing on or about the 9th May, 1939.

Position.—Near No. 2 buoy, Point Richards Channel; Lat. 38 deg. 06 min. S.; Long. 144 deg. 37 min. E.

Details.—A pile beacon will be erected, and masters of vessels are requested to reduce speed when passing this position while work is in progress and to keep as near mid-channel as possible.

B. Light Beacon to be Established.

Date.—On or about 11th May, 1939.

Former Notice.—No. 11 of 1939.

Position.—Near No. 3 buoy, Point Richards Channel; Lat. 38 deg. 06 min. S.; Long. 144 deg. 37 min. E.

Abridged Description.—Fl. R. ev. 4 secs. 20 ft. 3 M.

Details.—A light will be established on a pile beacon in the above position having the following characteristics:—Flashing red every 4 seconds, flash $\frac{1}{2}$ sec., eclipse $3\frac{1}{2}$ secs., height 20 feet, visibility 3 miles.

C. Buoy to be Withdrawn.

Date.—On or about the 11th May, 1939.

Position.—No. 3 buoy, Point Richards Channel.

Details.—Following the establishment of the light beacon, No. 3 buoy will be withdrawn.

Chart Affected.—1171.

STAMPS ACT 1937.

IN pursuance of the powers contained in the *Stamps Act 1937*, I hereby certify, until further notice, that the companies mentioned hereunder are engaged solely or principally in the search or mining for gold.

Dated the 17th day of May, 1939.

D. D. PAINE,
Comptroller of Stamps.

COMPANIES.

Matakana Gold No Liability.
Solomon Gold Mines No Liability.

Farmers' Debts Adjustment Act 1935.

CANCELLATION OF STAY ORDERS.

NOTIFICATION is hereby given that the Stay Orders issued to the under-mentioned farmers have been cancelled by the Farmers' Debts Adjustment Board, such cancellation to take effect on and from the 17th May, 1939:—

No. of Stay Order; Name; Address.

2079; Cahill, Daniel Vincent; Rochester.
4043; Casement, Wilhelmina Hermione Helena; Metung.
4066; Coe, Albert Ernest; Strezlecki.
4321; Gillespie, Irwin Stuart; Rockbank.
3721; O'Leary, Denis; Echuca.

W. R. MANN, Secretary.
Farmers' Debts Adjustment Board.

16th May, 1939.

APPLICATIONS FOR MINING LEASES.

SUBJECT to any necessary excisions, &c., it is proposed to grant the following:—

6918, Maryborough; Lionel George Humphries and John Frood; 20a. 3r. 38p.; Parish of Tarnagulla.
6823, Mineral; Edmund James Ernest Pascoe; 84a. 3r. 11p.; Parish of Koetong.

APPLICATIONS FOR MINING LEASES ABANDONED.

8993, Ballarat; John Hastings Carew Reid; 52 acres; near Pittong.
8017, Beechworth; Cocks Eldorado Gold Dredging N. L.; 1,024 acres; Eldorado.
8032, Beechworth; Ronald Alexander Rankin; 25 acres; near Mansfield.

TERMS OF LICENCES EXTENDED.

The terms of the under-mentioned licences have been extended for a period of one year from the 1st May, 1939:—

52, Petroleum Prospecting Licence; Oscar Tondeur Lempriere; 662 acres; Parish of Colquhoun.
54, Petroleum Prospecting Licence; Monkey Creek Oil Syndicate N. L.; 6,644 acres; Parishes of Giffard and Stradbroke.

MINING LEASES GRANTED.

The under-mentioned mining leases have been granted. Any lease not executed by the 7th June, 1939, will be liable to forfeiture:—

8970, Ballarat; Sebastian Cyaniders Limited.
8823, Castlemaine; Arthur Prosser.
6915, Maryborough; Francis Albert Davis.
10997, Bendigo; Adolphus Samuel Opperman and Alexander Opperman.
10999, Bendigo; Alexander Albert Cowan, Norman Tarr, and William Francis Dole.

LICENCES GRANTED.

1395, Tailings Licence; John Williamson and Sydney Iredale Gilbert.
1399, Tailings Licence; Weemco Concrete Pty. Ltd.
1411, Tailings Licence; Allen P. Wohler.

E. J. HOGAN,
Minister of Mines.

MINING LEASES AND LICENCE DECLARED VOID.

8025, Ballarat; Ross Creek Gold Mining Co. N. L.
7950, Beechworth; William James Bill and Edwin Doyle.
7972, Beechworth; John Smart.
7822, Castlemaine; Annanda Centenary Gold Mining Co. N. L.
7873, Castlemaine; Albert Norton Jones and Stanley George Thomas Lacey.
8480, Castlemaine; Bessie Lord.
8681, Castlemaine; Raymond James Kilgariff.
8711, Castlemaine; Leonard Picken and William Edgar Dorman.
8732, Castlemaine; Allan John Northwood.
8735, Castlemaine; Fiji Gold N. L.
8739, Castlemaine; William Bernard Tumney.
8779, Castlemaine; Harold Newton Zimmer.
5063, Gippsland; Albert David Bock and John Casley.
6862, Maryborough; Herman Franz Classen.
10175, Bendigo; Mineral Resources Pty. Ltd.
5484, Mineral; James Lucas, George Greenwell, and David Griffiths.
1358, Tailings Licence; L. A. Akers.

DECLARING VOID, AS TO PART, A MINING LEASE.

IN pursuance of the powers conferred by sections 113 and 90 of the *Mines Act 1928* (No. 3737), the Governor in Council has, by an Order made on the 9th May, 1939, declared void mining lease No. 2738, Ararat, so far as it relates to the surface and to a depth of fifty (50) feet therefrom of the land indicated by grey colour on the plan attached to the said Order, and the surface and to a depth of One hundred and fifty (150) feet therefrom of the land indicated by purple colour on the said plan.

GEO. BROWN,
Secretary for Mines.

AUCTION SALES ACT 1928.

SWAN HILL.—Notice is hereby given that a Special Meeting of Justices will be held at the Court House, Swan Hill, on Thursday, the 25th day of May, 1939, at Ten o'clock in the forenoon, to consider an application by Ernest Gerald Gray, of Swan Hill, for a transfer of his Auctioneer's Licence to Murray Arthur Gray, of Swan Hill. Dated at Swan Hill, the 9th day of May, 1939.—J. C. BELL, Clerk of Petty Sessions.

Transport Regulation Acts:

TRANSPORT REGULATION BOARD.

NOTICES OF PUBLIC HEARINGS.

NOTICE is hereby given that the applications made by the persons named below for licences to operate the commercial goods and passenger vehicles on the route or routes or in the manner set out opposite their names will be heard at a time and place to be communicated to the parties:—

Name of Applicant; Nature of Application.

WHEELDON, JOHN DAWSON; 1 commercial goods vehicle for the carriage of—(a) general goods within a radius of 20 miles from Drouin; (b) household furniture throughout Victoria.

CARTWRIGHT, ALFRED ERNEST; 1 commercial goods vehicle for the carriage of—(a) general goods within a radius of 20 miles from Birchip; (b) household furniture within a radius of 100 miles from Birchip.

ROBERTSON, HUGH LEWIS; 1 touring car for the carriage of mails and parcels between Birchip and Berrillock.

GLENNIE, J.; 1 commercial goods vehicle for the carriage of—(a) general goods 20 miles radius of Annuello; (b) live stock from and to places within 20 miles radius of Annuello, to and from places within 50 miles radius of Annuello and from and to the townships of Swan Hill and Mildura.

BENTLEY, A. H.; 1 Diamond T coach with seating capacity for 27 persons, to be operated on the route between Maryborough and the Caralulup mines, via Daisy Hill and Norberry, and under charter conditions within a radius of 50 miles of Maryborough.

MONTI, STANLEY AGUSTINE; 1 commercial passenger vehicle (to be purchased), to be operated on the route between Wyuna and Shepparton, via St. Germain, Gillieston, Undera, North Mooroopna, for the carriage only of school children.

NOTICE is hereby given that the applications made by the persons named below for full-term licences as from the date set out opposite each name to operate the commercial goods vehicles under the conditions referred to hereunder will be heard at a time and place to be communicated to the parties:—

Conditions Referred To.

Group No. 1.

Authorized to carry as follows and not otherwise, that is to say:—To and from the site of the construction or maintenance of some specific existing or proposed road, street, footpath, bridge, pier, wharf, weir, jetty, or channel—

(a) From or to any part of the State of Victoria, the following:—Metal, stones, screenings, ashes, gravel and sand, and plant or equipment required in connexion with such work of construction or maintenance.

(b) Within a radius of 20 miles from the site of such construction or maintenance, or from the railway station nearest thereto any other materials required for the works above named.

Name and Address of Applicant.

ARMSTRONG, H. K., Porepunkah; 17th July, 1939.

AUSTIN, H. A., Drouin; 20th June, 1939.

DOWLIN, J. A., Timboon; 30th June, 1939.

FRANZINI PTY. LTD., A., Kerang; 9th June, 1939.

FIELD, J. A., Newport.

JOHNS, H. L., Lindenow; 1st August, 1939.

LEATHURIDGE, F., Kerang; 26th June, 1939.

LEWIS, H., Maldon; 19th July, 1939.

MEMBREY, W. R., Dandenong; 20th July, 1939.

PAINA, G. A., Newport; 14th June, 1939.

PEACOCK, G. M., Yarrowonga; 11th July, 1939.

RIGBY & SON, B., Coleraine; 22nd June, 1939.

SCHULZ, M. M., Tallangatta; 21st June, 1939.

TAYLOR, A., Lilydale; 28th June, 1939.

TREASURE, J. P., Maffra; 12th July, 1939.

WHITEHEAD, S. G., Springvale; 2nd August, 1939.

Group No. 2.

Authorized to carry as follows, and not otherwise, that is to say—

(a) Within a radius of 20 miles from the Post Office at general goods.

(b) Within a radius of 50 miles from the Post Office at metal, stones, screenings, ashes, gravel and sand, and plant or equipment required in connexion with the construction or maintenance of some specific, existing, or proposed road, street, footpath, bridge, pier, wharf, weir, jetty, or channel.

(c) Within a radius of 20 miles from the site of such construction or maintenance, or from the railway station nearest thereto any other materials required for the works above named.

Name and Address of Applicant.

ADAMI, J. J., Daylesford; 22nd June, 1939.

BAILEY, L. McC., Coleraine; 26th June, 1939.

BURKE, E. M., Tempy; 18th July, 1939.

CURTIS, O. M., Bairnsdale; 21st June, 1939.

FENTON, A. C., Camperdown; 17th July, 1939.

HANNEBERRY, J. F., Miepoll (2 vehicles); 12th July, 1939.

HOPKINS, S. J., East Geelong; 17th July, 1939.

MCDONALD, W. L., Everton Upper; 11th July, 1939.

O'CALLAGHAN BROS., Tawonga; 26th June, 1939.

TUDER, A. T., Donald; 30th June, 1939.

VERSARI, F., Rushworth; 26th June, 1939.

Notice of any objection should be forwarded to reach the Secretary to the Board not later than Monday, the 22nd May, 1939.

F. P. MOUNTJOY,

Secretary.

Exhibition Buildings, Rathdown-street, Carlton, 16th May, 1939.

AMENDED SCALE OF FEES OF THE MARYBOROUGH PUBLIC CEMETERY.

IN pursuance of the powers conferred by the *Cemeteries Act 1928*, the Trustees of the Maryborough Public Cemetery make the following scale of fees which shall come into force immediately after its publication in the *Government Gazette*, and from and after such publication every scale of fees heretofore made relating to such matters shall be and is hereby rescinded.

CHARGES.

For Public Graves.

	£	s.	d.
1. Single interment in open ground, depth 6 feet	3	0	0
2. Children under 12 years of age	1	5	0
3. Still-born, or under one year	0	10	0

For Private Graves.

4. Land for grave, 8 feet by 4 feet, selected by applicant	3	10	0
5. Land for grave, 8 feet by 8 feet, selected by applicant	6	0	0
6. Sinking the same 6 feet	2	10	0
6A. Opening grave	2	0	0
7. Sinking for first additional foot	0	12	6
8. Sinking for second additional foot	0	15	0
9. Sinking for third additional foot	1	0	0
And so in progression for each additional foot			
10. Land for family vaults, £1 5s. per foot up to 12 feet	1	5	0
11. Excavating same per cubic yard	0	12	6
12. Excavating same beyond 9 feet deep, per cubic yard	0	15	0

Miscellaneous.

13. Single interment by Government or Hospital Contractor	1	15	0
14. For all interments which take place between 6 and 10 a.m.	0	10	6
15. Interments at other times, not in the usual hours	1	1	0
16. Extra charge on Sundays or Public Holidays	1	10	0
17. Grave numbers	0	3	0
18. Permission to erect monuments, headstones, &c., upon being approved by the Trustees—			
Costing under £10	0	10	0
Over £10 to £20	0	15	0
Over £20 to £50	1	10	0
Over £50 to £100	2	0	0
Over £100	3	10	0
19. Orders for interments must be given 12 working hours prior to the hour fixed for the interment, otherwise an extra charge will be made of	0	15	0
20. Where extra labour has to be employed per day or part thereof	0	15	0
21. Sunday or holiday work in preparation of a grave	1	10	0

(SEAL) R. S. GUTHRIE, } Trustees Maryborough
W. T. SUTTON, } Public Cemetery.
W. J. THORNHILL, }

Approved by the Governor in Council, 16th May, 1939.—
C. W. KINSMAN, Clerk of the Executive Council.

Local Government Act 1928, Part 42, Section 858.

LICENCES TO OCCUPY UNUSED ROADS.

NOTICE is hereby given that Licences to occupy Unused Roads have been issued to the following approved applicants, and that the Licence Fee specified in each case has been received by the Accountant, Lands Department, Melbourne, C.2.

Number of Licence.	Name and Address of Licensee.	Municipality.	Parish.	Abutting— Allotments and Sections.	Area.	Fee for Licence.	Date of Issue of Licence.	Date of Expiry of Licence.
					A. R. P.	£ s. d.		
28411	Wood, A. B., Pty. Ltd., Willaura	Ararat ..	Lalkaldarno	Between 83a and Greenvale P.R.	3 0 0	0 18 0	1.1.39	31.12.41
28412	Jones, Rhys, Mt. Clear ..	Buninyong ..	Ballaarat ..	South of 16c, sec. 11	1 1 0	0 2 6	1.1.39	31.12.41
28413	Birkett, T. C., Bungaree ..	Bungaree ..	Warrenheip	West of part, sec. 7	1 2 0	1 10 0	1.1.39	31.12.41
28414	Stalker, G., Lal Lal ..	Buninyong ..	Buninyong	West of 11A, 12A, sec. 7	2 1 0	0 11 3	1.1.39	31.12.41
28415	Flannagan (Mrs.), A., 403 Bell-street, Ballarat	Buninyong ..	Yarrowee ..	East and south of A65	2 2 32	0 5 6	1.1.39	31.12.41
28416	Paulett, J. D., Durham Lead ..	Buninyong ..	Buninyong	North of O, M, and N	6 3 0	1 7 0	1.1.39	31.12.41
28417	Norbury, J., Talbot ..	Talbot ..	Lillicur ..	South of 31 ..	2 0 0	0 2 6	1.1.39	31.12.41
28418	Coutts, J., Mt. Beckworth ..	Talbot ..	Beckworth	East of 6, 7, 8, 9, 10, 86, 31, 32, 35, north of 8, 15, 32, 38, south of 18	50 0 0	3 5 3	1.1.38	31.12.40
28419	Russell (Exors.), Jas., c/o Aitken, Walker, and Strachan, Melbourne	Colac and Leigh	Various ..	Various ..	413 1 19	76 12 9	1.1.38	31.12.40
28420	Atkinson, A., Cambrian Hill..	Buninyong ..	Buninyong	South of 51E, 51F ..	2 0 0	0 4 0	1.1.39	31.12.41
28421	Glover, J. H., Ballarat North..	Ballarat ..	Ballaarat ..	Part 19 (township of Ballarat North)	0 0 33	0 2 6	1.1.39	31.12.41
28422	Leishman (Mrs.), D., Clunes ..	Talbot ..	Clunes ..	Between 14 and 22, south of 23, 24	5 0 0	0 15 0	1.1.38	31.12.40
28423	McKenzie, D. H., Elmhurst..	Ararat ..	Eversley ..	North of 16A, west of 14B, 15B, &c.	16 1 0	1 5 9	1.1.39	31.12.41
28424	Couch, J., Pomonal ..	Ararat ..	Moyston West	Between 8 and 9 of A, and north-west part 8 of A	9 3 0	0 5 0	1.1.39	31.12.41
28425	Coxall, B. S., Buninyong ..	Buninyong ..	Buninyong	Between 25 and 25A, sec. 29	1 1 32	0 2 6	1.1.39	31.12.41
28426	Wright, J. T., Ballarat ..	Ballarat ..	Ballaarat ..	Between 12 and Railway Reserve (township of Ballarat North)	0 1 30	0 4 6	1.1.39	31.12.41
28427	Hardy (Mrs.), H. K. S., c/o The Equity Trustees, Melbourne	Ballarat ..	Ballaarat ..	Between 12c and Railway Reserve (township of Ballarat North)	0 1 15	0 3 6	1.1.39	31.12.41
28428	Williams, P. L., Camperdown..	Colac ..	Drecoite ..	Part west of 47 ..	2 3 0	2 15 0	1.1.39	31.12.41
28429	Wilson (Mrs.), J. D., Camperdown	Hampden ..	Kilnoorat ..	Between 9 and 11, sec. 22	4 2 0	1 2 6	1.1.39	31.12.41
28430	McPherson, M., Springdallah..	Grenville ..	Clarksdale	West of 8, 9, 42 ..	8 0 0	1 4 0	1.1.39	31.12.41
28431	Bradley (Mrs.), M. F., Mount Clear	Buninyong ..	Ballaarat ..	North of 16c ..	1 1 0	0 2 6	1.1.39	31.12.41
28432	Bradley (Mrs.), A. E., Mount Clear	Buninyong ..	Ballaarat ..	North of 16d ..	1 1 0	0 2 6	1.1.39	31.12.41
28433	Pickford, J., Clunes ..	Talbot ..	Clunes ..	North of 26a, 26c, sec. 6, &c.	10 0 0	0 7 0	1.1.39	31.12.41
28434	Pickford, C. A., Clunes ..	Talbot ..	Clunes ..	South of 11A, sec. 5, &c.	9 2 0	0 7 9	1.1.39	31.12.41
28435	Bautovich (Mrs.), B., Corindhap	Leigh ..	Corindhap..	South of 196 ..	3 1 8	0 13 0	1.1.39	31.12.41
28436	Dunster, H. R., Moyston ..	Ararat ..	Kalymna ..	South of 3a, east of part 8a9	4 2 0	0 11 3	1.1.39	31.12.41
28437	Winter-Irving (Exors. of), W. L., c/o Whiting and Byrne, 101 William-street, Melbourne	Colac and Heytesbury	Irrewillipe and Carpendeit	East of 92A, &c. ..	53 0 0	28 0 6	1.1.37	31.12.39
28438	Martin (Mrs.), E. G., Scarsdale	Grenville ..	Scarsdale ..	Between 11, sec. 1, and cemetery	1 0 0	0 6 0	1.1.39	31.12.41
28439	Holmes (Mrs.), E. S., Ascot ..	Hampden ..	Tooliorook	North of 2, sec. 22..	3 1 17	0 11 6	1.1.39	31.12.41
28440	O'Loughlin, Jas., Bullarook ..	Bungaree ..	Bungaree ..	South of 9, sec. 13 ..	1 0 12	0 10 9	1.1.39	31.12.41
28501	Hope, R., Catani ..	Berwick ..	Koo-wee-rup East	Portion east of 174, sec. O	1 0 0	0 7 6	1.1.38	31.12.40
28502	Swain Bros., Boolarra South..	Morwell ..	Mirboo ..	81, 82, 83 ..	29 0 0	2 2 6	1.1.39	31.12.41
28503	Robinson, John, Donvale ..	Lillydale ..	Wandin Yallock	Eastern portion, north of 98	3 1 0	0 10 0	1.1.39	31.12.41
28504	Hutcheon Bros., Wallan East..	Broad-meadows	Wallan	North of 81A ..	2 2 0	0 2 6	1.1.39	31.12.41
28505	Barker, J. W. W., Mordialloc..	Berwick ..	Koo-wee-rup East	South of 179, 180, sec. O	2 1 0	0 17 6	1.1.38	31.12.40
28506	Mit' man, H., and Goldstein, R., Middle Park	Berwick ..	Gembrook..	North of 96A ..	5 0 0	0 10 0	1.1.39	31.12.41
28507	Deumer, J. H. and W. E., Trongatha	Woorayl ..	Koorooman	North half, east of 32A	3 0 0	0 3 0	1.1.39	31.12.41
28508	Ross, Harold S., Merricks ..	Flinders ..	Balnarring	South-west of 13a ..	2 0 16	0 11 6	1.1.39	31.12.41
28509	Bennett, A. and H., Cockatoo	Ferntree Gully	Nangana ..	East of 46 ..	2 2 0	0 2 6	1.1.39	31.12.41
28510	Bow, A. W., Iona ..	Berwick ..	Koo-wee-rup East	West of 40, sec. C..	0 2 0	0 3 9	1.1.39	31.12.41
28511	Johnstone, John J., Hurst-bridge	Eltham ..	Greensborough	North of 51, sec. E..	2 0 0	0 6 0	1.1.39	31.12.41
28512	Wilson, J. E., Plenty P.O. ..	Heidelberg ..	Morang ..	North and east of 6, sec. 12	4 0 0	0 5 0	1.1.39	31.12.41

LICENCES TO OCCUPY UNUSED ROADS—continued.

Number of Licence.	Name and Address of Licensee.	Municipality.	Parish.	Abutting— Allotments and Sections.	Area.	Fee for Licence.	Date of Issue of Licence.	Date of Expiry of Licence.
28513	Graham, J., junior, Wonthaggi	Bass ..	Wonthaggi North	North and east of 27	A. R. P. 7 0 0	£ s. d. 0 5 0	1.1.39	31.12.41
28514	Dowd, Joseph. Neerim East ..	Buln Buln ..	Neerim ..	Western portion, north of 39	3 0 0	0 15 0	1.1.39	31.12.41
28515	Maher, A. A., Topiram ..	Korumburra	Jeetho ..	West of 19, 20, north of 19, sec. 2	2 0 0	1 4 0	1.1.39	31.12.41
28516	Fairbrother, D. W., Boolarra ..	Morwell ..	Mirboo ..	Between 83 and 84A	3 0 0	0 7 6	1.1.39	31.12.41
28517	Ball, A. L., Iona ..	Berwick ..	Koo-wee-rup East	South of 162, 165, sec. O	2 0 0	0 2 6	1.1.39	31.12.41
28518	Clutterbuck (Mrs.), E. E., Beveridge	Broad-meadows	Morriang ..	East of 8, 9, sec. 8 ..	0 3 0	0 8 0	1.1.39	31.12.41
28519	Minns, T. M., Melton ..	Melton ..	Djerriwarrah	East of B11, 12, 13, 14, 15, sec. 5	3 1 0	0 16 3	1.1.39	31.12.41
28520	Boardman, B. J., Trafalgar ..	Narracan ..	Yarragon ..	Eastern portion, through 16, sec. A	2 1 0	0 10 0	1.1.39	31.12.41
28521	Woodman, Henry M., Longwarry	Buln Buln ..	Drouin West	East of Lot 32 of 169	0 2 0	0 2 6	1.1.39	31.12.41
28522	McLeish, G. S., Leongatha South	Woorayl ..	Leongatha	East of 82n ..	1 2 0	0 2 6	1.1.39	31.12.41
28523	Dodd, Cyril J., Dumbalk North	Woorayl ..	Dumbalk ..	East of 8b ..	3 0 0	0 3 0	1.1.39	31.12.41
28524	Goudge, W. R., Thomastown ..	Whittlesea ..	Keel-bundoora	South of 50 ..	2 0 0	0 4 0	1.1.39	31.12.41
28525	Hales, James P., Kongwak ..	Korumburra	Kongwak ..	North of 18e ..	2 0 0	0 5 0	1.1.39	31.12.41
28526	Kurrie, E. H., Kongwak ..	Korumburra	Kongwak ..	Western portion, south of 16c, eastern portion, south of 15c	3 2 0	0 8 9	1.1.39	31.12.41
28527	Brown (Mrs.), J. R., Noojee ..	Buln Buln ..	Noojee East	South of 22c ..	0 2 0	0 2 6	1.1.39	31.12.41
28528	Luckie, S. J., Buffalo ..	South Gippsland	Meenyan ..	West of 7, sec. 1 ..	1 0 0	0 2 6	1.1.39	31.12.41
28529	Haysom, Wm. Henry, Drouin	Buln Buln ..	Drouin West	Northern portion, west of 67	2 0 0	0 2 6	1.1.39	31.12.41
28530	Schultz, H., Koo-wee-rup North	Berwick ..	Koo-wee-rup	West of 33, sec. H ..	1 0 0	0 7 6	1.1.39	31.12.41
28531	Kavanagh, J. J., Iona ..	Berwick ..	Koo-wee-rup East	West and south of 68, south of 71	1 2 0	0 11 3	1.1.39	31.12.41
28532	Walsh, John, Kongwak ..	Korumburra	Kongwak ..	Western portion, south of 15c	0 3 8	0 2 6	1.1.39	31.12.41
28533	Walsh (Mrs.), C. M., Kongwak	Korumburra	Kongwak ..	South of 15n ..	2 0 0	0 5 0	1.1.39	31.12.41
28534	Anderson, Ernest C., Korumburra	Korumburra	Korumburra	South of 24, sec. 8 ..	3 3 0	0 11 3	1.1.39	31.12.41
28535	Coman, Ambrose C., Kerrie ..	Romsey ..	Rochford ..	North-west of 115 ..	1 1 0	0 2 6	1.1.39	31.12.41
28536	McLaren, W. J., Glen Alvie ..	Bass ..	Jumbunna	Southern portion, east of 19, northern portion, west of 52, B2	2 2 0	0 12 6	1.1.39	31.12.41
28537	Harvey, Albert E., Ruby ..	Woorayl ..	Korumburra	East of 64E ..	1 2 0	0 7 6	1.1.39	31.12.41
28538	Cashen, P. J., Springfield ..	Romsey ..	Chintin ..	North of 20, 21, part 19	9 0 0	0 10 0	1.1.39	31.12.41
28539	Coglan, Thomas, Pt. Franklin	South Gippsland	Toora ..	North of 2, sec. 6 ..	1 0 0	0 2 6	1.1.39	31.12.41
28540	Holden, A. E., Korumburra South	Korumburra	Korumburra	Eastern portion, south of 20, sec. 8	1 0 0	0 3 0	1.1.39	31.12.41
28571	Yencken, W. D., Coleraine ..	Wannon ..	Beerik ..	East of B, sec. 17, north of C, sec. 17, south of C, sec. 17	9 0 22	1 18 9	1.1.39	31.12.41
28572	Bibby, R. J., Navarre ..	Stawell ..	Navarre ..	West of 1, 25, 24, north of 1, 2, 25 and 26	16 3 17	0 16 9	1.1.38	31.12.40
28573	Troeth, C. A., Heywood ..	Portland ..	Homerton	East of 139 ..	4 0 0	0 16 0	1.1.38	31.12.40
28574	Walsh, H., Bangerang ..	Warrack-nabeal	Bangerang	Between 76n and 74	0 2 0	0 2 6	1.1.38	31.12.40
28575	Brody, H. J. G., Balmoral ..	Wannon ..	Brit Brit ..	East of 2n and 6, sec. 6	6 3 8	0 10 0	1.1.39	31.12.41
28576	Nelson, E. M., Hawkesdale ..	Minhamite ..	Minhamite	North of 1c, sec. 3	4 1 0	1 9 9	1.1.39	31.12.41
28577	Cranage, R. G., Edenhope ..	Kowree ..	Edenhope	South of 63n ..	4 2 0	0 2 9	1.1.39	31.12.41
28578	Twomey, E. R., Penshurst ..	Minhamite ..	Langulac ..	North of 1A, 1b, west of 1A, 2A, south of 2A, 2b, sec. 14	20 0 0	7 0 0	1.1.39	31.12.41
28579	Howman, F. J., Vasey ..	Wannon ..	Bil Bil Wyt	Between 91 and 92, west of 91	22 1 8	0 11 0	1.1.39	31.12.41
28580	Kannenberg, J. and A. E., Hamilton	Dundas ..	Napier ..	North of part 5 ..	3 2 2	0 3 6	1.1.38	31.12.40

Licence No. 28503, rent charged from 1st March, 1939.—Licence No. 28505, rent charged from 1st July, 1938.—Licences Nos. 28511, 28572, and 28578, special condition—suitable unlocked swing gates to be erected.

A. E. LIND,
Minister of Lands.

Department of Lands and Survey (Unused Roads and Water Frontages Branch).
Melbourne, 11th May, 1939.

SHIRE OF SHEPPARTON WATERWORKS TRUST.

RATING BY-LAW 1939.

THE Commissioners of the Shire of Shepparton Waterworks Trust in pursuance of the powers conferred by the Water Acts, do hereby make the following By-law:—

By-law No. 47.

1. A rate of Nine pence in the One pound (£1) sterling on the net annual value of all rateable property within the Shire of Shepparton Waterworks Trust District, according to the valuation for the time being of all lands and tenements for the municipal rates of the Shire of Shepparton, is hereby made for the year commencing on the 1st day of January, 1939, and ending on the 31st day of December, 1939.

2. Such rate is hereby made payable in one instalment, and shall be due and payable on the 18th day of May, 1939.

3. Such person or persons as the Trust may from time to time appoint for that purpose shall be authorized to demand and collect the said rate.

The foregoing By-law was made by the Commissioners of the Shire of Shepparton Waterworks Trust on the 3rd day of April, 1939.

The common seal of the Shire of Shepparton Waterworks Trust was affixed by the authority of the said Trust and in the presence of—

(SEAL) F. ROE, Chairman.
K. LITTLE, Secretary.

Approved by the Governor in Council,
the 16th May, 1939.

C. W. KINSMAN,
Clerk of the Executive Council.

STATE RIVERS AND WATER SUPPLY COMMISSION.

BY-LAW No. 3872.—RATES.—COLDEN URBAN DISTRICT WITHIN THE OTWAY WATERWORKS DISTRICT.

THE State Rivers and Water Supply Commission, in pursuance and exercise of the powers conferred by the Water Acts, do hereby make the By-law following:—

1. The following rates for the supply of water for domestic purposes, otherwise than by measure, are hereby made, and shall be levied upon the occupiers or owners of lands and tenements within the Colden Urban District within the Otway Waterworks District:—

(1) Of any tenement (other than land on which there is no building) situate in a street in which a pipe for the supply of water has been laid down—a rate of Nine pence in the pound of the annual municipal valuation of such tenement. Provided that the rate for the supply of water as aforesaid to such tenement shall not be less than the sum of Fifteen shillings for the period hereinafter set out.

(2) Of lands on which there is no building situate in a street in which a pipe for the supply of water has been laid down—a rate of Nine pence in the pound of the annual municipal valuation of such lands. Provided that the rate for the supply of water as aforesaid to such lands shall not be less than the sum of Two shillings and six pence for the period hereinafter set out.

2. Such rates are made and shall be levied for the period beginning with the 22nd day of April, 1939, and ending with the 30th day of June, 1939, and shall be payable on the 19th day of May, 1939, at the office of the said Commission, at Camperdown.

3. Such person or persons as the State Rivers and Water Supply Commission may from time to time appoint for that purpose shall be and, is or are hereby authorized to demand, receive, collect, and recover the said rates.

The foregoing By-law was made by the State Rivers and Water Supply Commission on the 8th day of May, 1939, and the common seal of the said Commission was hereunto affixed the 12th day of May, 1939, in the presence of—

(SEAL) L. R. EAST, Chairman.
W. A. ROBERTSON, Commissioner.
H. HANSLOW, Commissioner.

Approved by the Governor in Council,
the 16th May, 1939.

C. W. KINSMAN,
Clerk of the Executive Council.

Water Act 1928 (No. 3801).—Fifth Schedule.

STATE RIVERS AND WATER SUPPLY COMMISSION.

TERANG URBAN DISTRICT.

NOTICE to owners of tenements in the Under-mentioned streets in the Terang Urban District and the private streets, lanes, courts, and alleys opening thereto:—

Cameron-street, from Baynes-street to Grey-street.

Austin-avenue, from Baynes-street to a point about 3½ chains south.

Galloway-street, from Grey-street to Swanston-street.

Pitt-street, from Baynes-street to Swanston-street.

Seymour-street, from Warrnambool-road to a point about 3 chains north, and from Tobin-street to Swanston-street.

Lyons-street.

Simpson-street, from High-street to Swanston-street.

Shadforth-street, from High-street to Swanston-street.

Estcourt-street, from Promenade to High-street.

McKinnon-street.

Strong-street, from Camperdown-road to Promenade.

Thomson-street, from Camperdown-road to Cobham-street.

Wilson-street.

Hampden-street.

Dow-street, from Camperdown-road to Emeny-street.

Emeny-street, from Dow-street to a point about 13 chains easterly.

The Parade.

Ewing-street, from Strong-street to Dow-street.

Promenade, from Estcourt-street to Strong-street.

Camperdown-road, from Estcourt-street to a point about 10 chains north-east of Dow-street.

High-street.

Warrnambool-road, from High-street to McWilliam-street.

Tobin-street.

Bolivar-street, from Lyons-street to a point about 3 chains west of Pitt-street.

Baynes-street, from Thomson-street to Cameron-street.

Grey-street.

Swanston-street, from Galloway-street to Seymour-street and from Simpson-street to Shadforth-street.

The main pipe in the said streets being laid down, the owners of all tenements situated as above are hereby required, on or before the 17th day of June next, to cause proper pipes and stop cocks to be laid so as to supply water within such tenements from the main pipe.

L. R. EAST, Chairman.

State Rivers and Water Supply Commission.

Melbourne, 13th May, 1939.

ORDERS IN COUNCIL.—(Series 1938-39.)

DEPARTMENT OF PUBLIC INSTRUCTION.

Melbourne Technical College.

1412. One only radio transmitting unit, 300 watt (aerial power), £250.—Western Province Radio Proprietary Limited.

Collingwood Technical School.

1413. One (1) only "Graham and Normanton" traversing table type shaping machine, 18-in. stroke, 3-h.p. motor, standard equipment, £328 10s.—Frank Vial and Son.

1414. Two (2) only "Qualos" lathes, 7-in. centres x 42 hollow spindle, high speed, motor driven, complete with standard equipment, £522.—Herbert Osborne.

1415. One (1) only "Herbert No. 10" milling machine, complete with standard equipment, £580 7s. 6d.—Alfred Herbert Pty. Ltd.

1416. One (1) only "Archdale" plain milling machine, all geared, complete with pump and motor driven, £557 10s.—McPherson's Pty. Ltd.

Approved by the Governor in Council, the 9th May, 1939.—
C. W. KINSMAN, Clerk of the Executive Council.

STATE ELECTRICITY COMMISSION.

1417. For the supply of black coal for a period from the acceptance of the tender until the 30th June, 1940, to Specification No. 38-39/100.—Melbourne Steamship Co. Ltd.

1418. For the supply and cartage of black coal for a period from the acceptance of the tender until the 30th June, 1940, to Specification No. 38-39/100.—Interstate Steamships Pty. Ltd.

1419. For the supply of portable air compressor, rock drills, and mountings, to Quotation No. 3145.—Ingersoll-Rand (Aust.) Pty. Ltd.

1420. For the supply of galvanized steel transmission towers, to Specification No. 38-39/99.—Johns and Waygood Ltd.

1421. For the supply of mineral base insulating panels for a period of twelve months, to Specification No. 38-39/88.—Mica and Insulating Supplies Company.

1422. For the supply of spare parts for 15-000 k.W. turbines at Newport "B" Power Station, to Quotation No. 2882.—William Adams and Co. Ltd.

Approved by the Governor in Council, 2nd May, 1939.—C. W. KINSMAN, Clerk of the Executive Council.

1423. For the supply of one only two-stage air compressor, to Quotation No. 3314.—Ingersoll-Rand (Aust.) Pty. Ltd.

1424. For the supply of 22,000 and 6,600 volt transformers, to Specification No. 38-39/85.—Wilson Electric Transformer Co. Pty. Ltd.

1425. For the supply of 22,000 and 6,600 volt transformers, to Specification No. 38-39/85.—Australian General Electric Ltd.

1426. For the supply of Portland cement for a period of twelve months, to Specification No. 38-39/98.—Australian Cement Ltd.

Approved by the Governor in Council, 9th May, 1939.—C. W. KINSMAN, Clerk of the Executive Council.

DEPARTMENT OF LANDS AND SURVEY.

At the Executive Council Chamber, Melbourne, the sixteenth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.

Sir John Harris | Mr. Hyland.
Sir George Goudie |

LAND TEMPORARILY RESERVED FROM SALE.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby, in pursuance of the provisions of the *Land Act 1928*, reserve, temporarily, and also except from occupation for mining purposes under any miner's right, the land hereinafter described:—

WODONGA.—Site for Public Recreation and Plantation purposes, 5 acres 1 rood 30 perches, more or less, being section W. Town of Wodonga, Parish of Wodonga, County of Bogong: Commencing at the intersection of the south-eastern side of Hovell-street and the south-western side of Osburn-street; bounded thence by the last-mentioned street bearing S. 69 deg. 30 min. E. to the Railway Reserve: by that reserve bearing south-westerly to the north-eastern side of South-street; by that street bearing N. 69 deg. 30 min. W. to Hovell-street aforesaid; and thence by that street bearing N. 20 deg. 30 min. E. 1,000 links to the point of commencement.—(W.308 s(2) (Rs.3948, Rs.4924).

TEMPORARY RESERVATION OF LAND.—ORDER IN COUNCIL REVOKED AS TO PART.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby revoke the following Order in Council as to part:—

MANGALORE.—The Order in Council of the 17th June, 1889 (see *Government Gazette*, 1889, page 2186), temporarily reserving 446 acres 3 roods 1 perch of land in the Parish of Mangalore as a site for Railway purposes, revoked as to part by Order in Council of the 5th March, 1931 (see *Government Gazette*, 1931, page 813), so far as regards the portion thereof hereinafter described, viz.:—115 acres 3 roods 35 perches, Parish of Mangalore, County of Anglesey: Commencing at the north-west angle of allotment 33B; bounded thence by a road bearing north 3,978 links; by lines bearing east 2,644 links and S. 61 deg. 34 min. E. 316 5/10 links; by allotment 36 bearing south 3,824 links; and thence by allotment 33B aforesaid bearing S. 80 deg. 56 min. W. 2,922 links to the point of commencement.—(M.501 (2) (H.09804).

And the Honorable A. E. Lind, His Majesty's Commissioner of Crown Lands and Survey for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

DEPARTMENT OF PUBLIC INSTRUCTION.

At the Executive Council Chamber, Melbourne, the sixteenth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria

Sir John Harris | Mr. Hyland.
Sir George Goudie |

REGULATION XI. (J).—CERTIFICATE OF COMPETENCY IN SPEECH TRAINING.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and in pursuance of the powers conferred under section 18 of the *Education Act 1928*, and all other powers thereto enabling, doth hereby rescind Regulation XI. (J).—Certificate of Competency in Voice Production—and in lieu thereof doth make the following Regulation, that is to say:—

"REGULATION XI. (J).—CERTIFICATE OF COMPETENCY IN SPEECH TRAINING.

1. The Certificate of Competency in Speech Training shall be granted to qualified candidates who pass satisfactorily an examination in the following subjects, namely:—

(a) Theoretical—

- (i) Vocal physiology
- (ii) The sounds of English and phonetics.
- (iii) The art of reading prose.
- (iv) The speaking of verse.

(b) Practical—

- (i) Preparing notes of, and giving lessons in, speech training.
- (ii) Reading and speaking of prepared and unprepared passages of prose and verse.

2. (a) The practical tests for this certificate shall be taken in connexion with a school of instruction or a vacation school, and shall be conducted by examiners nominated by the Chairman of the Board of Examiners.

(b) No candidate shall be admitted to the practical tests unless he or she has completed satisfactorily a course of instruction at one of the schools mentioned in sub-clause (a) of this clause.

3. The details of the subjects of examination mentioned in clause 1 above shall be the following, and/or such others as may from time to time be determined by the Director and announced in the *Education Gazette and Teachers' Aid*, namely:—

(a) Vocal physiology—

- (i) Breathing.
- (ii) Vibration (vocal cords).
- (iii) Resonance.
- (iv) Articulation.

The textbook prescribed is the third edition of *Voice Training* (Chapters I. to V.), by Dr. Hulbert.

(b) The Sounds of English and Phonetics—

No textbook is prescribed. The scope and the standard required are approximately those outlined in Chapters V. and XI. of *Practical Speech Training for Schools*, by Rodney Bennett.

(c) The Art of Reading Prose—

- (i) Conveying sense.
- (ii) Conveying emotion.
- (iii) Stages in the study of a passage.

The textbook prescribed is the third edition of *Voice Training* (Chapter XI.), by Dr. Hulbert.

(d) The Speaking of Verse—

The textbook prescribed is *Spoken Poetry in the Schools*, by Marjorie Gullan.

(e) Practical—

- (i) Speech training in the schools.
- (ii) Elementary dramatic work.

The textbook prescribed is *The Play Way of Speech Training*, by Rodney Bennett.

And the Honorable Sir John Harris, His Majesty's Minister of Public Instruction for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

COUNTRY ROADS BOARD.

At the Executive Council Chamber, Melbourne, the ninth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.
 Mr. Bailey | Sir John Harris
 Mr. Mackrell | Mr. Tuckett.

DECLARATION OF THE NEW DONALD-BIRCHIP-SEA LAKE ROAD IN THE SHIRE OF BIRCHIP.

WHEREAS by section 21 of the *Country Roads Act* 1928 (No. 3662) it is amongst other things enacted that when the Country Roads Board under the provisions of the Country Roads Act has taken the land necessary for constructing a road or deviation it shall as soon as it thinks such road or deviation is fit to be used as a public highway by Resolution declare the road or deviation to be a main road or part thereof and that upon publication in the *Government Gazette* of the Order of the Governor in Council confirming such Resolution such road or deviation shall thereupon be a main road or part thereof within the meaning of the said Act: And whereas the said Board has by Resolution declared the road on the land described in the Schedule to such Resolution to be part of a main road: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a New Main Road under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the Country Roads Act for the purpose of constructing such new road which new road has now been laid out and formed on the same: And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as part of a public highway such Board at a meeting now holden acting under the authority conferred upon it by section 21 of the *Country Roads Act* 1928 doth by this Resolution hereby declare the said new road the course of which is described in the Schedule hereto with the commencing and terminating points thereof respectively specified to be part of the main road within the meaning and for the purposes of the Country Roads Act.

SCHEDULE.

Shire of Birchip.

1. *Donald-Birchip-Sea Lake Road* (2101).—All those pieces of land in the Parish of Maribed the boundaries of which are as follow:—

- (a) Commencing at the north-eastern angle of allotment 4 of the said parish; thence by lines bearing respectively 180 deg. 0 min. 811 links, 351 deg. 28 min. 300 links, 334 deg. 24 min. 300 links, 317 deg. 22 min. 331.5 links, and 90 deg. 0 min. 398.5 links to the point of commencement.
- (b) Commencing at the south-western angle of allotment 7 of the said parish; thence by lines bearing respectively 360 deg. 0 min. 592 links, 149 deg. 53 min. 247 links, 132 deg. 49 min. 300 links, 115 deg. 37 min. 300 links, 98 deg. 32 min. 300 links, and 270 deg. 0 min. 910.8 links to the point of commencement.
- (c) Commencing at the north-eastern angle of allotment 14 of the said parish; thence by lines bearing respectively 180 deg. 0 min. 200 links, 345 deg. 9 min. 207 links, and 90 deg. 0 min. 53 links to the point of commencement.
- (d) Commencing at the most westerly angle of allotment 25 of the said parish; thence by lines bearing respectively 51 deg. 30 min. 280 links, 175 deg. 47 min. 513 links, and 321 deg. 30 min. 424 links to the point of commencement.
- (e) Commencing at the south-western angle of allotment 31 of the said parish; thence by lines bearing respectively 321 deg. 30 min. 784.2 links, 107 deg. 57 min. 941 links, and 231 deg. 30 min. 520 links to the point of commencement.
- (f) Commencing at the north-eastern angle of allotment 33 of the said parish; thence by lines bearing respectively 180 deg. 0 min. 800 links, 312 deg. 27 min. 861 links, 273 deg. 21 min. 652 links, and

82 deg. 0 min. 1,299 links to the point of commencement—

which said pieces of land are particularly delineated and shown coloured red on survey plans Nos. 3655, 3656, 3900, 3901, and 3992, lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred, and thirty-nine, in the presence of—

(SEAL) F. W. FRICKE, Chairman.
 W. L. DALE, Member.
 R. JANSEN, Secretary.

DECLARATION OF THE NEW TRENTHAM ROAD IN THE SHIRE OF KYNETON.

WHEREAS by section 21 of the *Country Roads Act* 1928 (No. 3662) it is amongst other things enacted that when the Country Roads Board under the provisions of the Country Roads Act has taken the land necessary for constructing a road or deviation it shall as soon as it thinks such road or deviation is fit to be used as a public highway by Resolution declare the road or deviation to be a main road or part thereof and that upon publication in the *Government Gazette* of the Order of the Governor in Council confirming such Resolution such road or deviation shall thereupon be a main road or part thereof within the meaning of the said Act: And whereas the said Board has by Resolution declared the road on the land described in the Schedule to such Resolution to be part of a main road: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a New Main Road under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the Country Roads Act for the purpose of constructing such new road which new road has now been laid out and formed on the same: And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as part of a public highway such Board at a meeting now holden acting under the authority conferred upon it by section 21 of the *Country Roads Act* 1928 doth by this Resolution hereby declare the said new road the course of which is described in the Schedule hereto with the commencing and terminating points thereof respectively specified to be part of the main road within the meaning and for the purposes of the Country Roads Act.

SCHEDULE.

Shire of Kyneton.

3. *Trentham Road* (8903).—All that piece of land in the Parish of Lauriston the boundaries of which are as follow:—Commencing at the south-eastern angle of allotment 146 of the said parish; thence by lines bearing respectively 268 deg. 58 min. 43.3 links, 22 deg. 36 min. 109.2 links, and 179 deg. 14 min. 100 links to the point of commencement.

Also, all those pieces of land in the Parish of Tylden the boundaries of which are as follow:—

- (a) Commencing at the north-eastern angle of allotment 1 of the said parish; thence by lines bearing respectively 227 deg. 0 min. 100 links, 23 deg. 38 min. 74.5 links, and 90 deg. 0 min. 43.3 links to the point of commencement.
- (b) Commencing at an angle in the eastern boundary of allotment 1 of the said parish formed by the intersection of lines bearing 227 deg. 0 min. and 256 deg. 0 min; thence by lines bearing respectively 256 deg. 0 min. 50 links, 61 deg. 30 min. 97 links, and 227 deg. 0 min. 50 links to the point of commencement.
- (c) Commencing at an angle in the north-western boundary of allotment 2 of the said parish formed by the intersection of lines bearing 256 deg. 0 min. and 224 deg. 55 min.; thence by lines bearing respectively 76 deg. 0 min. 200 links, 240 deg. 27 min. 385.5 links, and 44 deg. 55 min. 200 links to the point of commencement.
- (d) Commencing at the south-eastern angle of allotment 1 of the said parish; thence by lines bearing respectively 270 deg. 0 min. 200 links, 87 deg. 27 min. 369.5 links, and 224 deg. 55 min. 200 links to the point of commencement.

- (c) Commencing at a point on the southern boundary of allotment 1 of the said parish, distant 270 deg. 0 min. 490 links from the south-eastern angle of that allotment; thence by lines bearing respectively 270 deg. 0 min. 710 links, 290 deg. 0 min. 220 links, and 94 deg. 41 min. 920 links to the point of commencement—

which said pieces of land are particularly delineated and shown coloured red on survey plans Nos. 3633 and 3634 lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred and thirty-nine, in the presence of—

(SEAL) F. W. FRICKE, Chairman.
W. L. DALE, Member.
R. JANSEN, Secretary.

DECLARATION OF THE NEW BOOLARRA-FOSTER ROAD IN THE SHIRE OF SOUTH GIPPSLAND.

WHEREAS by section 21 of the *Country Roads Act 1928* (No. 3662) it is amongst other things enacted that when the Country Roads Board under the provisions of the Country Roads Act has taken the land necessary for constructing a road or deviation it shall as soon as it thinks such road or deviation is fit to be used as a public highway by Resolution declare the road or deviation to be a main road or part thereof and that upon publication in the *Government Gazette* of the Order of the Governor in Council confirming such Resolution such road or deviation shall thereupon be a main road or part thereof within the meaning of the said Act: And whereas the said Board has by Resolution declared the road on the land described in the Schedule to such Resolution to be part of a main road: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a New Main Road under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the Country Roads Act for the purpose of constructing such new road which new road has now been laid out and formed on the same: And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as a public highway such Board at a meeting now holden acting under the authority conferred upon it by section 21 of the *Country Roads Act 1928* doth by this Resolution hereby declare the said new road the course of which is described in the Schedule hereto with the commencing and terminating points thereof respectively specified to be part of a main road within the meaning and for the purposes of the said Country Roads Act.

SCHEDULE.

Shire of South Gippsland.

5. *Boolarra-Foster Road* (15405).—All that piece of land in the Parish of Wonga Wonga the boundaries of which are as follow:—Commencing at a point in allotment 11, section B, of the said parish distant 92 deg. 41 min. 117.4 links and 199 deg. 18 min. 274.8 links from an angle in the northern boundary of the said allotment formed by the intersection of lines bearing 156 deg. 29 min. and 92 deg. 41 min.; thence by lines bearing respectively 151 deg. 40 min. 248.2 links, 112 deg. 23 min. 354 links, 181 deg. 3 min. 156 links, 202 deg. 10 min. 317 links, 0 deg. 37 min. 365 links, 302 deg. 8 min. 354 links, 334 deg. 55 min. 153 links, and 10 deg. 18 min. 117.2 links to the point of commencement.

All those pieces of land in the Parish of Wonga Wonga South the boundaries of which are as follow:—

- (a) Commencing at the north-western angle of allotment 30A, section A, of the said parish; thence by lines bearing respectively 74 deg. 25 min. 150 links, 197 deg. 10 min. 450.4 links, 342 deg. 48 min. 150 links, and 7 deg. 33 min. 249 links to the point of commencement.
- (b) Commencing at a point on the western boundary of allotment 30A, section A, of the said parish distant 346 deg. 44 min. 476 links from the southern angle of the said allotment; thence by lines bearing respectively 346 deg. 44 min. 363 links, 326 deg. 46 min. 289 links, 110 deg. 1 min. 327.3 links, 162 deg. 48 min. 216 links, 200 deg. 26 min. 199.3 links, and 213 deg. 41 min. 108.3 links to the point of commencement.

- (c) Commencing at a point on the eastern boundary of allotment 30, section A, of the said parish distant 16 deg. 13 min. 938.4 links from the south-eastern angle of the said allotment; thence by lines bearing respectively 346 deg. 44 min. 619.5 links, 76 deg. 44 min. 50 links, 166 deg. 44 min. 531 links, and 196 deg. 13 min. 101.6 links to the point of commencement.

- (d) Commencing at the southern angle of allotment 30A, section A, of the said parish; thence by lines bearing respectively 346 deg. 44 min. 200 links, 107 deg. 0 min. 201.6 links, and 227 deg. 15 min. 200 links to the point of commencement—

which said pieces of land are particularly delineated and shown coloured red on survey plans Nos. 1599, 1600, and 2775, lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred and thirty-nine, in the presence of—

(SEAL) F. W. FRICKE, Chairman.
W. L. DALE, Member.
R. JANSEN, Secretary.

DECLARATION OF THE NEW BIRCHIP-SEA LAKE ROAD IN THE SHIRE OF WYCHEPROOF.

WHEREAS by section 21 of the *Country Roads Act 1928* (No. 3662) it is amongst other things enacted that when the Country Roads Board under the provisions of the Country Roads Act has taken the land necessary for constructing a road or deviation it shall as soon as it thinks such road or deviation is fit to be used as a public highway by Resolution declare the road or deviation to be a main road or part thereof and that upon publication in the *Government Gazette* of the Order of the Governor in Council confirming such Resolution such road or deviation shall thereupon be a main road or part thereof within the meaning of the said Act: And whereas the said Board has by Resolution declared the road on the land described in the Schedule to such Resolution to be part of a main road: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a New Main Road under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the Country Roads Act for the purpose of constructing such new road which new road has now been laid out and formed on the same: And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as part of a public highway such Board at a meeting now holden acting under the authority conferred upon it by section 21 of the *Country Roads Act 1928* doth by this Resolution hereby declare the said new road the course of which is described in the Schedule hereto with the commencing and terminating points thereof respectively specified to be part of the main road within the meaning and for the purposes of the Country Roads Act.

SCHEDULE.

Shire of Wycheproof.

4. *Birchip-Sea Lake Road* (18704).—All that piece of land in the Parish of Willaungie the boundaries of which are as follow:—Commencing at the south-western angle of allotment 62 of the said parish; thence by lines bearing respectively 360 deg. 0 min. 470 links, 131 deg. 40 min. 515 links, 101 deg. 38 min. 635 links, and 270 deg. 2 min. 1,006.5 links to the point of commencement—which said piece of land is particularly delineated and shown coloured red on survey plan No. 3993, lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred and thirty-nine, in the presence of—

(SEAL) F. W. FRICKE, Chairman.
W. L. DALE, Member.
R. JANSEN, Secretary.

DECLARATION OF A DEVIATION FROM THE BEECH FOREST-LAVER'S HILL ROAD IN THE SHIRE OF OTWAY.

WHEREAS by section 58 of the *Country Roads Act 1928* (No. 3662) it is amongst other things enacted that when the Country Roads Board under the provisions of the Country Roads Act has by Resolution declared a deviation to be a main road the said Board may also declare that such deviation shall be in lieu of any existing road or part thereof

named in such Resolution and that on publication in the *Government Gazette* of the Order confirming such Resolution the existing road or part thereof shall cease to be a main road or be discontinued as provided in the Resolution: And whereas the said Board has by Resolution declared the deviation on the land described in the First Schedule to such Resolution to be a main road and has also declared that such deviation shall be in lieu of the part of the existing road being the land described in the Second Schedule to such Resolution: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a Deviation under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the *Country Roads Act* 1928 for the purpose of constructing such road deviation which road deviation has now been laid out and formed on the same: And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as a public highway such Board at a meeting now holden acting under the authority conferred upon it by section 58 of the said Act doth by this present Resolution hereby declare the said road deviation the course of which is described in the First Schedule hereto with the commencing and terminating points thereof respectively specified to be part of a main road within the meaning and for the purposes of the *Country Roads Act* 1928: And the said Board doth also declare that such deviation shall be in lieu of the existing road or part thereof described in the Second Schedule hereto.

FIRST SCHEDULE.

Shire of Otway.

2. *Beech Forest-Laver's Hill Road* (12809).—All that piece of land in the Parish of Weaprounah, and being a roadway generally 1 chain wide, the south-eastern boundary of which commences at a point on the south-eastern boundary of allotment 36 of the said parish distant 230 deg. 38 min. 269.6 links from an angle in the eastern boundary of the said allotment formed by the intersection of lines bearing 197 deg. 39 min. and 230 deg. 38 min.; thence south-westerly through allotments 36, 36c, and 56 to a point on the south-eastern boundary of the last-named allotment distant 70 deg. 22 min. 64.5 links from an angle in that boundary formed by the intersection of lines bearing 20 deg. 26 min. and 70 deg. 22 min.

Also, all that piece of land in the Parish of Barwongemoong, and being a roadway generally 1½ chains wide, the western boundary of which commences at a point on the eastern boundary of allotment 3E of the said parish distant 42 deg. 4 min. 81 links and 17 deg. 18 min. 454 links from the south-eastern angle of the said allotment 3E; thence generally south-westerly through the said allotment and allotment 3c to the most southerly angle of the last-named allotment.

Also, all those pieces of land in the Parish of Wyclangta the boundaries of which are as follow:—

- (a) Commencing at a point on the western boundary of allotment 7A of the said parish distant 200 deg. 59 min. 251 links from the north-western angle of the said allotment; thence by lines bearing respectively 187 deg. 51 min. 1,100 links, 355 deg. 44 min. 585.4 links, and 20 deg. 59 min. 541.8 links to the point of commencement.
- (b) Commencing at the south-western angle of lot 5, section A, Parish of Wyclangta; thence by lines bearing respectively 79 deg. 54 min. 406 links, 42 deg. 0 min. 310.3 links, 218 deg. 34 min. 317.1 links, and 262 deg. 31 min. 413.2 links to the point of commencement.

Also, all those pieces of land in the Parishes of Barwongemoong and Wyclangta the boundaries of which are as follow:—

- (a) Commencing at the north-eastern angle of allotment 18 of the first-named parish; thence by lines bearing respectively 95 deg. 46 min. 101 links, 77 deg. 45 min. 768 links, 79 deg. 21 min. 829 links, 54 deg. 12 min. 520 links, 222 deg. 26 min. 280 links, 234 deg. 36 min. 320 links, 251 deg. 39 min. 345.3 links, 251 deg. 29 min. 404.3 links, 257 deg. 41 min. 197 links, 269 deg. 21 min. 200 links, 275 deg. 3 min. 169 links, 260 deg. 31 min. 272.4 links, 265 deg. 45 min. 519 links, 54 deg. 46 min. 191 links, and 95 deg. 46 min. 271 links to the point of commencement.

- (b) Commencing at the south-eastern angle of allotment 3d of the first-named parish; thence by lines bearing respectively 235 deg. 53 min. 563 links, 230 deg. 38 min. 315.7 links, 229 deg. 41 min. 458 links, 236 deg. 37 min. 106.3 links, 253 deg. 43 min. 313.6 links, 244 deg. 9 min. 123 links, 57 deg. 49 min. 470.3 links, 50 deg. 8 min. 513.5 links, 56 deg. 38 min. 315.1 links, 55 deg. 55 min. 631.8 links, 83 deg. 26 min. 324.4 links, 88 deg. 31 min. 589.2 links, 234 deg. 58 min. 236.1 links, and 267 deg. 4 min. 718.9 links to the point of commencement.

Also, all those pieces of land in the Parish of Barwongemoong the boundaries of which are as follow:—

- (a) Commencing at a point on the northern boundary of allotment 18 of the said parish distant 41 deg. 13 min. 798 links and 59 deg. 13 min. 425 links from the north-western angle of the said allotment; thence by lines bearing respectively 59 deg. 13 min. 408 links, 64 deg. 8 min. 434.5 links, 269 deg. 44 min. 47.6 links, and 243 deg. 32 min. 801.9 links to the point of commencement.
- (b) Commencing at an angle in the southern boundary of allotment 3d formed by the intersection of lines bearing 339 deg. 18 min. and 287 deg. 18 min.; thence by lines bearing respectively 287 deg. 18 min. 722 links, 94 deg. 52 min. 511 links, 120 deg. 29 min. 356 links, 111 deg. 25 min. 611 links, 88 deg. 30 min. 280 links, 65 deg. 35 min. 185 links, 221 deg. 13 min. 318 links, 248 deg. 6 min. 24 links, 272 deg. 6 min. 152 links, 291 deg. 13 min. 534 links, 288 deg. 48 min. 171.1 links, and 339 deg. 18 min. 194.2 links to the point of commencement.
- (c) Commencing at the north-western angle of allotment 3f of the said parish; thence by lines bearing respectively 103 deg. 13 min. 122.8 links, 142 deg. 40 min. 10 links, 126 deg. 28 min. 353 links, 155 deg. 36 min. 320 links, 120 deg. 45 min. 150 links, 98 deg. 0 min. 224 links, 70 deg. 24 min. 660 links, 94 deg. 13 min. 62 links, 107 deg. 18 min. 122.1 links, 230 deg. 33 min. 342 links, 250 deg. 47 min. 367 links, 265 deg. 37 min. 286 links, 277 deg. 16 min. 334 links, 293 deg. 9 min. 238 links, 324 deg. 1 min. 206 links, 342 deg. 2 min. 425 links, 336 deg. 7 min. 148 links, and 103 deg. 13 min. 72.2 links to the point of commencement.
- (d) Commencing at a point on the south-eastern boundary of allotment 2A of the said parish distant 54½ deg. 4 min. 719 links from the south-eastern angle of the said allotment; thence by lines bearing respectively 27 deg. 39 min. 723 links, 356 deg. 29 min. 246.7 links, 38 deg. 29 min. 208.8 links, 64 deg. 13 min. 623 links, 31 deg. 52 min. 136.2 links, 36 deg. 36 min. 541.5 links, 71 deg. 37 min. 287 links, 61 deg. 44 min. 374 links, 111 deg. 43 min. 11.3 links, 239 deg. 22 min. 403.2 links, 220½ deg. 18 min. 762 links, 206 deg. 43 min. 366.3 links, 244 deg. 13 min. 413.1 links, 218 deg. 29 min. 110.5 links, 176 deg. 29 min. 236 links, 210 deg. 48 min. 393 links, 215 deg. 42 min. 156.1 links, and 235 deg. 4 min. 235.8 links to the point of commencement.
- (e) Commencing at the north-western angle of allotment 5 of the said parish; thence by lines bearing respectively 72 deg. 13 min. 162.6 links, 214 deg. 52 min. 428.6 links, and 16 deg. 37 min. 315.1 links to the point of commencement.
- (f) Commencing at an angle in the western boundary of allotment 5 of the said parish formed by the intersection of lines bearing 335 deg. 40 min. and 16 deg. 37 min.; thence by lines bearing respectively 16 deg. 37 min. 123.8 links, 172 deg. 14 min. 284.6 links, and 335 deg. 40 min. 179.2 links to the point of commencement.
- (g) Commencing at an angle in the north-western boundary of allotment 5 of the said parish formed by the intersection of lines bearing 78 deg. 32 min. and 39 deg. 32 min.; thence by lines bearing respectively 39 deg. 32 min. 389.8 links, 172 deg. 14 min. 305.3 links, and 270 deg. 22 min. 289.3 links to the point of commencement.
- (h) Commencing at the south-western angle of allotment 5 of the said parish; thence by lines bearing respectively 52 deg. 28 min. 696 links, 58 deg. 34 min. 629 links, 217 deg. 0 min. 607.9 links, 235 deg. 1 min. 475 links, 241 deg. 37 min. 161 links, 290 deg. 16 min. 253.6 links, and 97 deg. 31 min. 48 links to the point of commencement.
- (i) Commencing at a point on the northern boundary of the Railway Reserve north-east of the Laver's Hill Station Ground distant 104 deg. 7 min. 742.1 links from the north-western angle of the said Station Ground; thence by lines bearing respectively 97 deg. 31 min. 239.6 links, 232 deg. 28 min. 35.2 links, and 284 deg. 7 min. 216.2 links to the point of commencement.

- (j) Commencing at the north-western angle of the Laver's Hill Station Ground; thence by lines bearing respectively 104 deg. 7 min. 212.9 links, 247 deg. 27 min. 474 links, and 44 deg. 42 min. 328.8 links to the point of commencement.
- (k) Commencing at a point on the north-western boundary of the Laver's Hill Station Ground distant 120 deg. 9 min. 85 links from the southern angle of allotment 4b of the said parish; thence by lines bearing respectively 48 deg. 36 min. 259.8 links, 224 deg. 42 min. 254.7 links, and 300 deg. 9 min. 18.3 links to the point of commencement.
- (l) Commencing at the eastern angle of allotment 19 of the said parish; thence by lines bearing respectively 120 deg. 9 min. 8.8 links, 186 deg. 58 min. 102.2 links, and 2 deg. 36 min. 106 links to the point of commencement.
- (m) Commencing at a point on the eastern boundary of allotment 19c of the said parish distant 182 deg. 36 min. 467.3 links from the north-eastern angle of the said allotment; thence by lines bearing respectively 178 deg. 41 min. 95.4 links, 206 deg. 46 min. 15.9 links, and 2 deg. 36 min. 109.7 links to the point of commencement.

NOTE.—The route of the portions of the roadway above described is more particularly delineated and shown coloured red, blue, and yellow on survey plans Nos. 1175, 1176, 1177, and 2620, lodged in the office of the Country Roads Board.

SECOND SCHEDULE.

Shire of Otway.

9. *Beech Forest-Laver's Hill Road*.—All that piece of land in the Parish of Weeaprounah, and being a roadway generally 2 chains wide, the north-western boundary of which commences at a point on the south-eastern boundary of allotment 36 of the said parish distant 239 deg. 38 min. 269.6 links from an angle in the said south-eastern boundary formed by the intersection of lines bearing 197 deg. 39 min. and 239 deg. 38 min.; thence south-westerly to a point on the south-eastern boundary of allotment 56 distant 70 deg. 22 min. 64.5 links from an angle in that boundary formed by the intersection of lines bearing 29 deg. 26 min. and 70 deg. 22 min.

Also, all that piece of land in the Parish of Barwongemoong, and being a roadway generally 2 chains wide, the northern boundary of which commences at a point on the southern boundary of allotment 1c of the said parish distant 234 deg. 58 min. 92 links from the south-eastern angle of the said allotment; thence south-westerly, westerly, and south-westerly to a point on the southern boundary of allotment 3d distant 73 deg. 43 min. 313.6 links from an angle in the southern boundary of that allotment formed by the intersection of lines bearing 64 deg. 9 min. and 73 deg. 43 min.

Also, all that piece of land in the Parish of Barwongemoong, and being a roadway generally 2 chains wide, the northern boundary of which commences at a point on the southern boundary of allotment 3d of the said parish distant 41 deg. 13 min. 323 links from an angle in the said southern boundary formed by the intersection of lines bearing 112 deg. 25 min. and 41 deg. 13 min.; thence south-westerly and north-westerly to a further point on the said southern boundary distant 339 deg. 18 min. 293 links from an angle in that boundary formed by the intersection of lines bearing 292 deg. 25 min. and 339 deg. 18 min.

Also, all that piece of land in the Parish of Barwongemoong, and being a roadway generally 2 chains wide, the southern boundary of which commences at a point on the northern boundary of allotment 3f of the said parish distant 287 deg. 18 min. 96 links and 274 deg. 13 min. 62 links from the eastern angle of the said allotment; thence westerly to a point on the said northern boundary distant 103 deg. 13 min. 122.8 links from the western angle of the said allotment.

Also, all that piece of land in the Parish of Barwongemoong, and being a roadway of irregular width, the south-eastern boundary of which commences at an angle in the northern boundary of allotment 3a of the said parish formed by the intersection of lines bearing 288 deg. 20 min. and 234 deg. 52 min.; thence generally south-westerly to a point on the north-western boundary of the said allotment distant 235 deg. 4 min. 320 links from an angle in the said north-western boundary formed by the intersection of lines bearing 304 deg. 25 min. and 235 deg. 4 min.

Also, all that piece of land in the Parish of Barwongemoong, and being a roadway generally 2 chains wide, the eastern boundary of which commences at the north-western angle of allotment 17 of the said parish; thence south-westerly to the south-western angle of the said allotment; thence further south-westerly to a point on the northern boundary of allotment 5 of the said parish distant 72 deg. 13 min. 162.6 links from the north-western angle of the said allotment 5.

NOTE.—The route of the portions of the roadway above described is more particularly delineated and shown coloured green on survey plans Nos. 1175, 1176, and 1177, lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred and thirty-nine, in the presence of—

(SEAL)

F. W. FRICKE, Chairman.
W. L. DALE, Member.
R. JANSEN, Secretary.

DECLARATION OF A DEVIATION FROM THE LANCEFIELD-TOOBORAC ROAD IN THE SHIRE OF ROMSEY.

WHEREAS by section 58 of the *Country Roads Act 1928* (No. 3602) it is amongst other things enacted that when the Country Roads Board under the provisions of the *Country Roads Act* has by Resolution declared a deviation to be a main road the said Board may also declare that such deviation shall be in lieu of any existing road or part thereof named in such Resolution and that on publication in the *Government Gazette* of the Order confirming such Resolution the existing road or part thereof shall cease to be a main road or be discontinued as provided in the Resolution: And whereas the said Board has by Resolution declared the deviation on the land described in the First Schedule to such Resolution to be a main road and has also declared that such deviation shall be in lieu of the part of the existing road being the land described in the Second Schedule to such Resolution: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a Deviation under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the *Country Roads Act 1928* for the purpose of constructing such road deviation which road deviation has now been laid out and formed on the same: And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as a public highway such Board at a meeting now holden acting under the authority conferred upon it by section 58 of the said Act doth by this present Resolution hereby declare the said road deviation the course of which is described in the First Schedule hereto with the commencing and terminating points thereof respectively specified to be part of a main road within the meaning and for the purposes of the *Country Roads Act 1928*: And the said Board doth also declare that such deviation shall be in lieu of the existing road or part thereof described in the Second Schedule hereto.

FIRST SCHEDULE.

Shire of Romsey.

15. *Lancefield-Tooborac Road* (14405).—All that piece of land in the Parish of Lancefield, and being a roadway generally 1 chain wide, the south-western boundary of which commences at a point on the eastern boundary of allotment 64 of the said parish distant 180 deg. 0 min. 401.2 links from the north-eastern angle of the said allotment; thence north-westerly through allotments 64 and 73 to a point on the western boundary of the last-named allotment distant 12 deg. 54 min. 1,139 links from the south-western angle of the said allotment 73.

Also, all that piece of land in the Parish of Lancefield, and being a roadway generally 1 chain wide, the eastern boundary of which commences at a point on the eastern boundary of allotment 71 of the said parish distant 192 deg. 54 min. 1,274 links from the north-eastern angle of the said allotment; thence generally westerly and north-easterly through allotment 71 and continuing north-easterly through allotment 80 to a point on the eastern boundary thereof distant 12 deg. 54 min. 1,473 links from the south-eastern angle of the said allotment 80.

NOTE.—The route of the portions of the roadway above described is more particularly delineated and shown coloured red and yellow on survey plans Nos. 2984 and 2986, lodged in the office of the Country Roads Board.

SECOND SCHEDULE.

Shire of Romsey.

5. *Lancefield-Tooborac Road*.—All that piece of land in the Parish of Lancefield, and being a roadway partly 1 chain and partly 2 chains wide, the northern and eastern boundary of which commences at a point on the southern boundary of allotment 73 of the said parish distant 90 deg. 0 min. 797 links from the south-western angle of the said allotment;

thence westerly to the said south-western angle; thence north-easterly along the western boundary of allotment 73 for a distance of 1,139 links.

Also, all that piece of land in the Parish of Lancefield, and being a roadway generally 2 chains wide, the western boundary of which commences at a point on the eastern boundary of allotment 71 of the said parish distant 192 deg. 54 min. 1,274 links from the north-eastern angle of the said allotment; thence north-easterly to a point on the eastern boundary of allotment 80 of the said parish distant 12 deg. 54 min. 1,473 links from the south-eastern angle of the said allotment 80.

NOTE.—The route of the portions of the roadway above described is more particularly delineated and shown coloured blue on survey plans Nos. 2984 and 2986, lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred and thirty-nine, in the presence of—

(SEAL) F. W. FRICKE, Chairman.
W. L. DALE, Member.
R. JANSEN, Secretary.

DECLARATION OF THE NEW BERRIWILLOCK ROAD IN THE SHIRE OF BIRCHIP.

WHEREAS by sections 21 and 78 of the *Country Roads Act 1928* (No. 3662) it is amongst other things enacted that when the Country Roads Board under the provisions of the Country Roads Act has taken the land necessary for constructing a road or deviation it shall as soon as it thinks such road or deviation is fit to be used as a public highway by Resolution declare the road or deviation to be a developmental road or part thereof and that upon publication in the *Government Gazette* of the Order of the Governor in Council confirming such Resolution such road or deviation shall thereupon be a developmental road or part thereof within the meaning of the *Country Roads Act 1928*; And whereas the said Board has by Resolution declared the road on the land described in the Schedule to such Resolution to be part of a developmental road; Now therefore His Excellency the Governor of the State of Victoria by and with the advice of the Executive Council thereof doth hereby confirm the said Resolution.

Resolution for Declaration of a New Developmental Road under the Country Roads Act.

Whereas the land the site of the road the course of which is below set out was taken by the Board under the provisions of the Country Roads Act for the purpose of constructing such new road which new road has now been laid out and formed on the same; And whereas the said Board (being the Country Roads Board incorporated under the said Act) thinks that the road aforesaid is fit to be used as a public highway such Board at a meeting now holden acting under the authority conferred upon it by sections 21 and 78 of the *Country Roads Act 1928* doth by this present Resolution hereby declare the said new road the course of which is described in the Schedule hereto with the commencing and terminating points thereof respectively specified to be part of a developmental road within the meaning and for the purposes of the *Country Roads Act 1928*.

SCHEDULE.

Shire of Birchip.

(4. *Berrivillock Road* (2154).—All those pieces of land in the Parish of Karyrie the boundaries of which are as follow:—

- (a) Commencing at the north-western angle of allotment 62 of the said parish; thence by lines bearing respectively 90 deg. 2 min. 600 links, 213 deg. 25 min. 1089.7 links, and 0 deg. 0 min. 910 links to the point of commencement.
- (b) Commencing at the south-eastern angle of allotment 95 of the said parish; thence by lines bearing respectively 270 deg. 2 min. 600 links, 33 deg. 26 min. 1,090 links, and 180 deg. 2 min. 910 links to the point of commencement—

which said pieces of land are particularly delineated and shown coloured red on survey plan No. 3994, lodged in the office of the Country Roads Board.

The common seal of the Country Roads Board was hereto affixed, at Melbourne, this first day of May, One thousand nine hundred and thirty-nine, in the presence of—

(SEAL) F. W. FRICKE, Chairman.
W. L. DALE, Member.
R. JANSEN, Secretary.

ORDER APPROVING OF A DEVIATION FROM A STATE HIGHWAY IN THE SHIRE OF WYCHEPROOF.

WHEREAS the Country Roads Board constituted under the *Country Roads Act 1928* (No. 3662) has represented to His Excellency the Governor in Council that it appears to it desirable that the deviation hereinafter referred to from the existing Calder Highway in the Shire of Wycheproof (declared to be a State highway under the said Act which declaration was confirmed by the Order in Council published in the *Government Gazette* of the 8th July, 1925, on page 2371) should be made by the said Board; And whereas the said Board in accordance with the requirements of section 19 of the said cited Act has caused to be prepared a map plan and estimate showing the points between which and on and through what land the said deviation is proposed to be made and the cost of acquiring the land and constructing the said deviation; And whereas on an inspection of the said map and plan and a consideration of the said estimate His Excellency the Governor in Council is satisfied that there are funds legally available for acquiring the land and constructing the said deviation; Now therefore he it known by this present Order that His Excellency the Lieutenant-Governor of the State of Victoria with the advice of the Executive Council thereof doth hereby approve of the said highway being made, that is to say:—

All that piece of land in the Parish of Nullawil the boundaries of which are as follow:—Commencing at the southern angle of allotment 20A of the said parish; thence by lines bearing respectively 330 deg. 23 min. 324.4 links, 8 deg. 27 min. 7,593.5 links, 160 deg. 42 min. 846 links, 278 deg. 27 min. 104 links, 188 deg. 27 min. 5,964.5 links, 181 deg. 59 min. 1,021.6 links, 159 deg. 38 min. 1,028.4 links, and 330 deg. 23 min. 991 links to the point of commencement.

Also, all those pieces of land in the Parish of Toort the boundaries of which are as follow:—

- (a) Commencing at the north-western angle of allotment 37 of the said parish; thence by lines bearing respectively 90 deg. 0 min. 111.3 links, 161 deg. 43 min. 283 links, and 323 deg. 20 min. 335 links to the point of commencement.
- (b) Commencing at the south-western angle of allotment 39 of the said parish; thence by lines bearing respectively 323 deg. 20 min. 1,865 links, 348 deg. 21 min. 1,490 links, 152 deg. 24 min. 3,344 links, and 270 deg. 0 min. 132.7 links to the point of commencement.
- (c) Commencing at an angle in the eastern boundary of allotment 40 of the said parish formed by the intersection of lines bearing 138 deg. 45 min. and 168 deg. 28 min.; thence by lines bearing respectively 168 deg. 28 min. 191 links, 332 deg. 9 min. 408.8 links, and 138 deg. 45 min. 231.8 links to the point of commencement—

which said pieces of land are particularly delineated and shown coloured red on survey plans Nos. 4141, 4142, 4143, 4146, and 4147, lodged in the office of the Country Roads Board.

ORDER APPROVING OF A DEVIATION FROM A MAIN ROAD IN THE SHIRE OF UPPER YARRA.

WHEREAS the Country Roads Board constituted under the *Country Roads Act 1928* (No. 3662) has represented to His Excellency the Governor in Council that it appears to it desirable that the deviation hereinafter referred to from the existing Warburton road in the Shire of Upper Yarra (declared to be a main road under the said Act which declaration was confirmed by the Order in Council published in the *Government Gazette* of the 5th November, 1913, on page 4812) should be made by the said Board; And whereas the said Board in accordance with the requirements of section 19 of the said cited Act has caused to be prepared a map plan and estimate showing the points between which and on and through what land the said deviation is proposed to be made and the cost of acquiring the land and constructing the said deviation; And whereas on an inspection of the said map and plan and a consideration of the said estimate His Excellency the Governor in Council is satisfied that there are funds legally available for acquiring the land and constructing the said deviation; Now therefore he it known by this present Order that His Excellency the Lieutenant-Governor of the State of Victoria with the advice of the Executive Council thereof doth hereby approve of the said road being made, that is to say:—

All those pieces of land in the Parish of Woori Yallock the boundaries of which are as follow:—

- (a) Commencing at an angle in the northern boundary of allotment 53 of the said parish formed by the intersection of lines bearing 104 deg. 21 min. and

131 deg. 9 min; thence by lines bearing respectively 131 deg. 9 min. 151.5 links, 297 deg. 45 min. 294.8 links, and 104 deg. 21 min. 151.5 links to the point of commencement.

- (b) Commencing at the southern angle of allotment 53A of the said parish; thence by lines bearing respectively 311 deg. 9 min. 475 links, 103 deg. 28½ min. 485.6 links, 55 deg. 36 min. 719 links, 218 deg. 6 min. 605.3 links, and 248 deg. 50 min. 358.5 links to the point of commencement—

which said pieces of land are particularly delineated and shown coloured red and blue on survey plan No. 4156, lodged in the office of the Country Roads Board.

ORDER APPROVING OF A DEVIATION FROM A MAIN ROAD IN THE SHIRE OF SWAN HILL.

WHEREAS the Country Roads Board constituted under the *Country Roads Act 1928* (No. 3662) has represented to His Excellency the Governor in Council that it appears to it desirable that the deviation hereinafter referred to from the existing Nyah-Ouyen road in the Shire of Swan Hill (declared to be a main road under the said Act which declaration was confirmed by the Order in Council published in the *Government Gazette* of the 24th March, 1915, on page 1101) should be made by the said Board: And whereas the said Board in accordance with the requirements of section 19 of the said cited Act has caused to be prepared a map plan and estimate showing the points between which and on and through what land the said deviation is proposed to be made and the cost of acquiring the land and constructing the said deviation: And whereas on an inspection of the said map and plan and a consideration of the said estimate His Excellency the Governor in Council is satisfied that there are funds legally available for acquiring the land and constructing the said deviation: Now therefore be it known by this present Order that His Excellency the Lieutenant-Governor of the State of Victoria with the advice of the Executive Council thereof doth hereby approve of the said road being made, that is to say:—

All those pieces of land in the Parish of Towan the boundaries of which are as follow:—

- (a) Commencing at the south-western angle of allotment 31 of the said parish; thence by lines bearing respectively 0 deg. 2 min. 1,385 links, 157 deg. 28 min. 507 links, 143 deg. 30 min. 515 links, 127 deg. 5 min. 515 links, 111 deg. 38 min. 508.7 links, and 260 deg. 48 min. 1,385 links to the point of commencement.
- (b) Commencing at a point on the eastern boundary of allotment 30A of the said parish distant 180 deg. 2 min. 1,786 links from the north-eastern angle of that allotment; thence by lines bearing respectively 180 deg. 2 min. 1,625 links, 337 deg. 2 min. 505 links, 323 deg. 7 min. 505 links, 306 deg. 12 min. 575 links, 294 deg. 39 min. 576.6 links, 270 deg. 55 min. 1,485 links, 274 deg. 35 min. 893 links, 7 deg. 33 min. 200.3 links, 94 deg. 35 min. 876 links, 90 deg. 55 min. 547 links, 187 deg. 33 min. 67 links, 68 deg. 43 min. 176 links, and 90 deg. 55 min. 2,264 links to the point of commencement.

Also, all that piece of land in the Parish of Gerahmin the boundaries of which are as follow:—Commencing at the south-eastern angle of allotment 34 of the said parish; thence by lines bearing respectively 269 deg. 17½ min. 1,510 links, 64 deg. 30 min. 564.5 links, 54 deg. 32 min. 550 links, 35 deg. 32 min. 550 links, 23 deg. 38 min. 566.4 links, and 179 deg. 47 min. 1,510 links to the point of commencement— which said pieces of land are particularly delineated and shown coloured red on survey plans Nos. 4138, 4139, and 4140, lodged in the office of the Country Roads Board.

And the Honorable Sir George Goudie, His Majesty's Commissioner of Public Works for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

DEPARTMENT OF AGRICULTURE.

At the Executive Council Chamber, Melbourne, the sixteenth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.
Sir John Harris | Mr. Hyland.
Sir George Goudie

FRUIT AND VEGETABLES ACT 1928 (No. 3687).

REGULATIONS.

IN pursuance of the powers conferred by the *Fruit and Vegetables Act 1928* (No. 3687), the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby order that the Regulations made under the provisions of the said Act on the 11th November, 1935, as amended on the 7th September, 1937, be further amended as follows, that is to say:—

1. In Part II., Regulation 10 (c), after the word "bananas" appearing in the first line, delete the words "other than the variety known as Cavendish".
2. In Regulation 13, after the word "bananas" appearing in the second line, delete the words "other than the Cavendish variety".
3. In Part III., after the word "for" appearing in the title to the Second Schedule, delete the word "Cavendish".
4. In Regulation 15, after the word "any" appearing in the second line, delete the words "Cavendish bananas (*Musa cavendishii*)" and substitute in lieu thereof the word "bananas".

WHEAT MARKETING (WINDING UP) ACT 1924 (No. 3338).

WHEREAS by section (2) of the *Wheat Marketing (Winding Up) Act 1924*, provision is made for the establishment of a Fund to be called the Wheat Marketing Fund and in sub-section (4) of the said section that the whole or any part of the moneys standing to the credit of the said Fund may be invested in Victorian Government Securities and together with any interest thereon may in such manner as the Governor in Council from time to time directs be applied towards any educational scientific or experimental purposes likely to promote the production of wheat in Victoria:

Now, therefore, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby direct that the sum of Eight hundred and ninety pounds (£890) of the said Fund be applied towards paying the expenses incurred in the erection and equipment and maintenance of the Mallee Research Station at Walpeup.

STOCK DISEASES ACT 1928 (No. 3779).

REGULATIONS.

WHEREAS by Part I. of the *Stock Diseases Act 1928* the Governor in Council is empowered to make Regulations for the purposes therein mentioned, and whereas certain Regulations were on the thirty-first day of October, 1938, made under the powers thereby conferred and whereas it is expedient to amend the said Regulations: Now therefore His Excellency the Lieutenant-Governor in Council, by and with the advice of the Executive Council, in exercise of the said powers and of all other powers him thereunto enabling, doth hereby amend the said Regulations as follows (that is to say):—

- In Schedule A to clause 21, after the words "State of Queensland" add the words "or Central Australia or Northern Territory".
- In clause 22, after the word "Echuca" add the words "Toomumwal, Yarrawonga".

And the Honorable Edmond John Hogan, His Majesty's Minister of Agriculture for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

DEPARTMENT OF PUBLIC WORKS.

At the Executive Council Chamber, Melbourne, the sixteenth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.
 Sir John Harris | Mr. Hyland.
 Sir George Goudie

Motor Omnibus Act 1928 (No. 3742).

EXTENSION OF A ROUTE WITHIN THE METROPOLITAN AREA ALONG WHICH MOTOR OMNIBUSES FOR WHICH "REGULAR SERVICE" LICENCES ARE GRANTED MAY PLY FOR HIRE.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, in pursuance of the powers conferred by the *Motor Omnibus Act 1928 (No. 3742)*, doth by this Order extend a certain route (No. 15A) within the metropolitan area along which motor omnibuses for which "regular service" licences are granted may ply for hire, in the manner set out hereunder, and doth also provide that the Order in Council approved by His Excellency the Governor in Council on 18th December, 1934, shall be deemed to be amended accordingly, viz.:—

Route No. 15A.—Under the heading "Description of Route, including Commencing and Terminal Points," delete the words "and Alma-street to Vida-street, returning via," and insert in lieu thereof the words "Alma-street, Vida-street, Tilba-street, Fawcner-street, and Caroline-street, returning via Vida-street." Under heading "Time-tables to be Observed" amend "6.30 a.m." to read "6.25 a.m." and "12 midnight" to read "12.28 a.m."

His Excellency doth by this Order further provide:—

Licensing Authority.—Pursuant to the provisions of section 15 (1) (c) of the *Motor Omnibus Act 1928 (No. 3742)*, the Governor in Council by this Order confers upon the Licensing Authority full power and authority for carrying into effect by the said Licensing Authority of the foregoing provisions of this Order.

Motor Omnibus Act 1928 (No. 3742).

EXTENSION OF A ROUTE WITHIN THE METROPOLITAN AREA ALONG WHICH MOTOR OMNIBUSES FOR WHICH "REGULAR SERVICE" LICENCES ARE GRANTED MAY PLY FOR HIRE.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, in pursuance of the powers conferred by the *Motor Omnibus Act 1928 (No. 3742)*, doth by this Order extend a certain route (No. 48A) within the metropolitan area along which motor omnibuses for which "regular service" licences are granted may ply for hire, in the manner set out hereunder, and doth also provide that the Orders in Council approved by His Excellency the Governor in Council on 18th December, 1934, 30th June, 1936, and 20th December, 1937, shall be deemed to be amended accordingly, viz.:—

Route No. 48A.—Under the heading "Description of Route, including Commencing and Terminal Points," add "and with extension via Fawcner-street, Bridge-street, Broad-street, Raleigh-street, Johnstone-street, and Broadmeadows-road, to Broadmeadows Railway Station; thence via Camp-road to a point at, or adjacent to, the entrance to the Broadmeadows Military Camp."

Under the heading "Sections (if any) on Route" add "On extension to the Camp—(1) between the post office and the railway station; (2) between the railway station and the camp."

Under the heading "Time-tables to be Observed" add "Extension to the Railway Station and the Camp—service as required, and meeting the last train from Melbourne."

Under the heading "Fares to be Charged" add "On extension to the Camp—(1) 3d.; (2) 3d."

Under the heading "Maximum Number of Motor Omnibuses to be Licensed on Route" amend "6" to read "7."

His Excellency doth by this Order further provide:—

Licensing Authority.—Pursuant to the provisions of section 15 of the *Motor Omnibus Act 1928 (No. 3742)*, the Governor in Council by this Order confers upon the Licensing Authority full power and authority for carrying into effect by the said Licensing Authority of the foregoing provisions of this Order.

AMENDMENT OF BY-LAW No. 6, MADE BY THE MELBOURNE AND METROPOLITAN TRAMWAYS BOARD, PRESCRIBING TOLLS, FARES, AND CHARGES.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, in pursuance of the provisions of section 65(2) of the *Melbourne and Metropolitan Tramways Act 1928 (No. 3732)*, doth by this Order further amend By-law No. 6, made by the Melbourne and Metropolitan Tramways Board and approved by the Governor in Council on the 30th April, 1920, in the manner following, that is to say:—

That Division 1, "Motor Omnibuses—Single Sections," of the said By-law be amended by adding the following words:—

BAMBRA-ROAD ROUTE.

Between Caulfield Railway Station and the intersection of Bamba and Glenhuntly roads, Caulfield.

Between intersection of Bamba and Glenhuntly roads and the intersection of Bamba and North roads, Caulfield.

Melbourne and Metropolitan Board of Works Acts.

INCLUSION OF AREA IN THE METROPOLIS.

UNDER the provisions of section 2 of the *Melbourne and Metropolitan Board of Works Act 1920*, His Excellency the Governor in Council of the State of Victoria, by and with the advice of the Executive Council thereof, doth by this Order include within the metropolis within the meaning of the *Melbourne and Metropolitan Board of Works Act 1928* all the land situated within the boundaries hereinafter described, such land being portion of the Parish of Maribyrnong, and more particularly shown on plan marked "A" attached to correspondence No. 39/708, deposited in the Public Works Department, Melbourne.

BOUNDARIES REFERRED TO ABOVE.

Commencing at a point on the eastern boundary of allotment 43, Parish of Maribyrnong, in line with the northern boundary of allotment J, section VII.; thence easterly by a line across a road to the north-western angle of the said allotment J and along the northern boundaries of allotments J and K, section VII., to the north-eastern angle of the said allotment K and by a line across a road to the north-western angle of allotment L, section VII., and along the northern boundaries of allotments L and M, section VII., and allotments A, B, C, and D, section VIII., and allotments J and K, section IX., and allotment 2, section D, to the north-eastern angle of the said allotment 2, and by a line being a continuation of the said northern boundary of the said allotment 2 across a road to a point on the western boundary of section XIX., Parish of Cut Paw Paw; thence northerly along the western boundaries of section XIX., Crown allotments B and I, Maribyrnong Estate, and section XXII., Parish of Cut Paw Paw, to a point on the right bank of the Maribyrnong River; thence northerly along the said right bank of the Maribyrnong River to the eastern boundary of allotment D, section XXVIII., Parish of Maribyrnong; thence southerly along the eastern boundary of the said allotment D to its south-eastern angle; thence westerly along the southern boundary of the said allotment D to its south-western angle and by a line across a road to the north-eastern angle of section XVII.; thence southerly along the eastern boundary of section XVII. to its south-eastern angle; thence westerly along the southern boundaries of sections XVII. and XVIII. to a point in line with the western boundary of allotment 25, section B, Overnewton Estate, Parish of Maribyrnong; thence southerly by a line through allotment 20, section B, Overnewton Estate, across a railway reserve and across a road to the most northerly angle of the said allotment 25 and along the western boundary of the said allotment 25 and by a line being a continuation thereof across a road to a point on the northern boundary of allotment 6, section C, Overnewton Estate; thence easterly along the northern boundary of the said allotment 6 to its north-eastern angle; thence southerly along the eastern boundaries of allotments 6 and 11, section C, to the south-eastern angle of the said allotment 11 and by a line across a road to the north-eastern angle of allotment 14, section C, and along the eastern boundaries of allotments 14, 15, and 16, section C, Overnewton Estate, to the south-eastern angle of the said allotment 16 and by a line across a road to the north-eastern angle of allotment 43, Parish of Maribyrnong, and along the eastern boundary of the said allotment 43 to the point of commencement.

And the Honorable Sir George Goudie, His Majesty's Commissioner of Public Works for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
 Clerk of the Executive Council.

STATE RIVERS AND WATER SUPPLY COMMISSION.

At the Executive Council Chamber, Melbourne, the sixteenth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.
 Sir John Harris | Mr. Hyland.
 Sir George Goudie

LISMORE WATERWORKS TRUST.

FIRST ELECTION OF COMMISSIONERS.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby direct that, in pursuance of the provisions of section 118 of the *Water Act 1928* (No. 3801), the first election of Commissioners of the Lismore Waterworks Trust shall be held at Lismore on Saturday, the third day of June, 1939, between the hours of Eight a.m. and Five p.m.

TRENTHAM WATERWORKS TRUST.

REPEAL OF ORDER.

UNDER the powers conferred by the Water Acts and all other powers enabling him in that behalf, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby repeal the Order made by the Governor in Council on the 24th day of April, 1939, and published in the *Victoria Government Gazette* of the 26th April, 1939, approving of the Trentham Waterworks Trust obtaining an overdraft during the year 1939 from the Bank of New South Wales, Kyneton, such overdraft not to exceed at any one time the sum of One hundred pounds (£100).

And as on and from the date hereof the said Order of the Governor in Council shall be deemed to be repealed accordingly.

TRENTHAM WATERWORKS TRUST.

AUTHORITY TO OBTAIN BANK OVERDRAFT.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby authorize, in pursuance of section 271 of the *Water Act 1928* (No. 3801), the Trentham Waterworks Trust to obtain an advance or advances during the year 1939 from the National Bank of Australasia Ltd., Trentham, by overdraft of the Trust's currency account thereat, such overdraft not to exceed at any one time the sum of One hundred pounds (£100).

BALLARAT SEWERAGE AUTHORITY.

POWER TO BORROW £5,000.

UNDER the powers conferred by the Sewerage Districts Acts, and all other powers enabling him in that behalf, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby consent to the Ballarat Sewerage Authority borrowing at interest a further sum of Five thousand pounds (£5,000), subject to the provisions of the Sewerage Districts Acts, and for the carrying out of works in accordance with the provisions of sections 91, 126, and 133 of the *Sewerage Districts Act 1928* (No. 3772), the said sum to be borrowed by way of overdraft from the Commonwealth Bank of Australia. All moneys received by the said Authority in repayment of costs and expenses of the said works, or any of them, shall be set aside for the purpose of and applied in repayment of the said sum so borrowed.

HAMILTON SEWERAGE AUTHORITY.

POWER TO BORROW £10,000.

UNDER the powers conferred by the Sewerage Districts Acts, and all other powers enabling him in that behalf, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby consent to the Hamilton Sewerage Authority borrowing at interest a further sum of Ten thousand pounds (£10,000), subject to the provisions of

the Sewerage Districts Acts, and for the carrying out of works in accordance with the provisions of sections 91, 126, and 133 of the *Sewerage Districts Act 1928* (No. 3772), the said sum to be borrowed by way of overdraft from the Commercial Bank of Australia Limited. All moneys received by the said Authority in repayment of costs and expenses of the said works, or any of them, shall be set aside for the purpose of and applied in repayment of the said sum so borrowed.

ADJUSTMENT OF OUTSTANDING LIABILITY FOR THE COST OF WORKS.

WHEREAS by section 4 of the *Water Act 1937* (No. 4513) the Governor in Council by Order adjusted the outstanding liability as on the thirty-first day of December, 1937, for the cost of works (excluding free headworks) under the jurisdiction and control of the State Rivers and Water Supply Commission serving each Irrigation and Water Supply District and each Urban Division thereof, each Waterworks District and each Urban District thereof, each Flood Protection District, and each Drainage District by allocating to each such District and Division the liability for such amount of the cost of such works serving such District or Division as he thought fit and by allotting to the State the liability for the remainder of the cost thereof: And whereas the Governor in Council after consultation by the Minister with the Commission may from time to time by Order make further adjustments of the outstanding liability as on the thirty-first day of December, One thousand nine hundred and thirty-seven, for the cost of any such works serving any such District or Division by transferring from the State to such District or Division the liability for such amount of such cost as he deems reasonable having regard to the development of such District or Division: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria acting by and with the advice of the Executive Council thereof and in pursuance of the provisions of the said section, doth hereby transfer from the capital expenditure borne by the State account to the under-mentioned Urban Districts the amounts of capital liability set out opposite their respective names in the statement hereunder, and as on and from 1st July, 1938, such amounts shall be deemed to be so transferred.

Name of Urban District.	Liability Allotted to State and Transferred by Order in Council of 30th July, 1938, to the Capital Expenditure borne by the State Account.	Amount to be Transferred to District under this Order.	Balance of Liability Remaining Allotted to the State.
	£ s. d.	£ s. d.	£ s. d.
Jeparit ..	1,603 1 11	1,603 1 11	..
Longwarry ..	833 9 5	833 9 5	..
Merbein ..	3,437 3 5	1,500 0 0	1,937 3 5
Quambatook ..	3,184 16 3	1,500 0 0	1,684 16 3
Springvale ..	57,374 11 11	3,000 0 0	54,374 11 11
	66,433 2 11	8,436 11 4	57,996 11 7

YARRAM SEWERAGE AUTHORITY.

APPOINTMENT OF MEMBERS.

HIS Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and in pursuance of the provisions of the Sewerage Districts Acts, doth hereby appoint Harold Leo Montefiore, Robert Patterson Nicol, and Thomas Whitney to be Members of the Yarram Sewerage Authority, and to hold office as such, subject to the provisions of the Sewerage Districts Acts, for a period of four years from the date hereof.

And the Honorable Francis Edward Old, His Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
 Clerk of the Executive Council.

PUBLIC SERVICE ACT 1928.

At the Executive Council Chamber, Melbourne, the ninth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.
 Mr. Bailey | Sir John Harris
 Mr. Mackrell | Mr. Tuckett.

PERMISSION FOR AN OFFICER OF THE PUBLIC SERVICE TO ENGAGE IN DUTIES UNCONNECTED WITH HER OFFICE AND TO RECEIVE REMUNERATION THEREFOR.

UNDER the provisions of section 161 of the *Public Service Act 1928*, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth by this Order grant permission to the under-mentioned officer of the Public Service to engage in the work specified below and to receive remuneration therefor, subject to the conditions that the work be performed by her only during hours outside the ordinary hours fixed for the discharge of her duties in the Public Service:—

Miss W. WILLIAMS, Education Department—permission to coach the junior girls of the Legacy Club in voice production and speech training.

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

C. W. KINSMAN,
Clerk of the Executive Council.

FACTORIES AND SHOPS ACTS.

At the Executive Council Chamber, Melbourne, the sixteenth day of May, 1939.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.
 Sir John Harris | Mr. Hyland.
 Sir George Goudie

RE-DEFINITION OF AREA OR LOCALITY WITHIN WHICH THE DETERMINATION OF THE JAM TRADE BOARD SHALL BE OPERATIVE.

UNDER the powers in that behalf conferred by the Factories and Shops Acts, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby revoke the Order made on the tenth day of April, 1922, re-defining the area or locality within which the Determination of the Jam Trade Board shall be operative, and in lieu thereof doth hereby make the following Order, re-defining such area or locality, that is to say:—

The area or locality within which the Determination of the Jam Trade Board shall be operative shall be the whole of the State of Victoria.

ADJUSTMENT OF THE POWERS OF THE PLUMBERS BOARD AND OF THE CARPENTERS BOARD.

UNDER the powers in that behalf conferred by the Factories and Shops Acts, His Excellency the Lieutenant-Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth by this Order adjust the powers of the Plumbers Board and of the Carpenters Board by depriving the said Plumbers Board of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons fixing corrugated asbestos-cement sheeting on walls of buildings and conferring such power exclusively on the said Carpenters Board.

And the Honorable Edwin Joseph Mackrell, His Majesty's Minister of Labour for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

APPROACHING LAND SALES.

SALES of Crown Lands in fee-simple to be held at the under-mentioned places and dates, viz.:—

	No. of Gazette.
Benalla.—Tuesday, 23rd May, 1939 ..	72
Castlemaine.—Monday, 29th May, 1939 ..	72
Corryong.—Friday, 19th May, 1939 ..	72
Daylesford.—Monday, 22nd May, 1939 ..	72
Hamilton.—Friday, 2nd June, 1939 ..	72
Heywood.—Wednesday, 24th May, 1939 ..	72
Inglewood.—Thursday, 18th May, 1939 ..	72
Melbourne.—Wednesday, 14th June, 1939 ..	90
Mirboo North.—Thursday, 8th June, 1939 ..	87
Port Fairy.—Friday, 26th May, 1939 ..	72
Portland.—Thursday, 25th May, 1939 ..	72
Rochester.—Tuesday, 6th June, 1939 ..	72
Shepparton.—Wednesday, 24th May, 1939 ..	82
Tallangatta.—Thursday, 18th May, 1939 ..	72
Tongala.—Wednesday, 24th May, 1939 ..	82
Traralgon.—Friday, 26th May, 1939 ..	76
Warragul.—Thursday, 8th June, 1939 ..	87
Yackandandah.—Thursday, 18th May, 1939 ..	72

Lands and Survey Office, Melbourne.

SALES BY AUCTION.

MELBOURNE.—Sale of right to lease of Crown allotments will be held at the AUCTION ROOMS of BAILLIEU, ALLARD PTY. LTD., 360 Collins-street, MELBOURNE, on WEDNESDAY, the 14th day of JUNE, 1939, at half-past ELEVEN o'clock a.m. To be conducted by S. L. V. SMITH, Land Officer. Auctioneers: BAILLIEU, ALLARD PTY. LTD., 360 Collins-street, Melbourne.

The Right to Lease of the Crown allotment hereinafter described under section 125 of the *Land Act 1928* and section 5 of the *Land Act 1932*, will be offered for sale by public auction at the auction rooms of Baillieu, Allard Pty. Ltd., 360 Collins-street, Melbourne, at half-past Eleven o'clock on Wednesday, the 14th day of June, 1939, for any or all of the purposes here specified, viz.:—

Stores,
Dwellings,
Warehouses,
Factories,
General engineering works.

A. E. LIND,
Commissioner of Crown Lands and Survey.

Office of Lands and Survey,
Melbourne, 15th May, 1939.

CONDITIONS OF LEASE.

1. The term shall be forty (40) years, commencing 15th June, 1939.
2. The rent shall be payable quarterly in advance.
3. The site, and all improvements and buildings, whether attached to the soil or not, shall revert absolutely to the Crown on expiry or any previous determination of the lease.
4. The buildings must be maintained throughout the whole term of the lease in good order, and repair to the satisfaction of the Board of Land and Works, which reserves the right of entry for inspection.
5. Plans of all buildings proposed to be erected on the land shall be submitted to and approved by the Board of Land and Works before erection.
6. The lessee shall be bound to keep all buildings insured to an amount, as fixed from time to time by the Surveyor-General for the time being, the insurance to be in the name of the Treasurer of the State of Victoria, and the policy in respect thereof to be deposited at the Lands Department.
7. The lessee shall not assign or sub-let the allotment, or any portion thereof, without the consent of the Governor in Council.
8. The lease will be voidable for non-payment of rent, or breach of any conditions thereof, or if the lessee fail at any time to use the land bona fide for the purposes for which it has been demised.
9. The site shall not be used, nor be allowed to be used, for the purpose of storing dynamite, gunpowder, kerosene, or other combustible or inflammable manufactured materials.
10. The Governor in Council reserves the right to resume for public purposes on payment of compensation for the interest in the unexpired term of the lease.
11. From the time of sale by auction of any land the purchaser thereof shall for the purposes of any Acts relating to local government, or public health, or sewerage, or water supply, be deemed and taken to be the owner thereof.

11. Approved buildings or improvements of brick or concrete to be effected on the area within twelve months of the date of lease to value of £24,000.

12. Buildings to be set back at least 20 feet from Lorimer-street lines, and that strip to be maintained as a garden plot or lawn.

CITY OF PORT MELBOURNE, PARISH OF MELBOURNE SOUTH,
COUNTY OF BOURKE.

Fronting Lorimer-street.

Upset rental £1,116 per annum for first ten years.
Area 8 acres, being allotment 2 of section 59.

SALES BY AUCTION.

NOTICE is hereby given that the following sales of Crown lands by auction, published in *Government Gazettes* of 19th April, 1939, and 26th April, 1939, respectively, have been cancelled:—

Port Fairy, on the 26th of May, 1939.
Traralgon, on the 26th May, 1939.

A. E. LIND,

Commissioner of Crown Lands and Survey.
Office of Lands and Survey,
Melbourne, 16th May, 1939.

SALE OF CROWN LANDS BY PUBLIC AUCTION.

TENDERS, addressed to the Secretary for Lands, will be received at the Crown Lands Office, Melbourne, until Noon on Wednesday, 14th June, 1939, from licensed auctioneers who may be willing to undertake the sale by auction of the fee-simple or any less estate of improved holdings or Crown lands to be held at the undersigned places for a term of three years from 1st July, 1939, in pursuance of the Land Acts.

Tenderers must specify the position of the premises on which they propose to hold the sales, and the rate (if any) per centum of the commission to be charged.

The services of a licensed auctioneer on the occasion of each sale will be required, and, in the event of a successful tenderer being unable to attend such sale, he must provide a substitute.

The receipt of moneys and the preparation of contracts of sale will be undertaken by the officers of the Department.

The contractors will be required to conform strictly to the conditions of the Land Acts and the Regulations.

Full information can be obtained on application to the Crown Lands Office, Melbourne, or at the District Survey Offices.

The lowest or any tender will not necessarily be accepted.

Alexandra	Horsham	Rochester
Ararat	Inglewood	Rushworth
Avoca	Kaniva	Rutherglen
Bairnsdale	Kerang	Sale
Ballaarat	Korumburra	Sea Lake
Beechworth	Koyuga	Seymour
Bénalla	Kyabram	St. Arnaud
Bendigo	Kyneton	Stawell
Birchip	Leongathia	Stanhope
Boort	Maffra	Shepparton
Bright	Maldon	Swan Hill
Camperdown	Manangatang	Tallangatta
Castlemaine	Mansfield	Tatura
Casterton	Maryborough	Terang
Charlton	Melbourne	Tongala
Chiltern	Merbein	Traralgon
Colac	Mildura	Underbool
Coleraine	Minyip	Wangaratta
Corryong	Mornington	Warracknabeal
Daylesford	Murraville	Warragul
Dimboola	Nathalia	Warrnambool
Donald	Nhill	Wedderburn
Dunolly	Numurkah	Werrimull
Echuca	Omoo	Wodonga
Edenhope	Orbost	Wonthaggi
Elmore	Ouyen	Woomelang
Euroa	Piangil	Wycheproof
Foster	Port Fairy	Yackandandah
Geelong	Portland	Yarram
Hamilton	Rainbow	Yarrawonga
Heathcote	Redcliffs	Yea.

A. E. LIND,

Commissioner of Crown Lands and Survey.
Office of Lands and Survey,
Melbourne, 8th May, 1939.

PUBLIC HEARINGS BY PERSONS APPOINTED UNDER THE 34th SECTION OF THE LAND ACT 1928.

NOTICE is hereby given that at the times and places mentioned in the schedule hereunder, applications for leases and licences under the Land Acts, objections to such applications, objections to proposed proclamations, alterations, additions, diminutions, revocations or unions of commons, and reasons against forfeiture of any leases or licences under the

Land Acts deemed liable for forfeiture, will be publicly heard by the persons whose names are set opposite such places respectively in such schedule, being persons appointed by me, the responsible Minister of the Crown administering the Land Acts, to hear the same and report thereon in writing to me.

A. E. LIND,

Commissioner of Crown Lands and Survey, and
President of the Board of Land and Works.

Department of Lands and Survey,
Melbourne, 16th May, 1939.

SCHEDULE.

REDCLIFFS, Friday, the 26th May, 1939, at Two p.m.,
C. E. Chancellor, Land Officer.

PROPOSED REVOCATION OF TEMPORARY RESERVATIONS OF LANDS BY ORDERS IN COUNCIL.

IN pursuance of the provisions of the *Land Act* 1928, notice is hereby given that it is the intention of the Governor in Council to revoke the temporary reservations of lands by Orders in Council hereunder referred to, viz.:—

The following Notices were published 1° on the 26th April, 1939, pursuant to Orders of the 24th April, 1939.

HEATHCOTE.—The Order in Council of the 1st May, 1876, temporarily reserving 8 acres 1 rood 24 perches in the Parish of Heathcote as a site for Affording Access to Water and withholding from sale, leasing, and licensing.—(H.75(12) (76.W.715).

WANDILIGONG.—The Order in Council of the 17th December, 1883, temporarily reserving 10½ perches in the Township of Wandiligong, Parish of Bright, as a site for a Temperance Hall.—W.301A(1) (C.86237).

WARRANTDYTE.—The Order in Council of the 30th March, 1931, temporarily reserving 22 1/10 perches in the Town and Parish of Warrantdyte as a site for Recreation, Convenience, and Amusement of the People, so far as regards the portion thereof hereinafter described, viz.:—9 7/10 perches, Town of Warrantdyte, Parish of Warrantdyte, County of Evelyn: Commencing at the south angle of allotment 19, section 4; bounded thence by Yarra-street, bearing S. 36 deg. 20 min. W. 60 links; by allotment 17 bearing N. 53 deg. 40 min. W. 100 links; by a line bearing N. 36 deg. 20 min. E. 61 5/10 links; and thence by allotment 19 aforesaid, bearing S. 62 deg. 47 min. E. 100 links to the commencing point.—(W.25(2) (Rs.2588).

CORINDHAP.—The Order in Council of the 13th October, 1931, temporarily reserving 20 acres 2 roods 35 perches in the Town and Parish of Corindhap as a site for the Supply of Gravel, so far as regards the portion thereof hereinafter described, viz.:—2 roods 29 perches, Town of Corindhap, Parish of Corindhap, County of Grenville: Commencing at a point bearing S. 0 deg. 26 min. E. 217 6/10 links and N. 89 deg. 34 min. E. 100 links from the south-east angle of allotment 6 of section 5A; bounded thence by a line bearing N. 89 deg. 34 min. E. 719 links; by a road bearing S. 34 deg. 59 min. W. 122 7/10 links; by a line bearing S. 89 deg. 34 min. W. 648 links; and thence by a road bearing N. 0 deg. 26 min. W. 100 links to the commencing point.—(C.269g) (Rs.4158).

A. E. LIND,

Commissioner of Crown Lands and Survey.

PROPOSED REVOCATION OF TEMPORARY RESERVATIONS OF LANDS BY ORDERS IN COUNCIL.

IN pursuance of the provisions of the *Land Act* 1928, notice is hereby given that it is the intention of the Governor in Council to revoke the temporary reservations of lands by Orders in Council hereunder referred to, viz.:—

The following Notices were published 1° on the 16th May, 1939, pursuant to Orders of the 9th May, 1939.

CLARKESDALE.—The Order in Council of the 4th January, 1883, temporarily reserving as a site for Public purposes (State School), and withholding from sale, leasing, and licensing 2 acres of land in the Parish of Clarkesdale.—(C.374(4) (C.86073).

WOOD'S POINT.—The Order in Council of the 20th February, 1865, temporarily reserving 1 rood 1 perch and 1 rood 39 perches of land as sites for Public Buildings at Wood's Point, to be revoked so far as regards the portion of the latter site hereinafter described, viz.:—14 perches, Township of Wood's Point, Parish of Goulburn, County of Wonnangatta: Commencing at the north-west angle of allotment 2 of section 21; bounded thence by that allotment bearing S. 13 deg. 44 min. W. 97 links; by lines bearing N. 67 deg. 52 min. W. 96 2/10 links, and N. 12 deg. 29 min. E. 83 links; and thence by Ellery-street bearing S. 76 deg. 16 min. E. 97 links to the point of commencement.—(W.207) (C.82246).

H. J. HYLAND,

for Commissioner of Crown Lands and Survey.

LIST OF CROWN LANDS AVAILABLE.

THE under-mentioned areas are available for application as provided by various sections of the *Land Act 1928*, and all applications received on or before Wednesday, 14th June, 1939, will be deemed to have been simultaneously made, but any application lodged after such date may be considered if received in time for inclusion in the advertisement of the cases to be heard at the Local Land Board.

Applications on proper form, accompanied by 5s. duty stamp uncancelled (registration fee), may be delivered or forwarded by post to the Local Land Officer or to any Crown Lands Office in Victoria.

Applicants may obtain from Local Land Officers, or the Enquiry Office, Lands Department, Melbourne, a certificate authorizing the issue by the Railway Department of a return ticket at concession fares to enable them to inspect available areas or to attend Local Land Boards. When an applicant is granted an allotment he may, if travelling by rail, obtain reduced fares for his family and also freight concessions in regard to some of his effects.

Subject to the approval of the Minister, when the survey fee exceeds £10, a deposit of £5 may be paid, and the balance over six years in half-yearly instalments.

Marked plans of any particular area, application forms, and any further information may be obtained from the Enquiry Office, Lands Department, Melbourne, and Land Officers, Bairnsdale, Ballarat, Beechworth, Benalla, Bendigo, Geelong, Hamilton, Hortham, Melbourne, Red Cliffs, Omeo, Sale, Seymour, and St. Arnaud.

Department of Crown Lands and Survey,
Melbourne, 16th May, 1939.

A. E. LIND,
Commissioner of Crown Lands and Survey.

* Improvements may be subject to re-valuation after land has been granted to an applicant.

Local Land Office.	County.	Parish.	Allotment.	Section.	Area.	How available.		Survey Fee.	Valuation of Improvements (if any).	Location of Land, &c.	Nearest Railway Station or Township in miles therefrom.	How accessible.	Water Supply.	General Description of Land—Soil, Timber, Suitability (Grazing, &c.).
						Classification.	Value per Acre.							
					A. R. P.	£	s.	d.	£	s.	d.			
AGRICULTURAL AND GRAZING LANDS.—SELECTION PURCHASE ALLOTMENTS.—Division 4, Part I, <i>Land Act 1928</i> .														
Ararat (a)	Borong ..	Moyston West	8A	C	371 2 16	3rd	0 10	0 20	15 0	To be valued	20 miles from Ararat R.S.	By road ..	To be conserved	Undulating country, sandy grey loam, suitable for grazing; timbered with stringybark, box and peppermint
Ballarat (a)	Talbot ..	Creswick ..	43	Z	17 2 15	2nd	0 15	0 4	12 6	£8 5s.	2 miles from Creswick R.S.	" ..	" ..	Undulating country, fair grazing land; timbered with stringybark and peppermint
Geelong (a)	Polwarth ..	Yaughton ..	28c, 28d	A	191 2 20	2nd	0 15	0 15	2 6	To be valued	3 miles from Kewar R.S.	" ..	Creeks and conservation	Sleep ranges, sandy soil, suitable for grazing; timbered with mesquite, apple box, and peppermint
Geelong ..	" ..	Aire ..	28c, 28d	"	176 3 13	3rd	0 15	0 19	5 0	£138 12s.	6 miles from Lavers Hill R.S.	By Country Roads Board road	To be conserved	Sandy soil, suitable for root crops and grazing; timbered with gum and mesquite
Bairnsdale (a)	Tambo ..	Newmerella	30, 30a, 30b	A	277 1 31	3rd	0 10	0 13	0 0	To be valued	6 miles from Orbst	By road ..	" ..	Undulating country, grey sandy loam, suitable for grazing; timbered with mesquite, stringybark, &c.
Sale (a)	Bulu Bulu	Jumbuk ..	43	A	147 3 3	1st	1 0	0 18	5 0	" ..	12 miles from Boolarra R.S.	" ..	" ..	Hilly country, fair to good soil, suitable for grazing; timbered with blackbutt, gum, &c.

(a) Subject to special mining conditions under section 81, *Land Act 1928*.

Land Act 1928.

LEASES UNDER THE LAND ACT 1928 REVOKED, FORFEITED, OR DECLARED VOID.

NOTICE is hereby given that the Leases mentioned in the Schedule hereunder have been revoked, forfeited, or declared void by the Governor in Council for the reason specified in each case.

District.	Corr. No.	Name of Lessee.	Section of Land Act under which Leased.	Parish.	Allotment.	Area.	Class.	Reasons for Forfeiture, &c.
Seymour ..	30	A. G. Valente ..	44	Dropmore ..	20, sec. D	A. B. P. 105 3 6	3rd	Non-payment of rents
" ..	76	J. S. Duggan (deceased)	44.81	Heathcote ..	48A	69 1 20	3rd	At widow's request

A. E. LIND,
Commissioner of Crown Lands and Survey.

Department of Lands and Survey,
Melbourne, 11th May, 1939.

Land Act 1928.

LICENCES UNDER THE LAND ACTS 1915 AND 1928 EXPIRED.

NOTICE is hereby given that the Licences mentioned in the Schedule hereunder have expired for the reason specified in each case.

District.	Corr. No.	Name of Licensee.	Section of Land Act under which Licensed.	Parish.	Allotment.	Area.	Class.	Reasons for Forfeiture, &c.
Mallee ..	08518	Vivian Maud Dannatt ..	129	Merbein ..	13 of F	A. B. P. 1 0 0	..	Area abandoned
St. Arnaud ..	0112	Jane Anderson ..	129	Town of Dunolly	21 of 34A	2 3 39	..	Non-payment of rent

Land Act 1928.—Mallee.

LEASES UNDER THE LAND ACT 1928 REVOKED, FORFEITED, OR DECLARED VOID.

NOTICE is hereby given that the Leases mentioned in the Schedule hereunder have been revoked, forfeited, or declared void by the Governor in Council for the reason specified in each case.

District.	Corr. No.	Name of Lessee.	Section of Land Act under which Leased.	Parish.	Allotment.	Area.	Class.	Reasons for Forfeiture, &c.
Mallee ..	64	E. H. Rowney ..	199	Dattuck ..	39A and 40	A. B. P. 1,600 0 0	4th	Lessee's request
" ..	06954	A. Wilson ..	198	Watchegatcheca	26	73 3 6	4th	Block abandoned

Department of Lands and Survey,
Melbourne, 16th May, 1939.

A. E. LIND,
Commissioner of Crown Lands and Survey.

THE CLOSER SETTLEMENT ACT 1938.

THE Farm Allotments mentioned in the Schedule hereunder are hereby proclaimed available for application, and may be taken up under Conditional Purchase Lease.

Parish.	Allotment.	Section.	Area.	Monetary Liability.	Deposit, including Lease and Registration Fees.	Term of Lease.
			A. B. P.	£ s. d.	£ s. d.	
Ellerslie (1) ..	40A	..	186 1 7	2,393 16 6	245 1 6	35½ years
Belfast ..	1, 2, 3, 4, 5	B	78 0 22	2,120 0 0	213 5 0	35½ years
Dandenong ..	B6	25	27 3 37	820 0 0	91 5 0	35½ years

(1) Capital value includes improvements valued at £202 9s.

A. E. LIND,
Commissioner for Crown Lands and Survey.

Department of Lands and Survey,
Melbourne, 16th May, 1939.

TENDERS.

MOTOR CAR HIRE.—1ST JULY, 1939, to 30TH JUNE, 1941.

TENDERS are invited for the provision of motor car hire for Victorian Government Departments for the two (2) year period, 1st July, 1939, to the 30th June, 1941, for—

Journeys from a place outside the metropolitan district.

Tender forms may be obtained on application to the Secretary, Victorian Government Motor Transport Committee, Premier's Department, Melbourne, C.2, and must be returned to him so as to reach him not later than Wednesday, 24th May, 1939.

POLICE DEPARTMENT.

TENDERS are invited for the building of a prison van body for the Victoria Police Department.

Plans and specifications are available at the Police Transport Branch, Russell-street, Melbourne.

Tenders, addressed to the Chief Commissioner of Police, Melbourne, C.1, close on Friday, 26th May, 1939.

ALEX. M. DUNCAN,
Chief Commissioner.

PUBLIC WORKS OFFICE, MELBOURNE.

TENDERS will be received at this office until **TEN A.M.** on the days and for the purposes under-mentioned.

Particulars may be learnt at this office, and also at the offices named in each instance.

The Board of Land and Works will not necessarily accept the lowest or any tender.

23rd May, 1939.

Fitzroy River, Tyrendarra.—Topping and widening levee banks, allotments 55 and 56, Parish of Narrawong. Particulars with Messrs. Wright Bros., Fitzroy River, Tyrendarra. Deposit, 2 per cent.

25th May, 1939.

Ballararat.—Re-slating roof, State School No. 2103. Particulars at Inspector of Works Office, Ballarat. Preliminary deposit, £4. Final deposit, 2 per cent.

Boho.—General repairs, painting, State School No. 1394. Particulars at Police Stations, Violet Town, Benalla; State School, Boho; Inspector of Works Office, Wangaratta. Deposit, £2.

Boorhaman.—Repairs, painting, State School No. 1906. Particulars at Inspector of Works Office, Wangaratta; State School, Boorhaman. Deposit, £2.

Carlyle.—Bracing wall, general repairs and painting, State School No. 4256. Particulars at Police Stations, Rutherglen, Wodonga; State School, Carlyle; Inspector of Works Office, Wangaratta. Deposit, £2.

Elingamite.—New school, State School No. 1424. Particulars at Police Stations, Cobden, Camperdown; Inspector of Works Office, Warrnambool. Preliminary deposit, £5. Final deposit, 2 per cent.

Emu Bridge.—General repairs and painting, State School No. 2440. Particulars at Police Stations, Benalla, Euroa; State School, Emu Bridge; Inspector of Works Office, Wangaratta. Deposit, £2.

Ensay.—Repairs, painting, State School No. 2953. Particulars at Inspector of Works Office, Bairnsdale; State School, Ensay; Police Station, Swift Creek. Deposit, £2.

Fitzroy.—New water service and repairs, State School No. 450. Particulars at State School, Fitzroy. Deposit, £2.

Hamilton.—Repairs, renovations, High School. Particulars at Police Station, Hamilton; Inspector of Works Office, Stawell, Warrnambool. Preliminary deposit, £5. Final deposit, 2 per cent.

Hampton.—Fencing, State School No. 3754. Particulars at State School, Hampton. Deposit, £2.

Lancaster.—New bicycle shed, State School No. 1814. Particulars at Inspector of Works Office, Seymour; State School, Lancaster; Police Stations, Shepparton, Kyabram.

Marysville.—Septic tank, sewerage installation, State school No. 1273. Particulars at State School, Marysville; Police Stations, Box Hill, Lilydale. Deposit, £2.

Melbourne.—Building fireproof room, fixing shelving in strong room, Parliament House. Deposit, £1.

Moe.—Repairs, painting, &c., Police Station. Particulars at Police Stations, Moe, Warragul; Inspector of Works Office, Traralgon. Deposit, £2.

Mont Park.—Supply and installation of central heating and hot water services, New Nurses' quarters, Mental Hospital. Preliminary deposit, £5. Final deposit, 2 per cent.

Mornington.—Repairs, painting, Police Station. Particulars at Police Stations, Mornington, Frankston. Deposit, £2.

Rochester.—Fencing, repairs, &c., Police Station. Particulars at Inspector of Works Office, Bendigo; Police Stations, Rochester, Echuca. Deposit, £2.

Royal Park.—Convenience and bathroom block, Junior Boys' Wing, Children's Welfare Depot. Preliminary deposit, £10. Final deposit, 2 per cent.

Royal Park.—Supply and installation of central heating system and hot water service, Clinic and Junior Girls' and Toddlers' Block, Children's Welfare Depot. Preliminary deposit, £15. Final deposit, 2 per cent.

Somerville.—New residence, State School No. 2656. Particulars at State School, Somerville; Police Stations, Dandenong, Frankston, Mornington. Preliminary deposit, £10. Final deposit, 2 per cent.

Talbot.—Repairs, painting, State School No. 954. Particulars at Inspector of Works Office, Ballarat, Maryborough; State School, Talbot. Deposit, £2.

Tatura.—Fencing, repairs, Police Station. Particulars at Inspector of Works Office, Seymour; Police Station, Tatura. Deposit, £3.

Wandiligong.—General repairs and painting to residence and one (1) classroom, cloakroom, and corridor, State School No. 275. Particulars at Police Station, Myrtleford; State School, Wandiligong; Inspector of Works Office, Wangaratta. Preliminary deposit, £2. Final deposit, 2 per cent.

Werribee.—Repairs, State School No. 649. Particulars at Police Station, Werribee; Inspector of Works Office, Geelong; State School, Werribee.

Wodonga West.—New plaster sheets, painting, State School No. 1058. Particulars at Police Station, Wodonga; State School, Wodonga West; Inspector of Works Office, Wangaratta.

Woolthorpe.—Repairs, State School No. 688. Particulars at Police Stations, Port Fairy, Kororoit; Inspector of Works Office, Warrnambool; State School, Woolthorpe. Deposit, £2.

1st June, 1939.

Barnawartha.—Repairs, painting, State School No. 1489. Particulars at Inspector of Works Office, Wangaratta; State School, Barnawartha; Police Station, Wodonga. Preliminary deposit, £2. Final deposit, 2 per cent.

Bendigo.—General repairs, painting, &c., Girls' High School. Particulars at Inspector of Works Office, Bendigo; Girls' High School, Bendigo. Deposit, £3.

Birchip West.—Painting, repairs, State School No. 3066. Particulars at Inspector of Works Office, Maryborough; Police Stations, Donald, Wycheproof; State School, Birchip West. Deposit, £1.

Bonegilla.—Repairs, painting, State School No. 1749. Particulars at Inspector of Works Office, Wangaratta; State School, Bonegilla; Police Station, Wodonga. Deposit, £2.

Carag Carag.—Repairs, painting, State School No. 2034. Particulars at Inspector of Works Office, Seymour; Police Stations, Kyabram, Stanhope, Tatura; State School, Carag Carag. Deposit, £2.

Carisbrook.—Repairs, painting, Residence, State School No. 1030. Particulars at Inspector of Works Office, Maryborough; Police Station, Avoca; State School, Carisbrook. Deposit, £3.

Carlton.—Repairs, renovations, State School No. 112. Particulars at State School, Carlton. Preliminary deposit, £5. Final deposit, 2 per cent.

Chapple Vale.—Fencing, State School No. 3649. Particulars at Police Stations, Beech Forest, Colac; Inspector of Works Office, Geelong; State School, Chapple Vale.

Chelsea.—Minor repairs, painting, out-buildings, State School No. 3720. Particulars at State School, Chelsea; Police Stations, Chelsea, Mentone, Mordialloc. Deposit, £2.

Daylesford.—Repairs, &c., Technical School. Particulars at Police Stations, Clunes, Trentham; Technical School, Daylesford. Deposit, £1.

Doomburrim.—Repairs, painting, State School No. 3428. Particulars at Inspector of Works Office, Korumburra; State School, Doomburrim; Police Station, Foster. Deposit, £2.

Eildon Weir.—General repairs, painting, State School No. 3931. Particulars at Police Stations, Mansfield, Alexandra, Healesville; State School, Eildon Weir. Deposit, £2.

Everton.—Repairs, painting, school and residence, State School No. 2031. Particulars at Inspector of Works Office, Wangaratta; State School, Everton; Police Station, Beechworth. Deposit, £2.

Footscray.—Repairs, renovations, Technical School. Particulars at Technical School, Footscray. Preliminary deposit, £10. Final deposit, 2 per cent.

Geelong.—Internal painting, &c., State School No. 1598. Particulars at Inspector of Works Office, Bendigo; Police Station, Rochester; State School, Geelong. Deposit, £1.

Gravel Hill.—Repairs, renovations, painting, State School No. 1566. Particulars at Inspector of Works Office, Bendigo; State School, Gravel Hill. Preliminary deposit, £5. Final deposit, 2 per cent.

Hallora.—Repairs, painting, State School No. 2377. Particulars at Police Stations, Drouin, Dandenong; State School, Hallora. Deposit, £3.

Hoddle Range.—General repairs, painting, &c., State School No. 3220. Particulars at State School, Hoddle Range; Police Station, Foster; Inspector of Works Office, Korumburra. Deposit, £2.

Jeffcott South.—Painting, repairs, new conveniences, State School No. 1611. Particulars at Inspector of Works Office, Maryborough; Police Stations, St. Arnaud, Charlton, Donald; State School, Jeffcott South. Deposit, £2.

Koonoomoo.—Repairs, painting, State School No. 3138. Particulars at Inspector of Works Office, Seymour; Police Stations, Shepparton, Numurkah; State School, Koonoomoo. Deposit, £2.

Koonwarra.—General repairs, painting, State School No. 3177. Particulars at Police Stations, Koo-wee-rup, Warragul; State School, Koonwarra; Inspector of Works Office, Korumburra. Deposit, £2.

Lara.—Repairs, renovations, State School No. 769. Particulars at Police Stations, Lara, Werribee; Inspector of Works Office, Geelong. Preliminary deposit, £5. Final deposit, 2 per cent.

Marung.—Repairs, painting, State School No. 2236. Particulars at Inspector of Works Office, Seymour; Police Stations, Numurkah, Shepparton; State School, Marung. Deposit, £3.

Melbourne.—New water service, Bourke-street West Police Station. Particulars at Bourke-street West Police Station, Melbourne. Deposit, £2.

Melbourne.—New water service, Sustenance Branch, Labour Department, corner of King and Bourke streets. Deposit, £1.

Melbourne.—Maintenance of hydraulic lifts in Government buildings for twelve (12) months, or two (2) years, from 30th June, 1939. Preliminary deposit, £2. Final deposit, 2 per cent.

Melbourne.—Maintenance of electric lifts in Government buildings for twelve (12) months, or two (2) years, from 30th June, 1939. Preliminary deposit, £2. Final deposit, 2 per cent.

Neerim North.—Repairs, painting, &c., State School No. 3286. Particulars at State School, Neerim North; Police Stations, Neerim South, Warragul, Morwell; Inspector of Works Office, Traralgon. Deposit, £2.

Stradbroke West.—General repairs, new window, and convenience, State School No. 2754. Particulars at Police Stations, Sale, Yarram; State School, Stradbroke West; Inspector of Works Office, Bairnsdale. Deposit, £2.

Warragul.—Fencing, High School. Particulars at Police Station, Dandenong; High School, Warragul; Inspector of Works Office, Traralgon. Deposit, £4.

Yin Barun.—Repairs, painting, State School No. 2830. Particulars at Inspector of Works Office, Wangaratta; Police Stations, Benalla, Euroa; State School, Yin Barun. Deposit, £2.

Tenders to be addressed to the Honorable the Commissioner of Public Works, and envelope containing tender marked "Tender for _____, due _____."

GEO. L. GOUDIE,
Commissioner of Public Works.

Melbourne, 17th May, 1939.

TENDERS FOR THE SERVICE, 1939-40.

CARTAGE OF GOODS AND PARCELS (METROPOLITAN).

TENDERS will be received until Eleven o'clock a.m. on Friday, 2nd June, 1939, for the cartage and delivery in the Metropolitan Area of such goods and parcels, with the exceptions set out in clause 1 of the Conditions of Contract, as may be forwarded to and from the various Government Offices and Institutions, Railways, &c., by the Stores and Transport Office for and on behalf of the Government of Victoria from 1st July, 1939, to 30th June, 1940, as per Schedule No. 1.

In the event of the successful tenderer for sub-schedule A carrying out the service to the satisfaction of the Tender Board the contract may, at the option of the Board and with the consent of the contractor, be extended for a further period of twelve months from 1st July, 1940.

For each sub-schedule a preliminary deposit of £5 by marked cheque or bank draft, payable to the order of the Secretary to the Tender Board (private cheques will in no case be received), must accompany each tender, such deposit to be forfeited in the event of the tenderer withdrawing or attempting to withdraw his tender before notification of acceptance of tender, or in the event of the successful tenderer failing to sign and complete his contract within the time specified. Deposits will be returned to unsuccessful tenderers within ten days of acceptance of tenders, on their application.

Security for sub-schedule A, £25; for sub-schedule B, £20.

Security will be required, either in bank guarantee (bank to be approved by the Tender Board), Commonwealth Treasury bonds, Savings Bank deposit book or fixed deposit receipt in favour of the Secretary to the Tender Board, or cash deposit, as the tenderer may elect.

The security must be completed and the contract signed within five days of acceptance of the tender, failing which the service may be again advertised, or another tender accepted.

Either sub-schedule may be tendered for, and may be accepted separately.

Tenderers failing to take up their accepted tenders may be disqualified from tendering or holding any future contract or contracts for a period of twelve months from the date of such disqualification.

Full particulars, forms of tender, &c., may be obtained at the office of the Secretary to the Tender Board, Gisborne-street, Melbourne, C.2.

The lowest or any tender will not necessarily be accepted.

Tenders, enclosed in an envelope, and having the words "Tender for Cartage" written thereon, must be deposited in the Tender-box at the Tender Board Offices, Gisborne-street, Melbourne, C.2; or, if sent by post, postage must be prepaid, and tenders addressed to the Chairman of the Tender Board, Tender Board Offices, Gisborne-street, Melbourne, C.2, which office they must reach not later than by first post on the date of closing of tenders.

CONDITIONS OF CONTRACT.

1. The rates tendered in sub-schedules A and B cover all descriptions of goods and parcels, with the exception of school books from Education Department to Victorian Railways, Melbourne, office and school furniture, officers' furniture and effects, exhibits for show purposes, and such are not included in the contract.

2. No subletting shall be allowed; all work must be carried out by the contractor, and every person engaged in the cartage tendered for in this schedule shall be paid such wages and employed subject to such labour conditions as are or may be determined by any Federal Arbitration Court award or any State Wages Board determination, and a copy of such labour conditions shall be kept conspicuously and continually posted, in legible Roman characters, on the premises of the contractor. Any infringement of this condition, in the opinion of the Treasurer, will subject the contractor, upon report from the Tender Board, to such mulct, not exceeding Fifty pounds (£50), as the Treasurer may direct, and the amount will be deducted from the contractor's account or from the security money; and the Treasurer's decision shall be binding, final, and conclusive as to the fact of infringement and in all other respects.

3. Accounts shall be rendered fortnightly, and shall be subject to any deductions for goods or parcels lost or damaged whilst in the custody of the contractor.

4. No claims for detention shall be entertained, but should the contractor be subjected to unreasonable delay, the cause of delay, if reported, shall be investigated.

5. The contractor must have an office connected by telephone, and within a radius of 3½ miles of the Melbourne (Elizabeth-street) Post Office, and as regards the service for the Government Printing Office under sub-schedule B, he will be liable to be called upon to provide the vehicle at any hour of the day or night.

6. Thirty minutes will be deemed sufficient notice, and in the event of the contractor failing to supply the vehicles when ordered, and to the satisfaction of the officer requiring his services, such services will be performed at his risk and expense, and the extra expense incurred will be deducted as provided in clause 2.

No services performed under these contracts shall be deemed to be of a special nature, provided that the contractor be given 30 minutes' notice that his services shall be required, and no increase in the contract rates shall be permitted.

7. All vehicles in which the goods or parcels are carried must be fitted with good waterproof covers, be in thorough working order and, in general, suitable for requirements.

8. Vehicles as required must call at the Stores and Transport Office twice daily, viz., at 11 a.m. and 4 p.m., and at 10.30 a.m. on Saturdays, for the necessary instructions, and on such other occasions when notified without extra payment, otherwise the service will be performed at the contractor's risk and expense, and the amount deducted as provided in clause 2.

9. The contract shall not be considered broken, infringed, or vitiated by the use of Government vehicles for such cartage as may be found necessary.

10. Contractors are not at liberty to transfer their contracts under cover of power of attorney, coupled with an interest or otherwise, and no such transfer will be recognized by the Government.

11. Under no circumstances will a contractor be permitted to abandon his contract. In the event of the contractor failing to carry on the contract, the security money will in that case be absolutely forfeited and, in addition, the contractor may be held liable for any loss which the Government may sustain in consequence of such failure.

12. A refusal to execute orders, irregularity, or delay in delivering the goods or parcels as required, or failure to comply with the requirements of clause 3, or any breach of Railway or Harbor Trust Regulations, will subject the contractor, upon report from the Tender Board, to such mulct as the Treasurer may direct, and the amount may be deducted as provided in clause 2. It will also be in the power of the said Treasurer upon such refusal, irregularity, or delay to terminate the contract forthwith, and declare forfeit the whole or any portion of the security money, and, in addition, the contractor will be disqualified from tendering or holding any future contract or contracts for a period of twelve months from the date of such disqualification.

13. In the event of any dispute arising as to matters or things contained in the contract or schedule the same shall be settled by the Tender Board, and the Board's decision shall be binding, final, and conclusive.

A. A. DUNSTAN,
Treasurer.

The Treasury,
Melbourne, 15th May, 1939.

TENDERS FOR THE SERVICE, 1939-40.

CARTAGE OF HEAVY GOODS AND COAL (METROPOLITAN).

TENDERS will be received until Eleven o'clock a.m. on Friday, 2nd June, 1939, for the cartage and delivery of heavy goods and coal within the metropolitan area, as may be required by the Government of Victoria, from 1st July, 1939, to 30th June, 1940, as per Schedules Nos. 2 and 3.

A preliminary deposit of £5 by marked cheque or bank draft, payable to the order of the Secretary to the Tender Board (private cheques will in no case be received), must accompany each tender, such deposit to be forfeited in the event of the tenderer withdrawing or attempting to withdraw his tender, before notification of acceptance of tender or in the event of the successful tenderer failing to sign and complete his contract within the prescribed period. Deposits will be returned to unsuccessful tenderers within ten days of acceptance of tenders, on their application.

Security of £10 for each schedule will be required, either in bank guarantee (bank to be approved by the Tender Board), Commonwealth Treasury bonds, Savings Bank deposit book or fixed deposit receipt in favour of the Secretary to the Tender Board, or cash deposit, as the tenderer may elect.

The security must be completed and the contract signed within five days of acceptance of the tender, failing which the service may be again advertised, or another tender accepted.

Tenders may be accepted for each schedule separately.

Tenderers failing to take up their accepted tenders may be disqualified from tendering or holding any future contract or contracts for a period of twelve months from the date of such disqualification.

Full particulars, forms of tender, &c., may be obtained at the office of the Secretary to the Tender Board, Gisborne-street, Melbourne, C.2.

The lowest or any tender will not necessarily be accepted.

Tenders, enclosed in an envelope, and having the words "Tender for Cartage" written thereon, must be deposited in the Tender-box at the Tender Board Offices, Gisborne-street, Melbourne, C.2; or, if sent by post, postage must be prepaid, and tenders addressed to the Chairman of the Tender Board, Tender Board Offices, Gisborne-street, Melbourne, C.2, which office they must reach not later than by first post on the date of closing of tenders.

CONDITIONS OF CONTRACT.

1. The rates tendered cover all charges, including labour, bags, hire of cranes or other appliances, and weighbridge charges required in the performance of the service. Bags must be removed by the contractor when empty, and if not removed within a reasonable time or within the time named by the officer requiring the service, no claim will be entertained for cost of same.

2. No subletting shall be allowed; all work must be carried out by the contractor, and every person engaged in the cartage tendered for in this schedule shall be paid such wages and employed subject to such labour conditions as are or may be determined by any Federal Arbitration Court award or any State Wages Board determination, and a copy of such labour conditions shall be kept conspicuously and continually posted, in legible Roman characters, on the premises of the contractor. Any infringement of this condition, in the opinion of the Treasurer, will subject the contractor, upon report from the Tender Board, to such mulct, not exceeding Fifty pounds (£50), as the Treasurer may direct, and the amount will be deducted from the contractor's account or from the security money; and the Treasurer's decision shall be binding, final, and conclusive as to the fact of infringement and in all other respects.

3. Accounts in all cases shall be rendered *monthly* to the Department requiring the service, and must be supported by weighbridge tickets or railway consignment notes, and in the case of coal, the mine consignment notes. In the event of a weighbridge ticket or consignment notes not being available or obtainable, the weight vouched for by the Department requiring the delivery shall be accepted by the contractor as the weight of the particular consignment. Accounts shall be subject to any deductions for goods lost or damaged whilst in the custody of the contractor.

4. In the event of material forwarded by rail or steamer not being unloaded within reasonable time, and in accordance with the Railway Department or Harbor Trust Regulations relating to same, the contractor shall be held liable for such charges, including cost of demurrage, as may accrue, the amount thereof to be deducted as provided in clause 2.

5. The contractor shall take and make delivery within ordinary working hours. No claims for detention shall be entertained, but should the contractor be subjected to unreasonable delay, the cause of delay, if reported, shall be investigated.

6. The contractor must have an office connected by telephone and within a radius of 3½ miles of the Melbourne (Elizabeth-street) Post Office.

7. Four hours will be deemed sufficient notice, and in the event of the contractor failing to perform the service when ordered, and to the satisfaction of the officer requiring same, such service will be performed at his risk and expense, and any extra expense incurred shall be deducted as provided in clause 2. No services performed under these contracts shall be deemed to be of a special nature, provided that the contractor be given four hours' notice that his services shall be required, and no increase in the contract rates shall be permitted.

8. The vehicles in which the material is carried must be in thorough working order, and, if required, provided with good waterproof covers. Horses to be perfectly sound, and subject to the approval of the officer requiring the service.

9. The contract shall not be considered broken, infringed, or vitiated by the Government using its own labour or vehicles for the cartage of any material set forth in the contract, or in the event of urgency or emergency, performing the service.

10. Contractors are not at liberty to transfer their contracts under cover of power of attorney, coupled with an interest or otherwise, and no such transfer will be recognized by the Government.

11. Under no circumstances will a contractor be permitted to abandon his contract. In the event of the contractor failing to carry on the contract, the security money will in that case be absolutely forfeited, and, in addition, the contractor may be held liable for any loss which the Government may sustain in consequence of such failure.

12. A refusal to execute orders, irregularity or delay in delivering the material when required, or failure to produce weighbridge tickets or consignment notes on delivery in accordance with clause 3, or any breach of Railway or Harbor Trust Regulations, will subject the contractor, upon report from the Tender Board, to such mulct as the Treasurer may direct, and the amount may be deducted as provided in clause 2. It will also be in the power of the said Treasurer upon such refusal, irregularity, or delay, to terminate the contract forthwith, and declare forfeit the whole or any portion of the security money; and, in addition, the contractor will be disqualified from tendering or holding any future contract or contracts for a period of twelve months from the date of such disqualification.

13. In the event of any dispute arising as to matters or things contained in the contract or schedule the same shall be settled by the Tender Board, and the Board's decision shall be binding, final, and conclusive.

A. A. DUNSTAN,
Treasurer.

The Treasury,
Melbourne, 15th May, 1939.

TENDERS FOR THE SERVICE, 1939-40.—PRINTING AND WRITING PAPERS, ENVELOPES, ETC.

TENDERS will be received until Eleven a.m. on Friday, 23rd June, 1939, from persons willing to supply, at Melbourne, Paper and Envelopes, &c., for the Victorian Government, as per Schedule No. 1, in the quantities and at the times stated therein.

Forms of tender, conditions of tendering, schedule, conditions of contract, and samples, may be obtained from the Secretary to the Tender Board, Gisborne-street, Melbourne, C.2.

Tenders must be accompanied by the preliminary deposit, as shown in the schedule, by bank draft, or marked cheque, in favour of the Secretary to the Tender Board. *Cheques, Savings Bank deposit books, fixed deposit receipts, Commonwealth Treasury Bonds, or reference to securities on existing contracts will in no case be received or entertained as preliminary deposits.* Preliminary deposits will be returned to unsuccessful tenderers on their application.

The amount of the preliminary deposit required with each tender must be enclosed, and the amount must be clearly written in and the designation stated.

Security will be required, as provided in the tender form, either in bank guarantee (bank to be approved by the Tender Board), Commonwealth Treasury Bonds, Saving Bank deposit book or fixed deposit receipt in favour of the Secretary to the Tender Board, or cash deposit, as the tenderer may elect.

The security must be completed and the contract signed within five days of acceptance of the tender, failing which the contract may be again advertised, or another tender accepted.

The lowest or any tender will not necessarily be accepted.

In the event of tenderers withdrawing or attempting to withdraw their tenders before notification of acceptance of same, or failing to take up their accepted tenders within the prescribed period after notification of acceptance, the preliminary deposit will be forfeited, and, in addition, they may be disqualified from tendering or holding any future contracts for Government supplies for a period of twelve months, such disqualification to date from the notification of acceptance of tender. It is also stipulated that if a tenderer be a member of a firm, and such firm be interested in the contract, then the tender is to be in the name of the firm and not in that of the individual, and that for a breach of this condition the preliminary deposit will be forfeited and the tender declared informal.

Preference will be given by the Tender Board provided the quality of the articles offered is satisfactory and the rates tendered are considered reasonable—

- (a) to tenders for articles manufactured within the Commonwealth;
- (b) to tenders for articles manufactured within any other part of the British Empire.

Rates tendered must include T.T. exchange ruling at time of tendering.

Tenders enclosed in a separate envelope, and having the words, "Tender for Supplies to the Government Printer" written thereon, must be deposited in the Tender Box at the Tender Board Offices, Gisborne-street, Melbourne, C.2, or, if sent by post, they must be prepaid, and addressed to the Chairman of the Tender Board, Tender Board Offices, Gisborne-street, Melbourne, C.2, which office they must reach not later than by first post on the date of closing of tenders.

CONDITIONS OF CONTRACT.

1. In these conditions and in the form of contract and schedule hereto annexed the words "Government Printer" shall include the officer bearing or acting under that title, or such other officer as the Government may from time to time appoint to perform the duty in the matter in relation to which the expression is used. The word "Storekeeper" shall mean the officer (or officers) of the Government who inspects and takes delivery of the stores. The word "Schedule" shall mean and embrace the schedule or schedules hereunto annexed.

2. Under no circumstances will a contractor be permitted to abandon his contract. In the event of the contractor failing to carry on the contract, the contract security money will in that case be absolutely forfeited; and, in addition, the contractor will be held liable for any loss which the Government may sustain in consequence of such failure.

3. The Government will order from the contractor those articles enumerated in the schedule for which his tender is accepted.

4. The first delivery under this contract, equal to one half the quantity contracted for, shall be made not later than 30th November, 1939, and the remainder shall be delivered not later than 29th February, 1940. Should the contractor so desire, the whole quantity contracted for may be delivered by the date first specified.

5. The supplies are to be in accordance with schedule conditions where so stated, and of the particular manufacture indicated in the schedule.

6. All packages, cases, wrappings, &c., whether bulk be broken or not, shall be considered the property of the Government, and no charges or expenses whatsoever beyond the price tendered and set out in the schedule will be allowed to the contractor. The net weight only will be paid for. Contractors must provide, without extra charge, whatever labour, &c., may be required in the packing and delivery of the supplies.

7. All supplies shall be made to the Government Printer. The goods shall be delivered as may be directed by that officer in terms of contract. At the time of delivering the supplies, the contractor shall produce an invoice and specification showing the number and contents of each package in duplicate to the officer authorized to accept delivery, and such officer shall give an acknowledgment to the contractor of the receipt of the stores delivered by him.

8. All papers supplied, excepting Item 38, must be supplied in reams, and must be according to the specification as set out in the Schedule, and cut to the true size ordered. Each ream must contain 500 sheets, and must be supplied flat (not folded). No creased or damaged paper will be accepted.

9. The acceptance of the supplies shall be subject to the approval of the Government Printer, whose decision shall be final. If, after the delivery of the supplies has been taken, any deficiency or defect is discovered therein, such deficient or defective stores may be returned to the contractor. All rejected goods must be removed by the contractor within forty-eight hours after notice has been given to him by the Government Printer of such rejection, and if not so removed the Government Printer is hereby empowered to send same to any store in Melbourne, there to be stored at the contractor's risk and expense, such expenses to be deducted as in clause 10. Delivery will not be deemed to have been made until the goods have been approved. In case of the rejection or return of any supplies the contractor shall bear the whole cost of replacing the supplies rejected or returned, otherwise purchases will be effected at the contractor's risk, and the extra expense deducted as in clause 10.

10. In the event of the goods not being delivered within the time stated the Government Printer may, on giving the contractor twenty-four hours' notice, purchase the supplies, or any like supplies that are suitable for the service, at the contractor's risk, and the extra expense incurred over and above the contract price (if any) will be deducted from the contractor's account or from the security money.

11. A refusal to execute orders, irregularity in the quantity or quality of the supplies, or delay in delivering or replacing them when required, will subject the contractor, upon report from the Government Printer to the Tender Board, to such mulct, not exceeding One hundred pounds, for each and every default, as the Treasurer may direct, and the amount may be deducted as set out in clause 10. It will also be in the power of the Treasurer, upon such refusal, irregularity, or delay, to terminate the contract forthwith, and declare forfeit the whole or any portion of the security money; and, in addition, the contractor may be disqualified from tendering or holding any future contract or contracts for a period of twelve months from the date of such disqualification.

12. Contractors are not at liberty to transfer their contracts under cover of power of attorney, coupled with an interest or otherwise; and no such transfer will be recognized by the Government.

13. In the event of any alteration in the duty of Customs or Telegraphic Transfer Exchange, which may affect any of the items included in the contract, the Government or the contractor, as the case may be, will make a proportionate allowance by way of deduction from or increase of the price of the item so affected, and the contractor shall, if called upon, submit such documentary evidence as may be required by the Government to permit of the calculation of any such allowance.

14. Each package shall be branded "O.H.M.S., The Government of Victoria, The Government Printer, Melbourne," and numbered consecutively, and each package shall also be marked with the number of the contract and contents of same for identification purposes.

15. Every account must be in prescribed form, setting out the contract and item numbers, and must furnish full details of how it is made up.

16. Payment for supplies will be made in Melbourne when same have been accepted.

A. A. DUNSTAN,
Treasurer.

The Treasury,
Melbourne, 15th May, 1939.

PRIVATE ADVERTISEMENTS.

PUBLIC NOTICE.

IN accordance with section 200 of the Lunacy Act, I intend to sell by public auction on the 24th day of May, One thousand nine hundred and thirty-nine, the unclaimed personal effects of patients who have been discharged at dates prior to two years from the date hereof.

The names of these deceased and discharged patients and particulars of their effects may be ascertained at the office of the Master in Equity, Law Courts, William-street, Melbourne, C.1.

229 MORRIS MONDLE PHILLIPS, Master in Equity.

NOTICE is hereby given that Lane's Motors Proprietary Limited applied for a lease under section 125, *Land Act* 1928, for a term of thirty (30) years, from the 8th July, 1939, of allotments 23-31 inclusive, section 101A, City of South Melbourne, and as a site for Stores, Dwellings, Warehouses, and Factories.

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MELBOURNE AND METROPOLITAN BOARD OF WORKS.

GENERAL NOTICE.

THE Melbourne and Metropolitan Board of Works, having made sewers for carrying off the sewage from each and every property which, or any part of which, abuts on the streets, or parts of streets, in which such sewers are laid and which are included within the Sewerage Area hereinafter described, doth hereby declare that on and after the 10th day of June, 1939, each and every property which, or any part of which, abuts on the said streets, or parts of streets, shall be deemed to be a sewerage property within the meaning of the *Melbourne and Metropolitan Board of Works Act 1928*.

The Sewerage Area hereinbefore referred to is—

Sewerage Area No. 1087.

City of Port Melbourne.—Commencing at the intersection of Howe-parade and Page-avenue; thence westerly along Howe-parade, north-easterly and easterly along Edwards-avenue, and southerly along Page-avenue to the commencing point.

Further particulars regarding the streets or parts of streets in which sewers have been laid may be ascertained on inquiry at the Board's office.

By order of the Board,

F. L. KING, Secretary.

110 Spencer-street, Melbourne, C.1, 9th May, 1939. 233

MELBOURNE AND METROPOLITAN BOARD OF WORKS.

NOTICE TO THE OWNERS OF TENEMENTS IN THE UNDERMENTIONED STREETS, AND THE PRIVATE STREETS, LANES, COURTS, AND ALLEYS OPENING THEREON.

THE main pipe in the said streets being laid down, the owners of all tenements situated as under are hereby required, on or before the 19th June, 1939, next, to cause a proper pipe and stopcocks to be laid so as to supply water within such tenements from the main pipe.

F. L. KING, Secretary.

9th May, 1939.

STREET AND POSITION.

Box Hill.

Parer-street, from 33½ chains north of Burwood-road northwards 2½ chains.

Clifton-street, from Edinburgh-street westwards 6½ chains.

Braybrook.

Sunshine-road, from Ashley-street westwards 50 chains.

Somerville-road, from Tottenham-road westwards 89 chains.

Kellaway-street, from Rowe-street westwards 5 chains.

Brighton.

Wright-street, from Bay-street to Lewis-street.

Rogers-avenue, from Hawthorn-road to Hornby-street.

Lorran-avenue, from Weber-street eastwards 3 chains.

Drake-street, from North-road to Merton-avenue.

Broadmeadows.

Wendora-street, from Peck-avenue to Lebanon-street.

Lebanon-street, from Wendora-street eastwards 3½ chains.

Woodlands-street, from 9 chains east of Pascoe Vale-road eastwards 9½ chains.

Grammar-street, from Glenview-road eastwards 2½ chains.

Camberwell.

The Boulevard, from 1 chain west of Mount View-grove eastwards 3½ chains.

Mountain View-road, from Doncaster-road northwards 3½ chains.

Hopetoun-avenue, from Mont Albert-road to Grange-avenue.

Corhampton-street, from 12 chains south of Maud-street southwards 8½ chains.

Maylands-avenue, from Corhampton-street to Hatfield-street.

Ada-street, from Highfield-road westwards to right-of-way.

Right-of-way, from Ada-street to Springfield-avenue.

Acheron-avenue, from Aroha-crescent to Hazel-street.

Cascade-street, from 8½ chains east of The Boulevard eastwards 1½ chains.

Caulfield.

Beverly-street, from Augusta-street to James-street.

Coburg.

Kathleen-street, from Purches-avenue southwards to right-of-way.

McKeon-avenue, from right-of-way eastwards 11½ chains.

Right-of-way, from Kathleen-street to McKeon-avenue.

Balloan-street, from 8 chains west of Sutherland-street westwards 2 chains.

Chambers-street, from Walsh-street to Edward-street.

Edward-street, from Chambers-street to Dare-street.

Eastgate-street, from Cumberland-road westwards 9 chains.

Essendon.

Ferguson-street, from The Parade northwards 3½ chains.

Aberdeen-street, from Buckley-street southwards 7½ chains.

Hesleden-street, from Morton-avenue northwards 4 chains.

Footscray.

Dudley-street, from 2 chains north of Edward-street to Leigh-street.

Leigh-street, from Dudley-street westwards 2 chains.

Malvern.

Alvie-street, from Millewa-avenue westwards 3½ chains.

Oakleigh.

Dandenong-road, from Park-road to Market-street.

Dandenong-road, from Park-road south-eastwards 11 chains.

Edward-street, from William-street to Henry-street.

Henry-street, from Edward-street northwards 8½ chains.

Burlington-street, from John-street westwards 2 chains.

Bowmore-street, from 6 chains east of Poath-road eastwards 3½ chains.

Preston.

Gilbert-road, from Jacka-street to Hardy-street.

Sandringham.

Carew-street, from Bainfield-street to Georgiana-street. 232

CITY OF MALVERN.

RE-NAMING OF STREET.

NOTICE is hereby given that the Council of the City of Malvern did at a Meeting held on the 6th day of March, 1939, due notice of such meeting having been given, resolved that Maxwell-street, as set out in C.P. 199, at Gardiner, Parish of Prahran, be changed to Meaden-street.

B. CROSBIE GOOLD, Town Clerk.

City Hall, Malvern. S.E.4, 5th May, 1939. 246

TOWN OF HORSHAM.

LOAN No. 16.

Notice of Intention to Borrow the Sum of Ten Thousand Pounds (£10,000).

TAKE notice that the Council of the Town of Horsham proposes to borrow on the credit of the Mayor, Councillors, and Burgesses of the said town the sum of Ten thousand pounds, such sum to be raised by the issue of debentures in accordance with the provisions of the *Local Government Act 1928*.

The rate of interest to be paid is £4 5s. per centum per annum.

Such moneys shall be repayable by 40 half-yearly instalments at Melbourne, at the Commercial Bank of Australia or at the Council's bankers for the time being at Melbourne, the first of such payments being on 1st February, 1940.

The purposes for which the loan is to be applied is for payment of contract for the construction of Town Hall, stage, and auditorium.

The said loan will be liquidated by providing out of the Municipal Fund of the Council the half-yearly instalments referred to above during the currency of the loan.

The plans, specifications, and estimate of the cost of the works referred to above and a statement showing the proposed expenditure of money to be borrowed are open for inspection at the Town Hall, Horsham.

Dated this twelfth day of May, One thousand nine hundred and thirty-nine.

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W. P. PRYOR, Town Clerk.

SHIRE OF FRANKSTON AND HASTINGS.

BY-LAW No. 64.

NOTICE is hereby given that a By-law has been made and passed by the Council of the Shire of Frankston and Hastings under Parts VII. and XXXIII. of the *Local Government Act 1928*, with the approval of the Governor in Council and numbered 64, for the purpose of the care, protection, and management, and the imposing, collecting, and recovering charges or entrance fees for clubs, associations, or persons using or entering in or upon the Council's reserves and grounds and places, and also for regulating the conduct of persons whilst using or being upon or in such reserves or grounds or places, and also for controlling and managing and preserving such reserves or grounds or places, and also for affording the use and enjoyment of gardens within the Shire of Frankston and Hastings to the inhabitants thereof.

And that a copy of the said By-law is open for inspection, free of charge, at the Shire Offices, Frankston, during office hours.

Resolution for passing this By-law agreed to by the Council of the Shire of Frankston and Hastings on the second day of December, 1938, and confirmed on the twentieth day of January, 1939, and sealed with the common seal of the President, Councillors, and Ratepayers of the Shire of Frankston and Hastings in the presence of—

G. E. HODGINS, President.

(SEAL)

J. L. PRATT, Councillor.

J. A. P. HAM, Shire Secretary.

Approved by the Governor in Council, 18th April, 1939.—
C. W. KINSMAN, Clerk of the Executive Council. 258

SHIRE OF UPPER MURRAY.

BY-LAW No. 7.

(Under the Health Acts.)

IN pursuance of the powers contained in the Health Acts and of every other power thereunto enabling them in their behalf, the President, Councillors, and Ratepayers of the Shire of Upper Murray, for the purpose of carrying the said Acts into execution within their jurisdiction, make and declare the following By-law, that is to say:—

1. From and after the date of this By-law coming into operation all former By-laws, so far as they relate to the matters and things provided for in this By-law, are hereby repealed.

2. This By-law shall come into full force and operation on its approval by the Governor in Council and immediately after its publication in the *Government Gazette*.

3. This By-law shall apply to and have operation in the Township of Corryong and the following portions of the Parishes of Towong and Colac Colac:—State School Reserve, allotments 2A2, 2A1, and 1A of section O, and allotments 1A and 1B of section T, Parish of Towong, and the following portion of the Parish of Colac Colac: Commencing at the north-west corner of allotment 2, section Z; thence S. 52 deg. 30 min. E. 2,200 links; thence S. 65 deg. 0 min. W. 2,000 links; thence N. 52 deg. 30 min. W. 5,000 links; thence by a straight line to the south-western corner of the Township of Corryong; thence S. 52 deg. 30 min. E. along the township boundary to the commencing point.

4. The Council may, however, exempt from inclusion temporarily inaccessible or isolated premises on the margin of any part of the area described herein.

5. In this By-law, unless inconsistent with the context or subject-matter—

“Commission” means the Commission of Public Health.

“Council” means the Council of the Shire of Upper Murray.

“Closet” means any structure whatsoever used for the purpose of or in relation to defaecation not connected with an approved septic tank or sewerage system, and includes a cesspool closet.

“Cesspool” includes any receptacle for nightsoil or for offensive matter below or above the ground; but does not include any septic tank or sewage system or any receptacle prescribed by or under the Health Acts or allowed by the Commission.

“House” includes dwellings of any kind, schools, licensed victualler's premises, factories, work-rooms, shops, boarding-houses, lodging-houses, tents, and other buildings or structures (whether temporary or permanent).

“Inspector” and “Inspecting Officer” means any officer authorized by the Commission or the Council, and include any acting or assistant inspector.

“Nightsoil” includes all human excrements or faecal matter and human urine.

“Proprietor” means the proprietor of any premises and includes the owner, the occupier, or any person having the management or control thereof.

6. Every proprietor of premises shall cause the same to be kept in such a state as not to be a nuisance or dangerous to health.

7. No person shall undertake or carry on any building, engineering, or other work necessitating the employment of workmen unless there are provided for the use of the workmen suitable sanitary conveniences to the satisfaction of the Council or Inspecting Officer.

8. All houses and such other buildings as the Council may deem necessary shall be provided by the proprietors with a closet, or with such number of closets as the Council may deem necessary, and every closet shall be kept provided with a pan in accordance with the requirements of this By-law unless the Council permits of it being closed.

9. Every person who proposes to erect a new or reconstruct an existing closet on any premises shall give written notice to the Council of his intention to do so, and such notice shall include the design and arrangements and the dimensions of and the material to be used in the erection or alteration of such closet.

10. No closet, privy, or urinal shall be erected at a less distance than 20 feet from any door or window of any house, and no such closet or urinal shall be erected at a less distance than 9 feet from the boundary of any premises, except that in case there is a right-of-way abutting on such allotment the closet or urinal may, with the written consent of the Council, be erected on the boundary between the allotment and the right-of-way. Where it is impracticable to comply with this clause, the minimum distance shall be as directed in writing by the Council or its Inspector.

11. Every new or reconstructed closet shall have—

(a) Its internal dimensions not less than 3 ft. 6 in. in width, 5 feet in length, by 7 feet in height from floor line to wall plate level.

(b) Weatherproof walls, in good repair and condition, formed of brick, stone, concrete, or wood or other approved material; and at least two of its walls shall be exposed to the open air, the door shall be in one of such walls except in the case where an approved air-lock is provided.

(c) Weather-proof roof formed of slates, tiles, galvanized iron, or other approved material.

(d) A suitable door capable of being fastened from the inside when shut; provided that the Council may, in respect to any particular premises, modify this requirement.

(e) An impervious floor of concrete, flagstone, or other approved material having its surface impervious, horizontal beneath the seat, with a gradient downwards from the riser to the front wall of not less than $\frac{1}{4}$ an inch per foot, and such floor shall be nowhere less than 3 inches above the surrounding ground level.

(f) A space of suitable dimensions for the reception of the pan or pans and the internal surfaces of such space shall be as smooth as practicable. Such pan space shall be fly-proof.

(g) A seat (covering the top of the pan space) with an ovoidal opening of suitable dimensions for an adult or child (as the case may be) having a maximum diameter of 9 $\frac{1}{2}$ inches; and the anterior margin of such opening shall be in such a position that it shall be 2 $\frac{1}{2}$ inches behind the internal surface of the front of the pan rim, and the posterior margin at least 1 inch forward from the back of the pan rim, when the pan is in position for use, and such opening shall be provided with a hinged fly-proof cover.

(h) The seat shall be of such a height that when the pan is in position the upper rim thereof shall not be more than 1 $\frac{1}{2}$ inches from the under surface of the seat.

(i) A door giving access to the pan space for the purpose of removal of the pan either from the interior or the exterior of the closet building, and such door shall be properly fitted, hinged, and strongly made with a secure catch to ensure that such door is kept properly closed. The door shall be so placed that the pan may be conveniently removed and replaced in its proper position. The door shall not be placed at the side of the pan space unless special permission is obtained from the Council.

(j) The space under the seat known as the pan space or pan stead shall be made fly-proof, and fitted with guides and stops so that the pan may be easily introduced into and kept in position.

(k) Suitable openings or flues to provide sufficient ventilation, as follows:—A fly-proof air grating situated in the lowermost part of an external wall of the pan space having a clear airway of at least 12 square inches and an upcast vent-pipe of not less than 9 square inches in cross-sectional area extending to the roof; and every such outlet ventilating shaft extending vertically to such a height that the mouth of the shaft shall be at least 6 feet higher than any adjacent window, door, or other opening of any habitable or occupied room: Provided that where the pan space has two external walls furnished with fly-proof air gratings having not less than 12 square inches of clear airway each, it shall not be necessary to provide a ventilating shaft as prescribed; but such air gratings shall not be on the same level.

(l) The entrance to the closet shall be effectively screened from public view.

12. The proprietor of any premises upon which there is any closet which is not in accordance with the provisions of this By-law and the General Sanitary Regulations 1931, or amendments thereof, shall when required by the Council, alter, remove, or demolish such closet and provide a closet which is in accordance therewith.

13. The proprietor of any premises upon which there is erected a closet shall cause the space under the seat of each closet on such premises to be prepared for the accommodation of a pan as prescribed herein, and shall permit the same to be used for the double-pan service, in the prescribed sanitary area, and shall cause such closet to be kept in a fit state for such service.

14. The proprietor of any premises on which there is erected a closet shall cause each closet on such premises to be supplied by the Council or otherwise with a pan for the reception of night-soil and shall (except when being exchanged) cause such pan to be kept in proper position under the seat of each closet, and shall also provide a lid capable of being fitted tightly over such pan when being removed from the premises to the depot, so as to prevent the spilling of the contents and the emission of offensive vapours, gases, or effluvia from the contents of such pan.

15. Such pan shall be cylindrical in shape and formed of galvanized iron of not less than 22 gauge, or other approved material or materials, presenting on the inside and out an impervious surface, smooth, hard, and durable, and those surfaces which come into contact with nightsoil shall be free from any projections. It shall be watertight, strongly constructed, reinforced with metal bands where necessary, and provided with properly attached side lifting handles. Each pan shall have a capacity of 1½ cubic feet, and shall have an internal depth of 14 inches, a diameter of not less than 14 inches, and a suitable rim or lugs to permit an airtight lid to be affixed. The seams of the pan shall be folded, grooved, and sweated with solder.

16. The proprietor of the premises shall cause to be kept in every closet belonging thereto a supply of liquid deodorant or lime, sawdust, or some other dry material efficient for the deodorizing of nightsoil, and shall cause all nightsoil which may be deposited in the pan in such closet to be, immediately on the deposit thereof, covered with a quantity of such deodorizing material sufficient to thoroughly deodorize the contents of such pan.

17. The proprietor shall provide every urinal with an approved apparatus for the regulated automatic discharge into such urinal of sufficient approved deodorant for the purpose of keeping such urinal constantly deodorized.

18. The proprietor of any premises whereon there is a closet or urinal shall—

(a) maintain such closet and urinal in good repair and in a cleanly condition; and

(b) when required by the inspector effectually disinfect such closet or urinal and/or the contents thereof, and effect any repairs thereto that such inspector may deem necessary.

19. The proprietor or any other person shall not remove any nightsoil from any premises unless with the written authority of the Council, and all such nightsoil so removed shall be removed and buried in full accordance with the Health Acts and the General Sanitary Regulations 1931, or amendments thereto.

20. At least once a week, and in every case as often as may be necessary to prevent the level of the contents of such pan approaching within 2½ inches of the brim thereof, the pan shall be closed with a lid and removed by the contractor or person authorized or employed in that behalf by the Council with its contents from the premises and another pan thoroughly cleansed and in good order shall be left in its place. The proprietor shall be responsible for the service of sufficient pans to prevent any pan contents rising above the said 2½ inches level, and the Council must be immediately notified if and when an extra service is required.

21. The contractor or person responsible to the Council for that purpose shall cause all pans to be removed in a suitable covered vehicle in such a manner as not to cause nuisance, danger to health, or offensiveness, and forthwith cause such vehicle to be removed to the approved depot.

22. The contractor or person authorized or employed by the Council for the removal of nightsoil shall cause such nightsoil to be deposited at the depot and disposed of in such a manner as may be authorized by the Regulations.

23. If such nightsoil be disposed of in trenches, such trenches shall be made on a level grade not less than 9 inches nor more than 18 inches in depth, and shall not exceed 24 inches in width, and the bottom thereof shall be broken up by suitable means to facilitate percolation of liquids, and the nightsoil shall be deposited therein in layers of not more than 15 inches deep, and shall be left at that depth so that there shall be a covering of at least 6 inches of clean, thoroughly broken-up soil upon the nightsoil and pan washings when covered in.

24. No trench shall be used for the disposal of nightsoil where the bottom consists of rock or other impermeable material.

25. Immediately after the disposal of the nightsoil and washings in any trench, such trench shall be filled in with thoroughly disintegrated earth. The necessary filling shall be obtained by excavation of another trench in a position parallel to but not less than 12 inches from the aforesaid trench required to be filled in, and using the material so obtained as a covering over the nightsoil so deposited. Trenches shall be excavated and used and filled in in regular consecutive order.

26. Seed of grass or any forage or cereal crops or other such form of vegetable life as the Council shall direct or approve shall be seasonably planted or sown on any land into which nightsoil has been deposited, provided that vegetables or seeds of vegetables shall not be planted therein or thereon until three months have elapsed since the last deposit of nightsoil in such land.

27. Every pan used for the reception or conveyance of nightsoil shall, immediately on being emptied, be thoroughly washed or otherwise cleansed. The resultant washings or other filth shall be disposed of in similar manner as the nightsoil.

28. Every pan after the disposal of its contents and after being cleansed in manner aforesaid and before it again leaves the depot or disposal ground shall, on every occasion, be thoroughly cleansed and disinfected by—

(a) immediately after washing and scrubbing with water, subjecting the pan to a current of steam from a boiler at 60-lb. pressure to the square inch for not less than two minutes in a steam-tight box or chamber; or

(b) thorough washing and scrubbing in water, then rinsing in clean water and finally submerging for not less than five minutes in an aqueous solution containing not less than 1 per cent. of accol, cyllin, kerol, izal, hycol, or other disinfectant of equal efficiency; or

(c) thorough washing and scrubbing in clean water and afterwards submerging for not less than five minutes in boiling water; or

(d) any other approved method provided for in writing by the Council and which is approved by the Commission.

29. The internal surface of every pan before it is first used shall be properly coated with well-boiled tar, crude creosote, or other approved materials, and such coating shall thereafter be renewed when deemed necessary by the Council, but not less than once in every four months.

30. The contractor or person authorized or employed by the Council for the removal of nightsoil shall cause all vehicles used for the transport of pans to the depot to be properly constructed, kept clean and disinfected daily at the depot, and maintained in a proper state of repair.

31. The proprietor or any other person shall not remove any nightsoil from any premises except in accordance with this By-law.

32. The proprietor or any other person within the area defined by this By-law shall not bury nor cause to be buried any nightsoil in any yard, garden, or other place not being a place set apart for such purpose by the Council.

33. Every proprietor of a house, shop, office, or other premises shall collect or cause to be collected all house sweepings, dead leaves, rubbish, filth, waste, or other refuse matter produced or accumulated on such premises, and for the temporary deposit of such refuse shall at his own expense provide and keep on such premises one or more galvanized iron bins, strongly constructed, with a close-fitting iron cover and with properly attached side-lifting handles, sufficient to contain the collections of one week. The dimensions of each bin shall not exceed 3 cubic feet, and in weight, when filled, 112 lb., so that the same may with the contents thereof be readily and conveniently movable by one man. The bin shall be watertight to prevent any escape by leakage or otherwise of any parts of the contents of same. The close fitting iron cover shall be kept on the bin in order to prevent the ingress of flies and vermin.

34. The proprietor shall cause such bin at all times to be in good order and sweet condition, and shall coat the inside of such receptacle with tar or other suitable substance when deemed necessary by the Council or inspector.

35. The proprietor shall cause at such hours and on such days as may be appointed by the Council for the removal of refuse such receptacle to be deposited close to and inside of the entrance to such house, shop, office, or other premises from the street, lane, or right-of-way on which such house, shop, office, or other premises abuts in order that the contractor or person authorized or employed in that behalf by the Council may conveniently remove the contents of such receptacle.

36. No person shall place or cause to be placed any such receptacle in or upon any street, lane, or right-of-way, except in the case of business premises built on the street alignment where such premises do not abut on a suitable right-of-way or land on which such receptacle could be placed, for the collection and emptying.

37. The contractor or person authorized or employed by the Council for the removal of such refuse shall be responsible for the complete emptying (without spilling any of the contents) of such bin or bins directly into a vehicle provided for its reception at such hours and on such days as may be appointed by the Council. Such contractor or person shall also be responsible for the replacement of such receptacle properly covered with its lid, and shall also close the gate or gates of the premises from which the receptacle was taken.

38. The contractor or person authorized or employed by the Council for the removal of such refuse shall at least once in each week, or at such greater frequency as may be necessary, collect and remove such refuse in a suitable covered vehicle in such a manner as not to cause nuisance, danger to health, or offensiveness.

39. Such vehicle shall be provided with a cover and kept covered except when refuse is being put into or discharged from such vehicle.

40. Such vehicle shall as far as practicable be rendered watertight by means of an impervious lining or by painting the inside thereof with tar or by other suitable and effective means.

41. Such vehicle when full shall be taken by the quickest possible route to the tip, incinerator, or destructor, where as soon as possible the refuse shall be rendered innocuous by means of fire or such other method as may be approved by the inspector or the Commission and in such manner as not to create a nuisance.

42. The contractor or person authorized or employed by the Council for the removal of such refuse shall cause all vehicles used for the reception and removal of such refuse to be properly constructed, kept clean, and thoroughly disinfected with approved disinfectant, and maintained in a proper state of repair.

43. If any refuse is authorized to be deposited or disposed of in or on any land, hole, quarry, or indenture, such refuse shall be deposited in a regular manner, and at the conclusion of each day's depositing the contractor or the person or persons authorized or employed by the Council shall, when so instructed by the Council or its inspector, blind the surface with clean earth, lime, or other approved material so as not to create any nuisance.

44. The proprietor of land on which is erected any stable, shed, yard, or other place for the keeping of animals shall, once at least in every week, and more frequently if directed, remove from such premises all dung, soil, or other manure produced or accumulated thereon, and in case of default of such occupier the Council may remove the same at the expense of such occupier or (where there is no occupier) of the owner of the premises.

45. Nothing contained in clause 33 of this By-law shall be taken to prevent the proprietor of any premises from causing any dung or soil (except nightsoil) to be removed for the purpose of being used on any garden or land contiguous to such premises as manure, provided that the same be not objected to by the inspector, or removed or used to contravene any By-law of the Council, or as to be a nuisance or injurious to health.

46. No person shall place or deposit bottles or broken bottles or glass on any roadway or public place, or any dust, mud, ashes, dead leaves, rubbish, filth, blood, offal, manure, soil or nightsoil, urine or other offensive matter, in any place so as to be a nuisance to any person or dangerous or injurious to health; and no person shall place or deposit any such filth or rubbish in any public drain or in any position from which it may be carried to the drains by a flow of water or other liquid.

47. Every proprietor of every premises on which there may be any offal shall forthwith effectually deodorize the same and remove the same from the premises within 24 hours.

48. The inspector shall have full power to enter into or upon any premises, yards, or lands at any time for the purpose of inspecting closets, urinals, pans, receptacles, vehicles, plant, and all other things and places therein and thereon, and for the purpose of carrying out the provisions of this By-law.

49. If any person commit a breach of any of the provisions of this By-law he shall, for every such breach, be liable to a penalty not exceeding Ten pounds, and a further penalty of not more than Five pounds or less than Five shillings for every day such offence is continued after any conviction for such breach.

Resolution for passing this By-law agreed to by Council the sixth day of February, 1939, and confirmed the sixth day of March, 1939.

(SEAL) HAROLD HARRIS, President.
HARRY NANKERVIS, Councillor.
C. W. C. FARRAN, Shire Secretary.

Submitted to the Commission of Public Health on the 18th April, 1939.—C. H. ROBINSON, Secretary to the Commission.

Approved by the Governor in Council, 24th April, 1939.—C. W. KINSMAN, Clerk of the Executive Council. 228

SHIRE OF OTWAY.

NOTICE is hereby given that the appointments of Richard Ernest Denton and William J. Humphrey as Herdsman and Dog Inspector for the West and Central Ridings of the Shire have been terminated, and that Jack Stanley Biddle has been appointed Herdsman and Dog Inspector for the Shire of Otway.

The following persons have been appointed by the Council on the 10th day of May, 1938, to act as Herdsmen, with authority to impound stock trespassing on any road in the Shire of Otway:—

William James Evans.
George Albert Joiner.
William Pappin.
Gustavus Lawson.
Karl Brady.
Eric Kirkman.
Albert William Pearce.
William George Cross.

By order of the Council,

T. J. FRY, Shire Secretary.

Shire Office, Beech Forest, 13th May, 1939. 254

NOTICE FOR DISSOLUTION OF PARTNERSHIP.

NOTICE is hereby given that the partnership heretofore subsisting between the undersigned Charles Rowley and Wilford Gladstone Herron, carrying on business as garage proprietors, mechanics, engineers, and salesmen, at Main-street, Bairnsdale, under the name of "Rowley and Herron," has been dissolved by mutual consent as from the twenty-second day of April. One thousand nine hundred and thirty-nine. All debts due to and owing by the said late firm will be received and paid by the said Charles Rowley, who will continue to carry on the business at the same place.

Dated at Bairnsdale, this 12th day of May, One thousand nine hundred and thirty-nine.

CHARLES ROWLEY.

W. G. HERRON.

Commins, Warren, and Thomson, solicitors, Bairnsdale. 307

NOTICE is hereby given that the partnership heretofore subsisting since the first day of April, 1939, between Paul Grapsas and Spiros Kavvadis, carrying on the business of café proprietors at Ryrie-street, Geelong, under the style or business name of "The New Geelong Café," was dissolved by mutual consent on the first day of May, 1939, the said Spiros Kavvadis having on that date retired from the said firm. Nicholas Mustos has been admitted thereto, and the business will in future be carried on by the said Paul Grapsas and Nicholas Mustos.

Dated the first day of May, 1939.

S. KAVVADIS.

PAUL GRAPSAS.

N. MUSTOS.

Doyle and Kerr, of "The Exchange," Little Malop-street, Geelong, and at Terang, and 413 Collins-street, Melbourne, solicitors to the parties. 309

NOTICE is hereby given that the partnership heretofore subsisting between Ralph Adrian Gros, Florence Watson, and Ellen Amelia Vincent, under the style or firm names of the "Blue Grotto Café," and "Chez Raoul," as restaurant proprietors, of 21 Spring-street, Melbourne, has been dissolved by mutual consent, as from the 21st day of April, 1939, the said Ralph Adrian Gros retiring from the said firm, and the said Florence Watson and Ellen Amelia Vincent will continue and carry on the said business under the style or firm name of "Blue Grotto Café," and will receive all moneys due to and pay all debts due by the said firm.

Dated the 28th day of April, 1939.

RALPH GROS.

ELLEN A. VINCENT.

F. WATSON.

Wilson Heriot, solicitor, Bank House, Bank-place, Melbourne. 224

Partnership Act 1928.

NOTICE OF CHANGE.

NOTICE is hereby given that on the 20th day of March, 1939, Gerald Henry Beresford Gibbs Lord Aldenham, a member of the firm of Gibbs, Bright and Co., died.

Dated this 12th day of May, 1939.

J. A. GRAHAM.

Blake and Riggall, 120 William-street, Melbourne, solicitors for the said firm. 301

NOTICE is hereby given that the partnership heretofore subsisting between the undersigned Henry Silvers and Abraham Aufgang, carrying on business under the name of "Sico Bags," at 100 Elizabeth-street, Melbourne, has this day been dissolved by mutual consent.

Dated this 10th day of May, 1939.

HENRY SILVERS.

ABRAHAM AUFANGANG.

H. Rockman, LL.B., solicitor, Carlton. 237

NOTICE OF DISSOLUTION OF PARTNERSHIP.

NOTICE is hereby given that the partnership heretofore subsisting between the undersigned Frederick Sheppard Grimwade and Wilfrid Lawson Allen, carrying on business as iron founders at the corner of Napier and Moreland streets, Footscray, under the name of Grimwade & Allen, has been dissolved by mutual consent as from the thirtieth day of April, 1939. All debts due to and owing by the said late firm will be received and paid by W. R. Thompson, chartered accountant (Australia), of 40 Queen-street, Melbourne, attorney and agent for the said F. S. Grimwade and W. L. Allen.

Dated at Melbourne, the fifth day of May, 1939.

F. S. GRIMWADE.

W. L. ALLEN.

Witnesses—REGINALD BLAKEMORE and W. THOMPSON. 281

JOHN ALFRED WRIGHT, of Emerald, and Henry Francis Richards, of 208 Queen's-parade, Fitzroy, hereby give notice that the partnership heretofore subsisting between them under the name of Wright and Richards has now been dissolved.

McLEERY, ROBSON, & MENDES, solicitors, Melbourne. 265

NOTICE is hereby given that the partnership heretofore carried on by Marie Edeline Donnelly, of 23 Alma-grove, St. Kilda, in the State of Victoria, widow, and Charles Gibson Hobbs, of 102 Brighton-road, Elsternwick, in the said State, mantle manufacturer, in the business of mantle manufacturers, under the style and firm name of "Gerald V. Donnelly & Hobbs," at 328 Flinders-lane, Melbourne, in the said State, was dissolved on the ninth day of May, 1939. All debts due to and owing by the said firm will be received and paid respectively by the said Charles Gibson Hobbs, who will carry on the said business on his own account under the name of "C. G. Hobbs."

Dated the ninth day of May, 1939.
Witness to signature of both parties—MARIE E. DONNELLY and C. G. HOBBS.
J. T. HALLY, solicitor, Melbourne. 263

NOTICE TO CREDITORS AND OTHERS.
I, THE undersigned Geoffrey Marks, formerly carrying on business at Markwood, under the name of "Markwood Motors," hereby give notice that I have disposed of the said business to Kenneth Marks, who will continue to carry on the same under the above name, and who will pay all debts owing by me in connexion with such business, and to whom all moneys owing to me in connexion therewith are to be paid.

Dated the twelfth day of May, One thousand nine hundred and thirty-nine.
308

GEOFFREY MARKS.

INGRAM BROS. SAWMILLS PROPRIETARY LIMITED.
NOTICE is hereby given that an Extraordinary General Meeting of the members of the above company will be held at the Board Room, Ground Floor, Temple Court, Collins-street, Melbourne, on Thursday, 25th May, 1939, at a quarter-past Two p.m., for the purpose of considering and, if thought fit, of passing as an Extraordinary Resolution the Resolution following:—

That the company cannot, by reason of its liabilities, continue its business, and that it is advisable to wind up, and that the company be accordingly wound up in the hands of Mr. H. D. Paroissien, chartered accountant, of Chancery House, Little Collins-street, Melbourne.

And notice is hereby also given that a Meeting of the creditors of the company will be held at the same place on the same date, at half-past Two p.m., for all the purposes in that behalf provided in the *Companies Act 1938*.

Dated this 11th day of May, 1939.

D. CHITTY, Secretary.
Registered office—Lorimer-street, South Melbourne.
A. W. H. Akehurst, solicitor, 403 Collins-street, Melbourne 300

Companies Act 1928.

FEDERAL LAMPS LIMITED.

SPECIAL RESOLUTION PURSUANT TO SECTION 77.

A T a General Meeting of the members of the said company, duly convened on the 13th day of April, 1939, the following Special Resolution was passed, and at a subsequent General Meeting of the members of the said company, also duly convened and held at 656 Chapel-street, South Yarra, on the 28th day of April, 1939, the following Resolution was duly confirmed:—

That the company, having disposed of the whole of its undertaking, be voluntarily wound up, and O. R. Charlton, of 361 Collins-street, Melbourne, be appointed liquidator."

Dated the 16th day of May, 1939.

OSWALD R. CHARLTON, Liquidator.
O. R. Charlton and Co., 361 Collins-street, Melbourne. 302

Companies Act 1928.

RE ALFRED HARVEY PROPRIETARY LIMITED

(IN LIQUIDATION).

PURSUANT to Rule 173 (2) of the rules under the Companies Act, notice is hereby given that by Order of His Honour Mr. Justice Lowe, dated the 28th day of April, 1939, it was ordered that Harold John Brown, of 25 O'Connell-street, Sydney, in the State of New South Wales, the liquidator herein, be released from his office as liquidator.

Dated this ninth day of May, 1939.

ABBOTT, BECKETT, STILLMAN, & GRAY, 401 Collins-street, Melbourne, solicitors for the liquidator. 264

The Companies Acts.

LUCY BEECH MILLERS & BAKERS PROPRIETARY LIMITED (IN LIQUIDATION).

NOTICE is hereby given, in pursuance of section 196 of the Companies Act 1928, that a General Meeting of members of the above-named company will be held at the office of Messrs. Young and Outhwaite, 368 Collins-street, Melbourne, on Tuesday, the 20th day of June, 1939, at Twelve noon, for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and giving any explanations required.

Dated this 10th day of May, 1939.

267 C. A. STEWART, Liquidator.

The Companies Act 1928.

HALEY MOTORS PTY. LTD. (IN LIQUIDATION).

NOTICE OF INTENTION TO DECLARE DIVIDEND.

A FIRST Dividend is intended to be declared in the above matter. Creditors who have not proved their debts by the 26th day of May, 1939, will be excluded therefrom.

Dated this 11th day of May, 1939.

H. C. BRODERICK, Liquidator.

H. C. Broderick, B.Com., chartered accountant (Aust.), 340 Collins-street, Melbourne. 269

Companies Act 1928.

PRICE CONSTRUCTION COMPANY PROPRIETARY LIMITED (IN LIQUIDATION).

PURSUANT to section 196 of the above Act, notice is hereby given that a General Meeting of the above company will be held at the office of the liquidator, on Monday, 26th June, 1939, at half-past Four p.m., to receive and consider the liquidator's final account of the winding up.

Dated this 15th day of May, 1939.

W. E. SPENCER, Liquidator.

W. E. Spencer and Co., 468 Little Collins-street, Melbourne, C.I. 285

Companies Act 1928.

RADNOR STUDIOS PROPRIETARY LIMITED

(IN LIQUIDATION).

PURSUANT to section 196 of the above Act, notice is hereby given that a General Meeting of the above company will be held at the office of the liquidator, on Monday, 26th June, 1939, at Four p.m., to receive and consider the liquidator's final account of the winding up.

Dated this 15th day of May, 1939.

W. E. SPENCER, Liquidator.

W. E. Spencer and Co., 468 Little Collins-street, Melbourne, C.I. 286

The Companies Act 1928.—Re

YOUNGER SET PROPRIETARY LIMITED, of 40 Queen-street, Melbourne, C.I.—Notice of First Meeting of Creditors.

TAKE notice that, pursuant to section 189 of the Companies Act 1928, a Meeting of creditors will be held at the office of Hugh S. Chambers and Co., 40 Queen-street, Melbourne, on Thursday, 25th May, 1939, at Twelve noon.

Dated this 10th day of May, 1939.

F. V. RATTRAY, Liquidator.

Hugh S. Chambers and Co., chartered accountants (Aust.), 40 Queen-street, Melbourne.

NOTICE.—This Meeting is purely formal, as the assets of this company have been taken over by Trocadero Palais Ltd., and all creditors' accounts will be paid in full. 295

Companies Act 1928.

MARSHALL SHOE CO. PTY. LTD. (IN LIQUIDATION).

NOTICE OF FINAL MEETING.

NOTICE is hereby given that the Final Meeting of the shareholders of the above-named company will be held at the under-mentioned address on Monday, the 19th day of June, 1939, at the hour of Twelve o'clock noon, in pursuance of and for the purpose of section 196 of the Companies Act 1928.

Dated this 17th day of May, 1939.

HADDON A. SMITH, Liquidator.

Cook, Tomlins, and Mirams, chartered accountants (Aust.), 360 Collins-street, Melbourne, C.I. 296

Companies Act 1928.

SOUTHERN AIR LINES & FREIGHTERS LIMITED

(IN VOLUNTARY LIQUIDATION).

NOTICE is hereby given that a First Dividend is about to be declared in the above matter. Creditors who have not proved their debts by the 29th day of May, 1939, will be excluded from participation in the dividend.

Dated this 10th day of May, 1939.

H. J. TRIST, Liquidator.

W. M. SCOTT, Liquidator.

Care of H. J. Trist and Stranger, Challis House, Martin-place, Sydney, New South Wales. 298

Companies Act 1938.

SERVICE CENTRE PROPRIETARY LIMITED.

NOTICE is hereby given that at a General Meeting of the shareholders of the above-named company, duly convened and held at the office of Messrs. Manning, Watson, and Co., "Mills Court," Deakin-avenue, Mildura, on the thirteenth day of May, 1939, the following Extraordinary Resolution was duly passed:—

That this company cannot, by reason of its liabilities, continue in its business, and it is advisable to wind up; that Mr. R. S. Bardwell, of Manning, Watson, and Co., be appointed liquidator."

MANNING, WATSON, & CO., Accountants. 306

The Companies Act 1938 (No. 4602).
**WESTHAVEN HARBOUR LAND, COAL, & TIMBER-
 COMPANY LIMITED.**

NOTICE TO CREDITORS.

AN Extraordinary General Meeting of the shareholders of Westhaven Harbour Land, Coal, and Timber Company Limited has been convened to be held on Wednesday, 31st May, 1939, at Eleven o'clock in the forenoon, at which it is intended to propose the following Resolution as an Extraordinary Resolution:—

"That the company being unable, by reason of its liabilities, to continue its business, it is advisable to wind up; and accordingly that the company be wound up."

Pursuant to the terms of section 238 of the Companies Act 1938, the company hereby summons a Meeting of the creditors of the company, to be held in the registered office of the company, Room 21, Sixth Floor, Temple Court, 422 Collins-street, Melbourne, C.I., on Wednesday, the thirty-first day of May, 1939, at Three o'clock in the afternoon, for the purposes set forth in sections 239 and 240 of the said Act.

Dated the eighth day of May, 1939.

By order of the Board.

CECIL B. CANTWELL, Secretary.

Registered Office: Temple Court, 422 Collins-street, Melbourne, C.I. 299

**TREACY'S JUNCTION AUTO SERVICES PTY. LTD. (IN
 VOLUNTARY LIQUIDATION).**

NOTICE is hereby given that a Final Meeting of shareholders of the above company will be held at the office of the Liquidator, Temple Court, 422 Collins-street, Melbourne; on Friday, the 16th day of June, 1939, at Ten a.m., to receive and consider the Liquidator's final account of the winding up.

Dated this 10th day of May, 1939.

E. L. BARRETT, chartered accountant (Aust.), 422 Collins-street, Melbourne. 225

**NOTICE TO CREDITORS AND OTHERS.—RE HAROLD
 BENJAMIN NATHAN.**

PURSUANT to the Trustee Act 1928, notice is hereby given that Elizabeth St. John Nathan, of Trawalla-avenue, Toorak, in the State of Victoria, widow, William Alexander Le Page, of 152 Bourke-street, Melbourne, in the said State, secretary, and Maurice Arnold Nathan and Graham Edley Nathan, both of 152 Bourke-street, Melbourne aforesaid, furniture warehousemen, the executrix and executors of the estate of Harold Benjamin Nathan, late of Trawalla-avenue Toorak, in the said State, furniture warehouseman, deceased (who died on the nineteenth day of July, One thousand nine hundred and thirty-eight), intend to convey or distribute the estate of the said deceased to or among the persons entitled thereto, and require all persons and creditors interested to send to them, care of the undersigned, on or before the thirty-first day of July, One thousand nine hundred and thirty-nine, particulars, in writing, of their claims against the said estate, after which date the said executrix and executors may convey or distribute the said estate to or among the persons entitled thereto, having regard only to the claims, whether formal or not, of which the said executrix and executors shall then have had notice.

Dated, the tenth day of May, 1939.

CORR & CORR, of 104, Queen-street, Melbourne. Solicitors for the executrix and executors. 272

**GEORGE NORMAN WARDELL, DECEASED.—NOTICE TO
 CLAIMANTS.**

PURSUANT to the provisions of the Trustee Act 1928, notice is hereby given that all persons having claims upon the estate of George Norman Wardell, formerly of Plenty-road, Preston, but late of David-street, Preston, in the State of Victoria, baker, deceased (who died on the sixteenth day of March, One thousand nine hundred and thirty-nine, and probate of whose will was granted by the Supreme Court of Victoria, in its probate jurisdiction, on the second day of May, One thousand nine hundred and thirty-nine, to George Frederick Barson, of 175 William-street, Melbourne aforesaid, accountant, and Ethel Emma Wardell, of David-street, Preston aforesaid, widow), are hereby required to send particulars, in writing, of such claims to the said executors, at the office of George Frederick Barson, of 175 William-street, Melbourne aforesaid, on or before the twentieth day of July, One thousand nine hundred and thirty-nine; after which date the said George Frederick Barson and Ethel Emma Wardell will proceed to convey or distribute the said estate, or any part thereof, to or among the persons entitled thereto; having regard only to the claims, whether formal or not, of which they shall then have had notice. And notice is further given that they will not be liable to any person of whose claim they shall not have had such notice as aforesaid.

Dated the fifteenth day of May, One thousand nine hundred and thirty-nine.

HOME, WILKINSON, & LOWRY, 401 Collins-street, Melbourne, solicitors for the executors. 303

PURSUANT to the Trustee Act 1928, notice is hereby given that all persons having claims against the estate of Flora Hateley, late of Beulah, in the State of Victoria, widow, deceased (who died on the twenty-sixth day of January, 1939, and probate of whose will was granted by the Supreme Court of the said State, in its probate jurisdiction, on the fourteenth day of March, 1939, to Oliver William Jasper Hateley, of Mt. Clear, in the said State, farmer, and Stanhope Everitt Bullen, of Beulah aforesaid, solicitor, the executors named therein), are hereby required to send particulars, in writing, of such claims to the undersigned at his office hereunder mentioned, on or before the eighth day of August, 1939, after which date the said executors will proceed to convey or distribute the estate and assets of the said Flora Hateley, deceased, which shall have come to their hands or possession, amongst the persons entitled thereto, having regard only to the claims, whether formal or not, of which they shall then have notice. And notice is hereby further given that the said executors will not be liable for the estate or assets, or any part thereof, so conveyed or distributed to any person of whose claim they shall not have had notice as aforesaid.

Dated this 15th day of May, 1939.

S. E. BULLEN, of Phillips-street, Beulah, proctor for executors. 260

Re JAMES BLAIR, late of 22 Overend-street, East Brunswick, in the State of Victoria, retired plumber, DECEASED (who died on the thirty-first day of March, 1939, and probate of whose will was on the twenty-fourth day of April, 1939, granted to William Angus McConnell, of 863 Glenhunting-road, Glenhunting, in the said State, chiropodist, and Ellen Emma Piper, of 22 Overend-street, East Brunswick aforesaid, widow, the executors thereby appointed).

TAKE notice, pursuant to section 27 of the Trustee Act 1928, that persons having claims against the estate of the said deceased are required to send written particulars thereof to the said executors to the care of J. Colin Stedman, of 47 Queen-street, Melbourne aforesaid, on or before the eighteenth day of July, 1939, after which date the said executors will distribute the assets among the persons entitled, having regard only to the claims so notified, and without liability in regard to unnotified claims pursuant to the said section.

Dated this seventeenth day of May, 1939.

J. COLIN STEDMAN, 47 Queen-street, Melbourne, solicitor for the executors. 261

ALL persons having claims against the estate of Eileen Louisa Mason, late of 46 Hamilton-street, Mont Albert, in the State of Victoria, teacher, deceased (who died on the twenty-third day of February, One thousand nine hundred and thirty-nine, and probate of whose will was granted by the Supreme Court on the twenty-seventh day of April, One thousand nine hundred and thirty-nine, to Bruce Robert Clements, of 145 Miller-street, North Fitzroy, in the said State, public accountant), are hereby required to send particulars, in writing, of such claims to the said Bruce Robert Clements, care of Wm. Brocket, Neylon, and Company, of 108 Queen-street, Melbourne, in the said State, on or before the twentieth day of July, One thousand nine hundred and thirty-nine, after which date the said Bruce Robert Clements will proceed to distribute the assets of the said Eileen Louisa Mason, deceased, amongst the persons entitled thereto, having regard only to the claims of which he shall have had notice. And the said Bruce Robert Clements will not be liable for any part of the assets so distributed to any person of whose claim he shall not have had notice as aforesaid.

Dated this sixteenth day of May, 1939.

WM. BROCKET, NEYLON, & CO., 108 Queen-street, Melbourne, proctors for the said Bruce Robert Clements. 262

**NOTICE TO CREDITORS AND OTHERS.—FREDERICK
 CHARLES HEMSWORTH, DECEASED.**

PURSUANT to the provisions of the Trustee Act 1928, notice is hereby given that all persons having any claims against the estate of Frederick Charles Hemsworth, late of 372 Geelong-road, West Footscray, in the State of Victoria, carrier, deceased, intestate (who died on the twelfth day of January, 1939, and letters of administration of whose estate were granted by the Supreme Court of Victoria, in its probate jurisdiction, to Vevers Lorna Hemsworth, formerly of 372 Geelong-road, West Footscray aforesaid, but now of 17 Albion-street, Kingsville, in the said State, widow, on the twenty-first day of March, 1939), are hereby required to send particulars, in writing, of such claims to the said Vevers Lorna Hemsworth, care of the under-mentioned solicitors, on or before the seventeenth day of July, 1939, after which last-mentioned date the said Vevers Lorna Hemsworth will proceed to distribute the assets of the said deceased amongst the persons entitled thereto, having regard only to the claims of which she shall then have had notice, and will not be liable for the assets so distributed, or any part thereof, to any person of whose claim she shall not then have had notice.

Dated the thirteenth day of May, 1939.

MARTIN & MARTIN, solicitors, 314 Collins-street, Melbourne. 270

NOTICE TO CLAIMANTS.—*RE* THOMAS ARKLE DUNN,
DECEASED.

ALL persons having claims against the property or estate of Thomas Arkle Dunn, late of 78 Holywell-avenue, Monkseaton, in the County of Northumberland, formerly of Elsdon, in the said County, retired schoolmaster, deceased (who died on the 22nd day of September, 1938, and probate of whose will was granted to Jane Dunn, of 78 Holywell-avenue, Monkseaton aforesaid, the sole executrix named therein by the District Probate Registry of His Majesty's High Court of Justice, at Newcastle-upon-Tyne, England, on the 31st day of December, 1938, and a seal certified copy of which probate was sealed with the seal of the Supreme Court of the State of Victoria, on the 9th day of May, 1939, on the application of The Trustees, Executors, and Agency Company Limited, of 401-403 Collins-street, Melbourne, in the State of Victoria, the duly authorized attorney under power of the said executrix), are hereby required to send in particulars, in writing, of such claims to the said company, on or before the 20th day of July, 1939, after which date the said company intends to convey or distribute such property or estate to or amongst the persons entitled thereto, having regard only to the claims of which it shall then have had notice, and further that it will not be liable to any person of whose claim it shall not then have had notice.

Dated the sixteenth day of May, 1939.

ROYSTON T. CAHIR, 440 Little Collins-street, Melbourne,
proctor for the said company. 271

NOTICE TO CLAIMANTS.—*RE* ALFRED ERNEST
HORSFALL, DECEASED.

FARMERS AND CITIZENS TRUSTEES COMPANY BENDIGO LIMITED, of Charing Cross, Bendigo, in the State of Victoria, the executor of the will of Alfred Ernest Horsfall, late of Lake Charm, in the said State, farmer, deceased (who died on the 3rd day of March, 1939), requires all creditors, next of kin, and others having claims against the property or estate of the said deceased to send to the said company on or before the 17th day of July, 1939, particulars, in writing, of such claims, after which date the said company intends to convey or distribute such property or estate to or among the persons entitled thereto, having regard only to the claims of which it shall have had notice.

Dated this eighth day of May, 1939.

WILLAN & MCKENZIE, of Wellington-street, Kerang,
proctors for the said company. 238

THE PERPETUAL EXECUTORS AND TRUSTEES ASSOCIATION OF AUSTRALIA LIMITED, of 100 Queen-street, Melbourne, in the State of Victoria, to which letters of administration of the estate of William Thomas Geldhoff, formerly of Weatherall-road, Cheltenham, in the said State, but late of Oxford-road, Kilsyth, in the said State, labourer, deceased (who died on the 25th day of November, 1938) with the will of the said deceased dated the 19th day of July, 1933, annexed, were granted by the Supreme Court of Victoria on the 27th day of April, 1939, requires all creditors, next of kin, and others having claims against the property or estate of the said deceased to send to the said association on or before the eighteenth day of July, 1939, particulars, in writing, of such claims, after which date the said association intends to convey or distribute such property or estate to or among the persons entitled thereto, having regard only to the claims of which it shall have had notice.

Dated the 8th day of May, 1939.

J. S. TAIT & SON, 125 Kepler-street, Warrnambool, proctors
for the association. 283

NOTICE is hereby given that all persons having claims against the estate of John William Thomson, late of 5 Pine-grove, Malvern, in the State of Victoria, retired school master, deceased, intestate (who died on the sixth day of April, One thousand nine hundred and thirty-nine, and administration of whose estate was granted by the Supreme Court of Victoria, in its probate jurisdiction, on the eighth day of May, One thousand nine hundred and thirty-nine, to Cecil Dorothy Baird, of Hay, in the State of New South Wales, married woman, the daughter and one of the next of kin of the said deceased), are hereby required to send particulars, in writing, of all such claims to the said Cecil Dorothy Baird, care of the undersigned proctors, on or before the eighteenth day of July, One thousand nine hundred and thirty-nine, after which date the said Cecil Dorothy Baird will proceed to distribute the assets of the said deceased which shall have come to her hands among the persons entitled thereto, having regard only to the claims of which she then shall have had notice; and the said Cecil Dorothy Baird will not be liable for the assets so distributed, or any part thereof, to any person of whose claim she shall not have had notice as aforesaid.

Dated this tenth day of May, 1939.

ROGERS & ROGERS, 108 Queen-street, Melbourne, proctors
for the above-named Cecil Dorothy Baird. 284

STATUTORY NOTICE TO CREDITORS AND OTHERS.

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of Grace Allan, late of 144 Cremorne-street, Richmond, and of Blackwood, in the State of Victoria, widow, deceased (who died on the 25th day of March, 1939, and probate of whose will was granted by the Supreme Court of the said State, in its probate jurisdiction, on the twenty-seventh day of April, 1939, to Margaret Mary Broadwood, of Seymour, married woman), are hereby required to send particulars, in writing, of such claims to the said Margaret Mary Broadwood, in care of the undersigned, at his address herein given on or before the eighteenth day of July, 1939, after which date the said Margaret Mary Broadwood will proceed to distribute the assets of the said Grace Allan which shall have come to her hands amongst the persons entitled thereto, having regard only to the claims of which she shall then have had notice. And notice is hereby further given that the said Margaret Mary Broadwood will not be liable for the assets so distributed or any part thereof to any person of whose claim she shall not have had notice as aforesaid.

Dated this 5th day of May, 1939.

W. J. OSBORNE, Station-street, Seymour, proctor for the
applicant. 227

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of Sarah Mitchell, late of South Hamilton, in the State of Victoria, widow, deceased, intestate (who died on the second day of December, 1938, and administration of whose estate was granted by the Supreme Court of the State of Victoria, in its probate jurisdiction, on the fifth day of May, 1939, to Hilda Jane Smith, of Hamilton, in the said State, married woman), are hereby required to send particulars, in writing, to the undersigned, at his office hereunder mentioned, on or before the 20th day of July, 1939, after which date the said Hilda Jane Smith will proceed to distribute the assets of the said Sarah Mitchell, deceased, which shall have come to her hands amongst the persons entitled thereto, having regard only to the claims of which she shall then have had notice. And notice is hereby further given that the said Hilda Jane Smith will not be liable for the assets so distributed or any part thereof to any person of whose claim she shall not have had notice as aforesaid.

Dated this 10th day of May, 1939.

J. L. R. BAKER, of 69-71 Thompson-street, Hamilton
proctor for the said Hilda Jane Smith. 230

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of Elizabeth Ann Anderson, late of Bella Vista, 10 Parliament-place, Melbourne, in the State of Victoria, retired civil servant, deceased (who died on the first day of November, 1937, and probate of whose will was on the seventh day of June, 1938, granted by the Supreme Court of Victoria, to Alexandra Anderson, of 1315 Burke-road, East Kew, trained nurse, the executrix appointed by the said will), are required to send particulars, in writing, of such claims to the said executrix, to the under-mentioned address, on or before the eighteenth day of July, 1939, after which date the said executrix will distribute the assets amongst the persons entitled thereto, having regard only to the claims of which she shall then have had notice. And the executrix will not be liable for the assets so distributed, or any part thereof, to any person or person of whose claim she shall not then have had notice.

Dated this ninth day of May, 1939.

PALMER, STEVENS, & RENNICK, solicitors, Kyneton.
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TRUSTEE ACT 1928.

ALL persons having claims against the estate of Richard Andronicus Slocombe, late of Foster-street, Dandenong, in the State of Victoria, retired public servant, deceased (who died on the 21st day of December, 1938, and probate of whose will was granted by the Supreme Court of the State of Victoria, in its probate jurisdiction, on the 18th day of April, 1939, to Martha Slocombe, of Foster-street, Dandenong aforesaid, gentlewoman, Jonathan Smalley, of 290 William-street, Bendigo, in the said State, solicitor, and William Henry Rees, of 12 Lyons-street south, Ballarat, in the said State, journalist), are hereby required to send particulars thereof, in writing, to the said executors, in care of the undersigned solicitors, on or before the 13th day of July, 1939, after which date the said executors will proceed to distribute the estate of the said Richard Andronicus Slocombe, deceased, which shall have come to their hands amongst the persons entitled thereto, having regard only to the claims of which they shall then have had notice; and the said executors will not be liable for the assets so distributed, or any part thereof, to any person of whose claim they shall not have had notice as aforesaid.

Dated this 10th day of May, 1939.

TATCHELL, DUNLOP, SMALLEY, & BALMER, William-
son-street, Bendigo, solicitors for the executors. 234

PURSUANT to the provisions of the *Trustee Act 1928*, notice is hereby given that all persons having any claim or claims against the estate of Mark Francis Shea, late of 407 Royal-parade, Parkville, in the State of Victoria, merchant, deceased (who died on the twenty-eighth day of March, 1939, and probate of whose will and codicil thereto has been applied for by National Trustees, Executors, and Agency Company of Australasia Limited, of 113 Queen-street, Melbourne, in the said State, and Salvador Parer, of Howard-street, Kew, in the said State, manager, the executors named in and appointed by the said will and codicil thereto), are hereby required to send particulars, in writing, of such claim or claims to the said executors, care of the said National Trustees, Executors, and Agency Company of Australasia Limited, at its address aforesaid, on or before the nineteenth day of July, 1939. And notice is hereby given that after such last-mentioned date the executors will proceed to distribute the assets of the said deceased which shall have come to their hands or possession amongst the persons entitled thereto, having regard only to the claim or claims of which they shall then have had notice as aforesaid; and the said executors will not be liable for the assets, or any part thereof, so distributed to any person or persons of whose claim they shall not have had notice as aforesaid.

Dated this 16th day of May, 1939.

BERNARD NOLAN, 408 Collins-street, Melbourne, proctor for the executors. 280

RE AURORA ALICE WARDLE, DECEASED.

PURSUANT to the *Trustee Act 1928*, notice is hereby given that all persons having claims upon the estate of Aurora Alice Wardle, late of "Beresford," Hillside-avenue, Caulfield, in the State of Victoria, married woman, deceased (who died on the twentieth day of December, 1933, and letters of administration, with the will annexed, of whose estate were granted by the Supreme Court of Victoria on the twenty-fourth day of April, 1939, to The Equity Trustees, Executors, and Agency Company Limited, of 472 Bourke-street, Melbourne, in the said State), are hereby required to send particulars, in writing, of such claims to the said company, at its above-mentioned address, on or before the twentieth day of July, 1939, after which date it will proceed to convey or distribute the said estate, or any part thereof, to or among the persons entitled thereto, having regard only to the claims, whether formal or not, of which it shall then have had notice. And notice is further given that it will not be liable to any person of whose claim it shall not have had such notice as aforesaid.

Dated the thirteenth day of May, 1939.

E. P. JOHNSON & DAVIES, 108 Queen-street, Melbourne, proctors for the said company. 279

PURSUANT to the *Trustee Act 1928*, notice is hereby given that all persons having claims against the estate of Annie Bella McIver, late of 29 Adeney-avenue, Kew, in the State of Victoria, widow, deceased (who died on the 22nd day of January, 1939, and probate of whose will was granted by the Supreme Court of the said State, in its probate jurisdiction, on the 10th day of May, 1939, to Thomas John Fraser, of Chaucer-street, Canterbury, in the said State, accountant), are hereby required to send particulars, in writing, of such claims to the said Thomas John Fraser, care of Morrison, Savers, and Teare, at their offices hereunder mentioned, on or before the 22nd day of July, 1939, after which date the said Thomas John Fraser will proceed to distribute the assets of the said Annie Bella McIver, deceased, which shall have come to his hands amongst the persons entitled thereto, having regard only to the claims of which he shall then have had notice. And notice is hereby further given that the said Thomas John Fraser will not be liable for the assets so distributed, or any part thereof, to any person of whose claim he shall not have had notice as aforesaid.

Dated this 16th day of May, 1939.

MORRISON, SAWERS, & TEARE, of 395 Collins-street, Melbourne, proctors for the said Thomas John Fraser. 278

PURSUANT to the *Trustee Act 1928*, all persons having claims against the estate of Albert Henry Woodman, late of Lethbridge, in the State of Victoria, farmer, deceased, intestate (who died on the 10th day of January, 1939, and letters of administration of whose estate were granted by the Supreme Court of Victoria, on the 3rd day of March, 1939, to Ethel May Woodman, of Lethbridge aforesaid, widow), are hereby required to send particulars of such claims to the said administratrix, care of Whyte, Just, and Moore, at its address below appearing, on or before the 20th day of July, 1939, after the expiration of which time the said administratrix will proceed to distribute the assets of the said deceased amongst the persons entitled thereto, having regard only to the claims of which she shall have had notice.

Dated this 17th day of May, 1939.

WHYTE, JUST, & MOORE, 27 Malop-street, Geelong, proctors for the said administratrix. 255

No. 90.—6476/39.—3

PURSUANT to the *Trustee Act 1928*, notice is hereby given that all persons having claims against the estate of Henry Samuel Graham, late of 20 Coppin-street, East Malvern, in the State of Victoria, grazier, deceased, intestate (who died on the 7th day of December, 1938, and administration of whose estate was granted by the Supreme Court of the said State, in its probate jurisdiction, on the 8th day of May, 1939, to Eliza Graham, of 20 Coppin-street, East Malvern aforesaid, widow), are hereby required to send particulars, in writing, of such claims to the said Eliza Graham, care of Morrison, Savers, and Teare, at their offices hereunder mentioned, on or before the 22nd day of July, 1939, after which date the said Eliza Graham will proceed to distribute the assets of the said Henry Samuel Graham, deceased, which shall have come to her hands amongst the persons entitled thereto, having regard only to the claims of which she shall then have had notice. And notice is hereby further given that the said Eliza Graham will not be liable for the assets so distributed, or any part thereof, to any person of whose claim she shall not have had notice as aforesaid.

Dated this 16th day of May, 1939.

MORRISON, SAWERS, & TEARE, of 395 Collins-street, Melbourne, proctors for the said Eliza Graham. 277

PURSUANT to the *Trustee Act 1928*, notice is hereby given that all persons having claims against the property or estate of Elizabeth Orpha Rose, late of New Town, in the State of Tasmania, widow, deceased (who died on the 24th day of March, 1938, and probate of whose will, as contained in an exemplification of letters of administration, with the said will annexed, of the estate of the said deceased issued out of the Supreme Court of Tasmania was on the 10th day of May, 1939, granted by the Supreme Court of Victoria, in its probate jurisdiction, to The Union Trustee Company of Australia Limited, of No. 333 Collins-street, Melbourne, in the State of Victoria, and also of No. 400 Queen-street, Brisbane, in the State of Queensland, the executor appointed by the said will), are hereby required to send particulars, in writing, of such claims to such company at No. 333 Collins-street, Melbourne aforesaid, on or before the 18th day of July, 1939, after which date the said company will proceed to distribute the assets of the said deceased among the persons entitled thereto, having regard only to the claims of which it shall then have had notice.

Dated this 16th day of May, 1939.

R. L. CROSS & WOOD, 440 Little Collins-street, Melbourne, proctors for the said company. 287

PURSUANT to the *Trustee Act 1928*, notice is hereby given that all persons having claims against the estate of Amy Hale, formerly of 35 Mercer-road, Malvern, in the State of Victoria, but late of the Mercy Hospital, Clarendon-street, East Melbourne, in the said State, trained nurse, deceased (who died on the eleventh day of January, 1939, and probate of whose will and codicil was granted by the Supreme Court of the State of Victoria on the tenth day of May, 1939, to The Trustees, Executors, and Agency Company Limited, of 401-403 Collins-street, Melbourne, in the said State), are hereby required to send particulars, in writing, of such claims to the said The Trustees, Executors, and Agency Company Limited, at the address thereof, on or before the seventeenth day of July, 1939, after which date the said The Trustees, Executors, and Agency Company Limited will proceed to distribute the assets of the said Amy Hale, deceased, which shall have come to its hands amongst the persons entitled thereto, having regard only to the claims of which it shall then have had notice.

Dated the tenth day of May, 1939.

PHILLIPS, FOX, & MASEL, 440 Chancery-lane, Melbourne, proctors for the said company. 291

NOTICE TO CLAIMANTS.—RE HENRY JOHN GILLARD, DECEASED.

PURSUANT to the provisions of the *Trustee Act 1928*, notice is hereby given that all persons having claims against the estate of Henry John Gillard, late of 69 Noone-street, Clifton Hill, in the State of Victoria, boilermaker, deceased (who died on the 10th February, 1939, and probate of whose will was on the 3rd May, 1939, granted by the Supreme Court of Victoria to The Equity Trustees, Executors, and Agency Company Limited, of 472 Bourke-street, Melbourne, in the said State, the sole executor appointed by the said will), are hereby required to send particulars, in writing, of such claims to the said company, at the above address, on or before the 24th July, 1939, after which date the said executor will proceed to convey or distribute the said estate, or any part thereof, to or among the persons entitled thereto, having regard only to the claims, whether formal or not, of which it shall then have had notice; and will not be liable for the assets, or any part thereof, so distributed to any person of whose claim it shall not then have had notice.

Dated this 11th day of May, 1939.

MOULE, HAMILTON, & DERHAM, 394-6 Collins-street, Melbourne, proctors for the said executor. 268

NOTICE TO CREDITORS.—RE FLORENCE ETHEL MCKENZIE, DECEASED.

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of Florence Ethel McKenzie, late of Clarke-street, Portarlington, in the State of Victoria, spinster, deceased (who died on the 30th day of March, 1939, and application for probate of whose will is being made to the Registrar of Probates by John James Kitchen, of Cotham-road, Kew, medical practitioner, and Ruper McKenzie Doull, of Port Fairy, in the said State, dentist, the executors appointed by the said will), are hereby required to send particulars, in writing, of such claims to the said executors, care of the undersigned proctors, on or before the 12th day of August, 1939, after which date the said executors will convey or distribute the said estate to or amongst the persons entitled thereto, having regard only to the claims of which they shall then have had notice.

Dated the 9th day of May, 1939.

MCCRACKEN & MCCRACKEN, 317 Collins-street, Melbourne, proctors for the said executors. 226

TRUSTEE ACT 1928.

ALL persons having claims against the estate of Elizabeth Braddy, late of Derby, in the State of Victoria, widow, deceased (who died on the 21st day of March, 1939, and probate of whose will was granted by the Supreme Court of the State of Victoria, in its probate jurisdiction, on the 2nd day of May, 1939, to William Braddy and Alfred James Braddy, both of Derby aforesaid, farmers), are hereby required to send particulars thereof, in writing, to the said executors, in care of the undersigned solicitors, on or before the 13th day of July, 1939, after which date the said executors will proceed to distribute the estate of the said Elizabeth Braddy, deceased, which shall have come to their hands amongst the persons entitled thereto, having regard only to the claims of which they shall then have had notice; and the said executors will not be liable for the assets so distributed, or any part thereof, to any person of whose claim they shall not have had notice as aforesaid.

Dated this 10th day of May, 1939.

TATCHELL, DUNLOP, SMALEY, & BALMER, Williamson-street, Bendigo, solicitors for the executors. 235

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having any claim against the estate of Isabella Redfearn, late of 43 Langridge-street, Middle Park, in the State of Victoria, widow, deceased, intestate (who died on the nineteenth day of March, 1939, and letters of administration of whose estate were granted by the Supreme Court of Victoria, in its probate jurisdiction, on the tenth day of May, 1939, to National Trustees, Executors, and Agency Company of Australasia Limited, of 113 Queen-street, Melbourne, in the said State), are hereby required to send particulars, in writing, of such claims to the said National Trustees, Executors, and Agency Company of Australasia Limited, on or before the nineteenth day of July, 1939, after which date the said National Trustees, Executors, and Agency Company of Australasia Limited will proceed to distribute the assets of the said Isabella Redfearn, deceased, which shall have come to its hands amongst the persons entitled thereto, having regard only to claims of which it shall then have had notice. And notice is hereby further given that the said National Trustees, Executors, and Agency Company of Australasia Limited will not be liable for the assets so distributed, or any part thereof, to any persons of whose claim it shall not have had notice as aforesaid.

Dated this tenth day of May, 1939.

F. J. CORDER, 108 Queen-street, Melbourne, proctor for the said company. 246

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of James Keddie, late of 12 Otira-road, Caulfield North, in the State of Victoria, departmental manager, deceased, intestate (who died on the twenty-seventh day of February, 1939, and letters of administration of whose estate were granted by the Supreme Court of the said State, in its probate jurisdiction, on the eighth day of May, 1939, to The Trustees, Executors, and Agency Company Limited, of 401 and 403 Collins-street, Melbourne, in the said State), are hereby required to send particulars, in writing, of such claims to the said company, at the above-mentioned address, on or before the twentieth day of July, 1939, after which date the said company will proceed to distribute the assets of the said James Keddie, deceased, which shall have come to its hands amongst the persons entitled thereto, having regard only to the claims of which it shall then have had notice. And notice is hereby given that the said company will not be liable for the assets so distributed, or any part thereof, to any person of whose claim it shall not have had notice as aforesaid.

Dated this eleventh day of May, 1939.

WILLIAM J. ROBB, 34 Queen-street, Melbourne, proctor. 282

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of James Danther, late of Kyneton, in the State of Victoria, retired farmer, deceased (who died on the twelfth day of October, 1938, and probate of whose will was, on the sixteenth day of February, 1939, granted by the Supreme Court of Victoria to Michael Patrick Dannher, of Langley, near Kyneton, in the said State, farmer, and John Danaher, of Whittlesea, in the said State, farmer, the executors appointed by the said will), are required to send particulars, in writing, of such claims to the said executors, in care of the undersigned, on or before the eighteenth day of July, 1939, after which date the said executors will distribute the assets amongst the persons entitled thereto, having regard only to the claims of which they shall then have had notice; and the executors will not be liable for the assets so distributed, or any part thereof, to any person or persons of whose claim or claims they shall not then have had notice.

Dated this fifteenth day of May, 1939.

PALMER, STEVENS, & RENNICK, solicitors for the executors, Kyneton. 256

PURSUANT to the *Trustee Act* 1928, notice is hereby given that all persons having claims against the estate of Emma Tasmania Hewson, late of "Kingclere," 110 Brown-street, Heidelberg, in the State of Victoria, and latterly of 3 Grant-street, East Malvern, married woman, deceased (who died on the 23rd day of May, 1938, and probate of whose will was granted by the Supreme Court of Victoria, in its probate jurisdiction, to Valentine Nott Mogg, of 401 Collins-street, Melbourne, public accountant, and Phillip Windmiller Ettelson, of 395 Collins-street, Melbourne, solicitor, the executors appointed by the said will), are hereby requested to send in particulars, in writing, of such claims to the said executors, in care of the undersigned proctors, on or before the 18th day of July, 1939, after which date the said executors will proceed to distribute the assets of the said deceased amongst the persons entitled thereto, and will not be liable to any person of whose claim they will not then have had notice.

Dated the 15th day of May, 1939.

UPTON, ETTELSON, & OWEN, of 395 Collins-street, Melbourne, proctors for the executors. 294

THE EQUITY TRUSTEES & AGENCY COMPANY LIMITED, of 401 Collins-street, Melbourne, to which administration, with the will annexed, of the estate of Jane Warren Somerville, late of Trafalgar, in the State of Victoria, widow, deceased (who died on the seventh day of June, 1938), has been granted by the Supreme Court of Victoria, requires all creditors, next of kin, and others having claims against or interested in the property or estate of the said deceased to send to the said company, on or before the twentieth day of July, 1939, particulars of such claims, after which date the said company intends to convey or distribute such property or estate to or among the persons entitled thereto, having regard only to the claims of which it shall have had notice.

Dated 13th May, 1939.

GRAY & FRIEND, proctors, Warragul. 275

RE ALEXANDER WAKENSHAW, DECEASED.

RUPERT ROY WAKENSHAW, of Cora Lynn, in the State of Victoria, farmer, the administrator with the will annexed of the estate of Alexander Wakenshaw, late of Cora Lynn aforesaid, farmer, deceased (who died on the 15th January, 1939), requires all creditors, next of kin, and others having claims against the property or estate of the said deceased to send to him, care of the under-mentioned proctors, on or before the 17th day of August, 1939, particulars, in writing, of such claims, after which date he intends to convey or distribute such property or estate to or among the persons entitled thereto, having regard only to the claims of which he shall then have had notice.

Dated 11th day of May, 1939.

GRAY & FRIEND, proctors, Warragul. 274

MINING NOTICES.

Companies Act 1938.

GIPPSLAND OIL COMPANY LIMITED.

NOTICE OF INTENTION TO APPLY FOR EXEMPTION, PURSUANT TO SECTION 356 (1).

GIPPSLAND OIL COMPANY LIMITED hereby gives notice of its intention to apply to the Governor in Council for exemption in the case of the shares of the said Gippsland Oil Company Limited from the provisions of section 356 (1) of the *Companies Act* 1938, forbidding persons to go from place to place offering shares for subscription or purchase to the public or any members of the public.

Dated this eleventh day of May, 1939.

239 RUTH COURTNEY, Secretary.

BREAK OF DAY SYNDICATE NO LIABILITY.

ALL shares on which the April Call (the 1st) of One pound per share remains unpaid are forfeited, and will be sold by public auction at the Stock Exchange Hall, Little Collins-street, Melbourne, on Thursday, the 25th day of May, 1939, at a quarter to Twelve a.m., unless previously redeemed.

E. E. CONNOLLY, Manager.

54 Market-street, Melbourne. 273

NORTH BLUE MINING COMPANY NO LIABILITY.**POSITIVE SALE.**

ALL shares (Nos. 1 to 64,500) upon which the 27th Call of Three pence per share remains unpaid will be sold by public auction at the Stock Exchange, Charing Cross, Bendigo, on Tuesday, 30th May, 1939, at Four o'clock p.m., unless the call and expenses be previously paid to me.

242 A. G. PALMER, Manager.

NORTH CHEWTON GOLD MINES NO LIABILITY.

NOTICE is hereby given that all shares forfeited for non-payment of the 11th Call of Three pence per share and any previous calls will be sold by public auction at the Stock Exchange Hall, 428 Chancery-lane, Melbourne, on Wednesday, the 24th day of May, 1939, at a quarter to Twelve a.m., unless redeemed on or before Tuesday, the 23rd day of May, 1939, at Five p.m.

By order of the Board,

A. E. LLEWELLYN, Manager.

430 Little Collins-street, Melbourne, C.I. 16th May, 1939. 292

CHEWTON GOLD MINES NO LIABILITY.

NOTICE is hereby given that all shares forfeited for non-payment of the 38th Call of Three pence per share and any previous call will be sold by public auction at the Stock Exchange Hall, 428 Chancery-lane, Melbourne, on Wednesday, the 24th day of May, 1939, at a quarter to Twelve a.m., unless redeemed on or before Tuesday, the 23rd day of May, 1939, at Five p.m.

By order of the Board,

A. E. LLEWELLYN, Manager.

430 Little Collins-street, Melbourne, C.I. 16th May, 1939. 293

LONG TUNNELS (CONSOLIDATED) NO LIABILITY.

NOTICE is hereby given that all shares on which the 1st (April) Call remains unpaid will be sold by auction at the Stock Exchange, Melbourne, on Friday, 26th May, 1939.

By order of the Board,

E. C. CANDY, Legal Manager.

297

Companies Act 1938.**NOTICE OF SITUATION OF REGISTERED OFFICE PURSUANT TO SECTION 410.**

To the Registrar-General—

GOLDEN MILE BLOCK 45 NO LIABILITY hereby gives you notice that the registered office of the company is situated at 422 Collins-street, Melbourne.

Dated at Melbourne this twentieth day of April, 1939.

The common seal of Golden Mile Block 45 No Liability was hereunto affixed in the presence of—

E. THOMPSON MOORE, Director.

(SEAL) J. H. C. REID, Director.

289 H. W. PERCIVAL, Manager.

Companies Act 1938.**NOTICE OF APPOINTMENT OF MANAGER PURSUANT TO SECTION 413.**

To the Registrar-General—

GOLDEN MILE BLOCK 45 NO LIABILITY hereby gives you notice that Harold William Percival, of 422 Collins-street, Melbourne, has been appointed manager of the company.

Dated at Melbourne this twentieth day of April, 1939.

The common seal of Golden Mile Block 45 No Liability was hereunto affixed in the presence of—

E. THOMPSON MOORE, Director.

(SEAL) J. H. C. REID, Director.

290 H. W. PERCIVAL, Manager.

Companies Act 1938.—Fifteenth Schedule.—Part A.**FREEBURGH DREDGING NO LIABILITY.**

I, THE undersigned, do hereby make application to register Freeburgh Dredging No Liability as a no-liability company under the provisions of Part II. of the Companies Act 1938.

1. The name of the company is to be Freeburgh Dredging No Liability.

2. The place of intended operations is at Freeburgh, in the State of Victoria.

3. The registered office of the company will be situated at Harrierville-road, Bright.

4. The value of the company's property, including claim and machinery, is Four thousand pounds.

5. The number of shares in the company is 100,000, of Five shillings each.

6. The number of shares subscribed for is 26,000, being not less than 25 per centum of the entire number of shares in the company.

7. The amount of the subscribed capital which is paid up is One thousand three hundred pounds, being not less than Five per centum of the subscribed capital.

8. The name of the manager is John Farrington.

9. The names and addresses and occupations of at least two shareholders who have subscribed for shares in the company, and the number of shares held by each at this date, are as below:—

Name, Address, Occupation.	Number of Shares.
Albert E. Robinson, Yea, newsagent	4,000
Alfred James Showers, Bright, investor	1,200
Edward Waterhouse, Porepunkah, contractor	1,200
V. Voskopi, Bright, carrier	800
John Farrington, Bright, manager	16,800
William Denis Farrington, Bright, farmer	2,000

Number of shares subscribed for	26,000
Number of shares unsubscribed for	74,000

Total shares in the company .. 100,000

JOHN FARRINGTON, Manager.

Dated this 6th day of May, 1939.

Witness to signature—E. J. DELANY, J.P.

I, JOHN FARRINGTON, of Bright, in the State of Victoria, manager, do solemnly and sincerely declare that—

1. I am the manager of the said intended company.

2. The above statement is, to the best of my belief and knowledge, true in every particular; 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.

JOHN FARRINGTON.

Taken before me, at Bright, this 6th day of May, 1939.—

E. J. DELANY, J.P.

McCay and Thwaites, Collins House, 360 Collins-street, Melbourne, solicitors for the company. 304

IMPOUNDINGS.

ARCHIE'S CREEK.—Impounded in Archie's Creek Pound.

1 aged light-bay mare, light draught, no visible brand

1 Jersey cow, white about flank and belly, no visible brand

1 Jersey heifer, vealer, about 8 months

If not claimed and expenses paid, to be sold on 1st June, 1939.

L. G. MILNES,

Poundkeeper.

248—5/4

BOX HILL.—Impounded at Box Hill, by W. E. Wright, 15th May, 1939.

1 brown mare, unshod, star

If not claimed and expenses paid, to be sold on 1st June, 1939.

H. J. BARRETT,

Poundkeeper.

245—4/8

BRANXHOLME.—Impounded at Bransholme, by Ranger.

1 Comeback ewe, long tail

If not claimed and expenses paid, to be sold on 1st June, 1939.

A. MCFARLANE,

Poundkeeper.

244—4/

COLAC.—Impounded at Colac.

1 bay gelding, like J near shoulder

If not claimed and expenses paid, to be sold on 25th May, 1939.

C. DOWLING,

Poundkeeper.

222—4/

DANDENONG.—Impounded in Dandenong Pound.

1 Jersey cow, cocked horns, no visible brand

1 yellow and white Guernsey heifer, no visible brand

1 brown Jersey heifer, slit near ear, no visible brand

1 brown gelding, aged, star, near hind fetlocks white, about 15 hands

If not claimed and expenses paid, to be sold on 31st May, 1939.

C. R. LATTER,

Poundkeeper.

310—6/8

DIGBY.—Impounded at Digby, by Ranger.

1 Hereford steer, red rings around eyes, scallop at top, back notch off ear, no visible brand
If not claimed and expenses paid, to be sold on 1st June, 1939.

R. J. BURGESS,
Poundkeeper.

250—4/8

FERN TREE GULLY.—Impounded at Fern Tree Gully.

1 black, brown, and white heifer, no visible brand
1 red heifer, no visible brand
If not claimed and expenses paid, to be sold on 1st June, 1939.

A. DINSDALE,
Poundkeeper.

251—4/8

HAMILTON.—Impounded at Hamilton, from Yatchaw.

1 bay draught gelding, aged, roach back, star, blaze, white on hind feet, no visible brand
1 brown draught mare, aged, star, blaze, near hind foot white, no visible brand
If not claimed and expenses paid, to be sold on 16th May, 1939.

P. A. KERR,
Poundkeeper.

223—6/

HAWKESDALE.—Impounded at Hawkesdale.

1 black heifer, notch off ear
1 yellow and white poley, no visible brand
1 black poley, no visible brand
2 red heifers, V off ears
2 brindle heifers, V off ears
1 brown horse, white face, no visible brand
If not claimed and expenses paid, to be sold on 26th May, 1939.

JOHN TOOGOOD,
Poundkeeper.

252—7/4

LANG LANG.—Impounded at Lang Lang.

3 silver Jersey poddy heifers, stick on necks, no visible brands
If not claimed and expenses paid, to be sold on 27th May, 1939.

C. S. BAKER,
Poundkeeper.

240—4/

MAFFRA.—Impounded by J. A. Mitchelmore.

1 brown brindle heifer, quarter out top and bottom near ear, chain on neck, RS near rump
If not claimed and expenses paid, to be sold on 2nd June, 1939.

CHAS. CAMERON,
Poundkeeper.

241—4/8

MERBEIN.—Impounded at Merbein.

1 dark-bay draught horse, star, near hind foot white, like S (sideways) near shoulder
If not claimed and expenses paid, to be sold on 25th May, 1939.

E. CHAMBERLAIN,
Poundkeeper.

305—4/8

MORTLAKE.—Impounded at Mortlake, 13th May, 1939.

1 red yearling heifer, in very poor condition, bottom out of off ear, no visible brand
1 black yearling heifer, in very poor condition, bottom out of off ear, no visible brand
1 light-yellow yearling heifer, in very poor condition, bottom out of off ear, no visible brand
1 brindle-yellow yearling heifer, in very poor condition, bottom out of off ear, no visible brand
If not claimed and expenses paid, to be sold on 31st May, 1939.

GEO. ROBERTSON,
Poundkeeper.

311—8/8

RUTHERGLEN.—Impounded in the Rutherglen Pound, by J. R. Templeton.

1 dark-brown mare, aged, white hind feet
If not claimed and expenses paid, to be sold on 3rd June, 1939.

J. LEE,
Deputy Poundkeeper.

249—4/8

SHEPPARTON.—Impounded at Shepparton.

1 bay mare, jinker pony, star, black points, like A near shoulder
If not claimed and expenses paid, to be sold on 25th May, 1939.

W. STOREY,
Poundkeeper.

247—4/8

SKIPTON.—Impounded at Skipton.

1 black and white cow, no visible brand, Derinallum badge 349
1 Jersey heifer, blotch brand off rump
If not claimed and expenses paid, to be sold on 31st May, 1939.

DENIS DALY,
Poundkeeper.

243—5/4

WARRAGUL.—Impounded in Warragul Pound on 9th May, 1939, by Ranger, from Lillico-road.

1 brown cow, brush off tail, slightly lame near hind leg, no visible brand
1 black-brown poddy heifer, 9 to 12 months, no visible brand
If not claimed and expenses paid, to be sold on 1st June, 1939.

L. A. WOOLAN,
Poundkeeper.

253—6/

WARRNAMBOOL.—Impounded in the Warrnambool Pound, on 11th May, 1939.

1 chestnut gelding, white above hind foot, like R.T., very indistinct, on near shoulder
1 blue-grey gelding, no visible brand
If not claimed and expenses paid, to be sold on 6th June, 1939.

F. S. KELLY,
Poundkeeper.

276—6/

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VICTORIA GOVERNMENT GAZETTE.

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No. 91]

THURSDAY, MAY 18.

[1939]

Factories and Shops Acts.

DETERMINATION OF THE PLASTIC MOULDING BOARD.

Adjusted pursuant to Section 21 of the *Factories and Shops Act 1934* (4275).

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

I FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the *Factories and Shops Acts* and in consequence of the provisions contained in a Determination made on the 3rd March, 1939, by the Plastic Moulding Board, and published in the *Government Gazette* on the 25th March, 1939, hereby issue an adjusted Determination showing the adjusted wages rates to be paid, as from the beginning of the first pay period to commence in June, 1939, to any person or persons or classes of persons employed in the process, trade, or business of wholly or partly preparing or manufacturing articles from synthetic resin, casein, or other substance of a similar nature.

(1)

IMPROVERS OR JUVENILE WORKERS.

Wages per Week of 44 Hours.

Males.							Females.					
Experience.	Commencing Age—						Experience.	Commencing Age—				
	15 years and under.	16 years.	17 years.	18 years.	19 years.	20 years.		16 years and under.	17 years.	18 years.	19 years.	20 years.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
1st year ..	18 0	18 0	21 3	29 6	35 9	44 0	1st year ..	18 0	21 3	23 6	29 6	32 6
2nd year ..	21 9	21 9	29 6	35 9	44 0	..	2nd year ..	21 9	23 6	29 6	32 6	..
3rd year ..	29 6	32 6	35 9	44 0	..	..	3rd year ..	29 6	32 6	35 9	..	..
4th year ..	35 9	38 3	44 0	..	..	..	4th year ..	35 9	38 3	..	..	..
5th year ..	50 0	56 3	..	..	..	..	5th year and until	..	..	..	..	..
6th year and until	..	..	..	..	..	..	21 years of age	41 0	..	..	..	..
21 years of age	58 9	..	..	..	..	..	

PROPORTION OF IMPROVERS IN ANY PLACE.

One male improver to every male worker receiving not less than 81s. per week of 44 hours. | One female improver to every female worker receiving not less than 45s. 6d. per week of 44 hours.

NOTE.—The Wages Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act 1934* that the trade is so unskilled that no person should be taken as an apprentice to the trade.

(2)

OTHER EMPLOYEES.

MALES.

Day Shift.

Per week of 44 hours.

	<i>s.</i>	<i>d.</i>
Employees engaged on all classes of presses	89	0
Employees engaged in the mixing room or powder room ..	89	0
All others	81	0
<i>Casein Industry only—</i>		
Employees engaged on all classes of presses	89	0
Employees engaged on extruding machines	89	0
Employees engaged on lathe machines	95	0
Employees engaged on acid and/or formaldehyde baths ..	89	0
Employees engaged on cutting machines, drum sanding machines, trapping machines, polishing machines, grinding machines, or in drying room ..	89	0
All others	81	0

Night Shift.

Night shift employees shall be paid 1s. per shift in addition to the rates hereinbefore mentioned for day shift.

FEMALES.

	Per week of 44 hours.	
	s.	d.
Employees engaged in the powder room	49	6
Employees engaged finishing, folding, labelling, despatching, examining, or on machines ..	46	6
All others	45	6

(3) **HOURS OF EMPLOYMENT.**—The ordinary hours of employment shall be 44 per week, to be worked (except as to shift workers) between the hours of 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to 12 noon on Saturday.

(4) **CONTINUOUS WORK SHIFTS.**—The ordinary hours of duty of employees on continuous work shifts shall not exceed 8 hours in any one day nor 48 in any one week nor an average of 44 per week during the period of employment upon such shifts, nor a total of 132 hours during any three consecutive working weeks of the period of employment upon such shifts without payment of overtime at the rates mentioned in clause (5).

Employees on continuous work shifts shall work such shifts up to six per week as may be required.

(5) **OVERTIME.**—The following rate shall be paid for all work done—

- | | |
|---|--|
| (a) by employees on continuous work shifts in excess of 8 hours per shift, or in excess of 132 hours in three consecutive working weeks | } Time and a half for the first four hours and double time thereafter. |
| (b) by employees other than those on continuous work shifts, in excess of 8 hours 48 minutes in any one day | |

Provided that in computing overtime under sub-clause (b) of this clause, each day's work shall stand alone.

(6) **PROHIBITION OF EMPLOYMENT.**—No employee under the age of 16 years shall work between the hours of 9 p.m. and 6 a.m. and no employee under the age of 18 years shall work between the hours of 12.30 a.m. and 6 a.m.

(7) **DEFINITIONS.**—

"**JUVENILE WORKERS.**"—Juvenile workers are persons under 21 years of age (other than improvers) engaged on any work except moulding or laminating on presses, or handling drums of powder.

"**NIGHT SHIFT.**"—Night shift means any shift worked wholly or partially between the hours of 8 p.m. and 6 a.m.

(8) **SPECIAL RATES.**—Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Melbourne Cup Day, Christmas Day, and 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. By agreement between any employer and his employees, other holidays may be substituted for the said days or any of them as to such employer's undertaking.

(9) **PAYMENT FOR HOLIDAYS.**—(a) All employees shall be entitled to the holidays mentioned in clause (8) without deduction of pay.

(b) When the employer terminates the employment of an employee, unless through misconduct, within fourteen days of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee had been employed by the employer for a period of at least one month prior to the termination of the employment.

(10) **MEALS.**—An interval of not less than 30 minutes shall be allowed day shift employees for the mid-day meal as near as possible to the middle of the day's work. Night shift employees shall have a meal interval of not less than 20 minutes in each shift; such interval shall count as time worked.

(11) **MEAL ALLOWANCE.**—Any employee required to work overtime beyond two hours without previous day's notice shall be allowed 1s. 6d. meal money.

(12) **PAYMENT OF WAGES.**—(a) Wages shall be paid not later than Friday in each week and during working hours.

(b) No employer shall keep more pay in hand than has accrued to any employee up to the end of the preceding calendar week.

(c) If an employee leaves after giving notice as prescribed in clause (13) or is dismissed, he shall be paid his wages on leaving, except in cases when the employment is terminated outside ordinary office hours, in which case he shall receive his wages on the first succeeding working day.

(13) **TERMINATION OF EMPLOYMENT.**—Except where the conduct of an employee justifies instant dismissal, one hour's notice of termination of employment shall be given by either employer or employee.

(14) **PRO RATA PAYMENT.**—Any employee who works less than the number of hours fixed for an ordinary week's work, shall be paid not less than the ordinary wages rate calculated pro rata according to the number of hours worked.

(15) **SEATS FOR FEMALES.**—Seats where practicable shall be provided for all female workers whilst on duty.

(16) **REST INTERVAL FOR FEMALES.**—A specified rest time of ten minutes shall be allowed to all female employees in the forenoon; such rest period shall count as time worked.

(17) **BREAKDOWN IN MACHINERY.**—When a breakdown exceeding half an hour occurs an employee shall be entitled to half an hour's pay as compensation for waiting for a resumption of work.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 15th May, 1939.



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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE BOILERMAKERS BOARD.

Adjusted pursuant to Section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a Determination made on the 11th January, 1939, by the Boilermakers Board, and published in the *Government Gazette* on the 26th January, 1939, hereby issue an adjusted Determination showing the adjusted wages rates to be paid to any persons employed in the trade of:—

(a) Boilermaking;

(b) Iron or steel working in connexion with—

- (1) Ship or bridge building,
- (2) Girder, tank, wagon, or truck making,
- (3) Wrought iron or steel pipe making,
- (4) Structural iron or steel work—

- (1) The adjusted rates shown herein shall be paid as from the beginning of the first pay period to commence in June, 1939.
- (2)

Apprentices or Improvers.				Juvenile Workers, i.e., Persons under 21 Years of Age (other than Apprentices or Improvers).			
Wages per Week of 44 Hours.				Wages per Week of 44 Hours.			
			s. d.	Employed in—	Weekly Hiring.	Hourly Hiring.	
				(a) All operations in "manufacturing" as defined in this Determination—	s. d.	s. d.	
1st year's experience	..	..	15 0	1st year's experience	15 6	18 8	
2nd "	..	..	21 6	2nd "	23 6	25 0	
3rd "	..	..	36 3	3rd "	32 3	34 4	
4th "	..	..	58 9	4th "	43 6	46 4	
5th "	..	..	73 6	5th "	55 6	59 1	
				6th "	64 6	68 8	
				7th "	68 6	72 11	
				(b) All occupations other than "manufacturing" as defined, at heating rivets, assisting apprentices or improvers, or labouring—			
				Under 16 years of age	17 0	18 3	
				16 years of age	26 3	27 11	
				17 "	46 6	49 6	
				18 "	58 9	62 6	
				19 and 20 years of age	70 9	75 3	

PROPORTION.

Apprentices.

One apprentice to every two or fraction of two workers receiving not less than 111s. per week of 44 hours.

An indenture of apprenticeship prescribed by the Board was approved on 6th August, 1912.

Improvers.

One improver to the first four or fraction of four workers receiving not less than 90s. per week of 44 hours, and thereafter one improver to every additional four workers receiving not less than that wage.

(3)

Other Employees.	Day Shift.		
	Wages per Week of 44 Hours.		
	Within a Radius of 20 Miles of G.P.O. Melbourne; Mildura and Gippsland Districts; and within a Radius of 10 Miles of Geelong or Warrambool Post Offices.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
Tradesmen engaged in window-frame making	5 11 0	5 17 6	5 8 0
Assembler (not coming within definition of tradesman) engaged in window-frame making	4 19 0	5 5 6	4 16 0
Machinist—engaged in window-frame making—			
First class	5 11 0	5 17 6	5 8 0
Second class	5 1 0	5 7 0	4 18 0
Third class	4 15 0	5 1 6	4 12 0
Process worker engaged in window-frame making	4 9 0	4 15 6	4 6 0
Welder—			
First class (other than when using Cutler machine)	5 14 0	6 0 6	5 11 0
First class (using Cutler machine)	5 3 0	5 9 6	5 0 0
Second class	4 15 0	5 1 6	4 12 0
Third class	4 11 0	4 17 6	4 8 0
Tack welder	4 13 0	4 19 6	4 10 0
Tradesman employed in boilermaking, ship, bridge, and girder construction	5 11 0	5 17 6	5 8 0
Tradesman employed in boilermaking, ship, bridge, and girder construction, the greater part of whose time is occupied in marking off and/or template making	5 15 0	6 1 6	5 12 0
Boilersmiths and/or angle-iron smiths	5 14 0	6 0 6	5 11 0
Plate setters and frame benders	5 13 0	5 19 6	5 10 0
Drillers using portable machines in boilermaking and ship construction	5 8 0	5 14 6	5 5 0
Drillers using stationary machines in boilermaking and ship construction	4 11 0	4 17 6	4 8 0
Tradesman employed on steel construction and/or standardized frame buildings made in quantities	5 11 0	5 17 6	5 8 0
Tradesman employed on steel construction and/or standardized frame buildings made in quantities, the greater part of whose time is occupied in marking off and/or template making	5 15 0	6 1 6	5 12 0
Machinist—			
First class, employed on standardized frame buildings made in quantities	4 17 0	5 3 6	4 14 0
Second class, employed on standardized frame buildings made in quantities	4 11 0	4 17 6	4 8 0
Emery wheel attendant	4 12 0	4 18 6	4 9 0
Blacksmith's striker	4 10 0	4 16 6	4 7 0
Blacksmith's striker on double fires	4 12 0	4 18 6	4 9 0
Furnaceman	4 16 0	5 2 6	4 13 0
Attendants on small rivet heating or bolt beating or similar types of fires	4 12 0	4 18 6	4 9 0
Holder up	4 12 0	4 18 6	4 9 0
Benders of iron and steel frames used for reinforcing concrete	4 12 0	4 18 6	4 9 0
Painters of ironwork other than ship painters (brush)	4 10 0	4 16 6	4 7 0
Painters of ironwork using spray	4 11 0	4 17 6	4 8 0
Friction saw operators	4 10 0	4 16 6	4 7 0
Cold saw operators	4 12 0	4 18 6	4 9 0
Dogman	4 12 0	4 18 6	4 9 0
Riggers and splicers except on ships and buildings	4 12 0	4 18 6	4 9 0
Riggers and splicers on ships and buildings	4 16 0	5 2 6	4 13 0
Cleaners and chippers (inside of boilers)	4 16 0	5 2 6	4 13 0
Workmen engaged directly assisting tradesmen, machinists, and welders	4 10 0	4 16 6	4 7 0
Labourers	4 1 0	4 7 6	3 18 0
Steel pipe making section—			
Pipe builders	4 13 6	4 19 6	4 10 0
Machine operators (in charge of machines)	4 13 6	4 19 6	4 10 0
Faucet maker in charge of furnace	4 16 0	5 2 6	4 13 0
Man assisting furnace faucet maker	4 9 0	4 15 6	4 6 0
Man in charge of ring-making machine	4 13 0	4 19 6	4 10 0
Man assisting at ring-making machine	4 9 0	4 15 6	4 6 0
Man on tar dip and sand rolling	4 9 0	4 15 6	4 6 0

Leading hands—

In charge of not less than three and not more than ten employees, 6s. per week extra.

In charge of more than ten employees and not more than twenty employees, 12s. per week extra.

In charge of more than twenty employees, 18s. per week extra.

NOTE.—If the employment is for hourly hiring, the rates prescribed in clause (3) shall be increased 5s. per week (see clause 12 (b)).(4) **OTHER SHIFTS.**—The following percentages shall be added to the rates fixed for the day shift for persons employed on any of the following shifts:—

Afternoon or night shift—

During first month's employment on such shift

10 per cent.

Thereafter

7½ per cent.

Shift workers in continuous process employed on a shift other than a day shift

5 per cent.

Shift workers on ship repairs work, not less than three consecutive nights

Time and a quarter.

(5) **ALLOWANCES—**

Persons working—

(a) for more than one hour in the shade where the artificial temperature is between 115° and 130° Fahr., 1½d. per hour extra;

- (b) for more than one hour in the shade where the artificial temperature exceeds 130° Fahr., 3d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130° Fahr., employees shall be entitled to twenty minutes rest after every two hours without deduction of pay;
- (c) for more than one hour where the artificial temperature is below zero, 1½d. per hour extra. Where work continues for more than two hours in temperatures below zero, employees shall be entitled to a rest period of twenty minutes every two hours without deduction of pay.

All employees working in wet places, 1½d. per hour extra.

All employees working in confined spaces, 3d. per hour extra.

Boilermakers and their assistants and drillers engaged in the erection of steel frame buildings, bridges, and gasometers at a height of 50 feet or more above the nearest horizontal plane shall be paid 6s. per week extra.

All employees working in ships' bilges or in boiling-down works, lead works, sanitary works, or slaughter-yards shall be paid 1d. per hour extra.

Employees working on repairs to smoke-boxes or fire-boxes of locomotives, or on repairs to the smoke-box, uptake funnel, flue, furnace or combustion chamber of marine type boilers, or on repairs to smoke-boxes, fire-boxes, furnace or flues of other types of boilers, 1d. per hour extra.

Employees working on repairs in oil tanks or meat digesters, 1½d. per hour extra.

Dirty work, i.e., work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.

Tradesmen employed in large operating power houses, i.e., power houses developing more than 8,000 kilowatts, other than tradesmen not on the regular staff, engaged on new construction work, shall be paid 6s. per week extra; such amount shall be deemed to include the special rate for leading hands.

Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.

Shift workers working eight hours per shift without any break for meals on six days in each week shall be deemed to work 44 hours per week, provided that they are given one fortnight's holiday in each year on full pay as compensation for working on Saturday afternoons, holidays, or Sunday shifts, provided that any shift worker ceasing to be employed on shift by the employer concerned before the completion of any year shall be paid one day's pay for each month or part of a month's service in lieu of the fortnight's holiday herein prescribed.

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.

(6) SHIFTS.—That—

- (a) The hour of beginning and the hour of ending each shift shall be between—

	Where one Shift is worked.	
	Time of Beginning.	Time of Ending.
Monday to Friday (day shift)	7 a.m.	5.30 p.m.
Saturday (day shift)	7 a.m.	12 noon
Where two Shifts are worked.		
Monday to Saturday (day shift)	7 a.m.	3 p.m.
Monday to Saturday (afternoon shift)	3 p.m.	11 p.m.
Where three Shifts are worked.		
Monday to Saturday (day shift)	7 a.m.	3 p.m.
Monday to Saturday (afternoon shift)	3 p.m.	11 p.m.
Monday to Saturday (night shift)	11 p.m.	7 a.m.

Any of the above times of beginning and ending may be varied on any job by mutual consent of the employer and the majority of the employees concerned, but in no case shall the total length of any shift be increased without payment for overtime.

- (b) The higher rate to be paid for each hour or fraction of an hour worked by any employee (other than a shift worker in a continuous process)—

(1) before or after his shift;

(2) in excess of 8 hours 48 minutes on Monday, Tuesday, Wednesday, Thursday, or Friday when 44 hours are worked during five days of the week;

(3) in excess of eight hours on Monday, Tuesday, Wednesday, Thursday, or Friday, or four hours on Saturday when 44 hours are worked during six days of the week—

shall be time and a half for the first four hours, and double time thereafter until an employee has been relieved from work for at least eight hours, provided that no employee be entitled to payment for his rest period.

- (c) The higher rate to be paid for each hour or fraction of an hour worked by a shift worker in a continuous process before or after his shift shall be at the rate of double time.

But this does not apply to cases of arrangement between employees themselves, or to cases due to rotation of shifts or when the relief does not come on duty at the proper time, provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work and the employee whom he should relieve is not relieved, such employee unrelieved shall be paid time and a half for all time on duty after he has finished his ordinary shift.

For all time of duty on Sundays or holidays, even if in due course of rotation of shifts, such an employee shall be paid at the rate of time and a half.

(7) OVERTIME—

- (a) An employee recalled after leaving his workshop to work overtime shall be paid for a minimum of three hours' work at the appropriate rate.

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

(c) Any employee (other than on shifts) who has worked up to or beyond midnight shall not be bound to continue work on the following day.

(d) For work done during meal hours and thereafter until a meal hour break is allowed, time and a half rates shall be paid. No employee shall be compelled to work for more than six hours without a break for a meal.

(e) An employee working overtime shall be allowed a cribtime of twenty minutes, without deduction of pay, after each four hours of work; but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(f) Before starting overtime after working ordinary hours, a meal break of at least 45 minutes shall be allowed, unless the period of overtime is less than 1½ hours. Any employer and his employees may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

- (g) Any employee required to work overtime for more than two hours without being notified prior to the day before that he will be so required to work shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour, 2s. 6d. for the two meals.

If an employee pursuant to notice has provided a meal or meals, and is not required to work overtime, he shall be paid for each meal so provided.

- (h) Any employee engaged in the maintenance of plant shall, when breakdowns occur, work meal hours at the ordinary rates herein prescribed whenever instructed to do so.
- (i) In computing overtime, each day's work shall stand alone.
- (j) When an employee working overtime finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance or pay him his current wage for the time occupied in reaching his home.

(8) **TRAVELLING TIME—**

Persons employed on work away from the workshop shall receive :—

- (a) The fares necessarily expended in going to and fro.
- (b) For time occupied in travelling either during or outside the usual working hours, payment at rates fixed in Clause (3) up to a maximum of twelve hours out of every 24, except on Sundays, when time and a half shall be paid.
- (c) An employee engaged in Melbourne to work in the country, or sent from one country centre to work in another, shall be entitled to travelling time, and for a period not exceeding three months, to expenses.
- (d) On jobs of less than three months' duration, a camping allowance of 3s. per day, including Sundays, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable, and camping tents or other temporary shelters is necessary.
- (e) 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.
- (f) Any employee engaged for the erection of a job who has previously been engaged by the same employer in the fabrication of the job in a workshop shall be paid fares in excess of those incurred in travelling to and from the workshop.

(9) **SUNDAYS AND HOLIDAYS.**—For all time of duty on Sundays or holidays, employees not engaged in a continuous process shall be paid at double rates, except in the case of employees engaged in repairs to or renewals of their employer's plant or machinery—which it is necessary to effect on Sundays or holidays to enable work to be safely resumed on Monday or the earliest working day—in which case payment shall be made at the rate of time and a half. This exception does not apply to work installing new machinery. Holidays mentioned in this Determination shall include New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, and 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.

(10) **PIECE-WORK.**—The Board determines, under the provisions of section 150 of the Factories and Shops Acts, that any employer may fix and pay piece-work prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that any such employer shall base such piece-work prices on the earnings of an average worker working under like conditions, and such piece-work prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

(11) **DEFINITIONS—**

- "Boilermaking and ship construction" means the fabrication, erection, and/or repairing of steel or iron ships, or of boilers or other vessels subject to greater pressure than the weight of their contents, bridges, girders, columns, principals (roof or otherwise) and trusses used in steel frame buildings (other than standardized frame buildings made in quantities), but does not include drilling by stationary machines.
- "Window-frame making" means the making in quantities of metal window frames, metal doors and grilles, and metal ornamentalations used in buildings.
- "Tradesman" means an adult employee who is required to develop work from scale drawings or prints, or to make templates, or to apply general trade experience, and includes riveting by hand or machine, caulking, chipping, and working rivet busters, and upon all machines used in connexion with boilermaking, as defined, other than drilling by stationary machines.
- "First class machinist" means an adult employee engaged solely in working one or more of the following machines :— Bending rollers, gag straight liners (straightening machines), guillotines, shearing machines, hydraulic presses of over 200 tons pressure, portable drills, portable reamers and tappers.
- "Second class machinist" means an adult employee engaged solely in operation one or more of the following machines :— Mangling, nipping and notching, roll straightening, punching, cropping, hydraulic presses of 200 tons pressure or under, stationary drills, stationary reamers and tappers, cold saw, friction saw, plate edge planers, and other machines.
- "First class welder" means an adult employee using electric arc or acetylene blowpipe or coal gas cutting plant on work other than cutting scrap metal, using jigs, or doing work covered by definitions of second and third class welder.
- "Second class welder" means an adult employee engaged in manufacturing of sheet metal goods or welding with the aid of jigs, or operating automatic welding machines for the setting up of which he is not responsible.
- "Third class welder" means an adult employee using electric spot or butt welding machine or cutting scrap with oxy-acetylene blowpipe.
- "Rigger and splicer" means an adult workman responsible for the erection of tackle and who, amongst other duties, is required to splice wire rope.
- "Manufacturing" means the making and assembling in quantities of interchangeable or standardized parts used in or in connexion with window-frames.
- "Process worker" means an employee engaged on 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).
- "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place in which water accumulates under foot to a depth exceeding 2 inches.
- "Confined space" means a working space the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.
- "Continuous process" means a process in which work is carried on continuously, except for breakdowns, with successive shifts of men throughout the days and nights for at least six days in each week.

(12) **CONTRACT OF EMPLOYMENT—**

- (a) With the exceptions hereafter stated, employment may be by the week or by the hour. If by the week, it shall be terminable on either side by one week's notice given on any day, or (if the employer terminates it without such notice) by payment of one week's wages. Except in establishments mainly engaged in shipbuilding or ship repairing, any employee (unless continuing on after working through the night) commencing a day's work at the usual starting time of the workshop shall be paid at least a day's wages; but any employer may engage an employee to start work at any time during the day, provided the work continues as overtime or is resumed the next day until a full day's pay is earned.

A contract for weekly employment may be terminated by any employer, without liability to pay for more than actual time worked, for misconduct or for absence from work without reasonable excuse.

If an employee, engaged by the week, absents himself from duty, except on public holidays or on days for which he produces a certificate from a medical practitioner, or other proof satisfactory to his employer of sickness (aggregating four days of sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage, for each day of absence, including Saturday, in shops working six days, and one-fifth in shops working five days per week.

- (b) If the contract of employment is for hourly hiring, the rates prescribed in Clause (3) shall be increased five shillings per week (with a proportionate amount added to the rates fixed for weekly hiring of juvenile workers), but such amount shall not be taken into account in computing overtime, Sunday and holiday rates.
- (c) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours' work or to four hours' pay for the job—such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

(13) MISCELLANEOUS PROVISIONS—

- (a) *Tools*.—The employer shall provide for each employee all necessary tools. The employee shall replace or pay for any tools so provided if lost through negligence.
- (b) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.
- (c) Suitable canvas or leather gloves shall be provided by employers for the operators of pneumatic tools.
- (d) Hand riveting on rivets $\frac{1}{4}$ -in. diameter and upwards shall be performed double handed.
- (e) Tradesmen employed in boilermaking, ship construction, and steel construction, who, in the course of their work are called on to operate any machine shall be paid the tradesman's rate for all work done.

(14) *EXTRA RATES NOT CUMULATIVE*.—Extra rates in this Determination prescribed, including rates prescribed in Clause (5), are not cumulative so as to exceed the maximum of double the ordinary rates.

(15) *RIGHT OF ENTRY OF UNION OFFICIALS*.—For the purpose of interviewing employees on legitimate union business, a duly accredited representative of the Federated Society of Boilermakers Iron Shipbuilders and Structural Iron and Steel Workers of Australia shall have the right to enter, during the midday meal hour, the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed.

If any representative is unduly interfering with, or is creating disaffection amongst his employees, or is offensive in his methods, such employer may refuse the right of entry.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 15th May, 1939.

[1609]



VICTORIA GOVERNMENT GAZETTE.

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No. 93]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE DRESS, SHIRT, AND UNDERCLOTHING BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the *Factories and Shops Acts* and in consequence of the provisions contained in a determination made on the 9th March, 1938, by the Dress, Shirt, and Underclothing Board, and published in the *Government Gazette* on the 7th April, 1938, hereby issue an adjusted determination showing the adjusted wages rates to be paid as from the first pay period to commence in June, 1939, for wholly or partly preparing or manufacturing, either inside or outside a factory—

- (a) articles of women's, girls' and children's outer clothing or wearing apparel (except indiarubber waterproof garments), such as costumes, dresses, skirts, tea-gowns, wrappers, blouses, jackets, mantles, capes, opera cloaks, and cloaks of every description, also for the making of females' stitched neckwear of woven material;
- (b) shirts, shirt-fronts, pyjamas, underpants, collars and cuffs of every description;
- (c) articles of women's and girls' underclothing, except stays and corsets, also nightgowns, pinafores, aprons, and infants' gowns and underclothing, and all classes of pillowslips—

but not including any persons subject to the jurisdiction of the Knitting Trade Board.

(1) (a)

APPRENTICES OR IMPROVERS.					
Experience.	Males employed at Women's Order Dress-making, Women's Order Tailoring, and Women's Ready-made Dressmaking, and Women's Ready-made Tailoring.	Males employed at Underclothing and White-work, Collars, Shirts, and Pyjamas.	Females.	Females commencing at the Trade between the ages of 18 and 21 years.	Male Juveniles employed at Seam Pressing. Definition Clause (4).
	Weekly Wages.	Weekly Wages.	Weekly Wages.	Weekly Wages.	Weekly Wages.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1st six months ..	0 12 6	0 12 6	0 9 0	1 4 0	0 19 0
2nd " ..	0 15 6	0 15 6	0 12 0	1 10 0	0 19 0
3rd " ..	0 19 6	0 19 6	0 15 0	1 16 0	1 5 6
4th " ..	1 2 6	1 2 6	0 18 6	2 1 6	1 5 6
5th " ..	1 6 0	1 6 0	1 4 0	..	1 18 0
6th " ..	1 12 0	1 12 0	1 10 0	..	1 18 0
7th " ..	2 1 0	2 1 0	1 16 0	..	2 17 0
8th " ..	2 11 0	2 11 0	2 1 6	..	2 17 0
9th " ..	2 17 0	..	..	..	3 9 6
10th " ..	3 4 6	..	..	..	3 9 6

NOTE.—These rates include the additional amounts prescribed by Clause (13) herein.

And thereafter the minimum weekly wage or piece-work price.

(b) PROPORTION (IN ANY FACTORY OR PLACE).

APPRENTICES OR IMPROVERS.

Males.

One apprentice or improver to every two or fraction of two journeymen.

Females.

Three female apprentices or improvers to every journeywoman.

All apprentices shall be indentured in accordance with the prescribed form of indenture, provided that a minor may serve an employer as a probationer for a period not exceeding three months. During the said three months he or she shall be paid at least the minimum rates prescribed by this Determination for the first six months of apprenticeship. If the probationer becomes indentured, his or her indentures shall be taken to have commenced from the commencement of the period of probation.

No. 93.—5797/39.

In the event of the employer to whom an apprentice is bound ceasing to carry on business, such apprentice may be bound to another employer for the remainder of the term to be served; provided that if such apprentice be over the age of eighteen years at the time of the original employer ceasing to carry on business, such person may complete the time to be served as an improver.

Notwithstanding anything contained in this Determination, any person who at the 3rd March, 1933, was employed in the industry and whose engagement or continued employment as an improver is by this Determination forbidden shall be entitled to be employed and shall be paid the scale of wages prescribed for an apprentice or improver of like experience.

(2) OTHER PERSONS (EXCEPT APPRENTICES, IMPROVERS, AND JUVENILE WORKERS).

Women's order dressmaking and women's order tailoring, including making and/or altering all order outer garments for women :—

	Weekly Wages.	
	Males.	Females.
	£ s. d.	£ s. d.
JOURNEMEN.		
Cutters employed marking or cutting out garments	5 10 0	..
Heads of tables in charge of four or more persons employed as table hands	5 2 6	..
Tailors employed making, and/or machining, and/or altering any part of a garment	5 0 0	..
Machinists employed machining any part of a garment	5 0 0	..
Pressers-off employed pressing off any part of a garment	5 0 0	..
All others	4 2 0	..
JOURNEYWOMEN.		
Cutters employed marking or cutting out costume coats, overcoats, topcoats, cloaks, as are made of tweed, twill, worsted, or similar materials .. .. .	..	5 3 0
All other cutters employed marking or cutting out any material of wearing apparel other than costume coats, overcoats, topcoats, cloaks, as are made of tweed, twill, worsted, or similar materials .. .. .	..	3 5 9
Fitters-on employed trying on to a customer unfinished or finished garments .. .. .	..	3 3 3
Pressers employed pressing off any part of a garment, and using an iron weighing more than 8 lb. .. .. .	..	5 0 0
Pressers employed pressing off any part of a garment other than the garment the worker is making, and using an iron weighing 8 lb. or less .. .. .	..	2 12 9
Table hands, finishers, or machinists, namely, journeywomen employed making and/or machining and/or altering any part of a garment other than blouses, skirts, wrappers, fronts, collars, collarettes, or cuffs .. .. .	..	2 14 9
Table hands, finishers, or machinists, namely, journeywomen employed making and/or machining and/or altering any part of blouses, skirts, wrappers, fronts, collars, collarettes, or cuffs .. .. .	..	2 10 9
Cornelli workers, machine embossers, or machine embroiderers employed on cornelli work or machine embossing, or machine embroidery on all kinds of female wearing apparel .. .. .	..	2 15 9
Hand sewers of buttons, or hooks and eyes, or press-studs, or tickets, or thread cutters .. .. .	..	2 5 3
All others .. .. .	..	2 5 3
Women's ready-made dressmaking and ready-made tailoring, including making, and/or altering any part of a costume, dress skirt, teagown, wrapper, blouse, jacket, mantle, cape, front, collar, collarette, cuff, opera cloak, and cloaks of all descriptions :—		
	Weekly Wages.	
	Males.	Females.
	£ s. d.	£ s. d.
JOURNEMEN.		
Cutters employed marking in or cutting out garments	5 3 0	..
Tailors employed making any part of a garment	5 0 0	..
Machinist employed machining any part of a garment	5 0 0	..
Pressers-off, employed pressing off any part of a garment	5 0 0	..
Under-pressers of coats of all descriptions employed under-pressing coats other than coats which the worker is making	4 5 0	..
All other under-pressers or seam pressers employed under-pressing or seam-pressing, on all garments other than coats, and other than garments which the worker is making	4 3 6	..
Brushers and folders employed matching garments, and/or sorting garments, and/or measuring garments, and/or despatching garments, and/or brushing garments, and/or folding garments	4 3 6	..
All others	4 2 0	..
JOURNEYWOMEN.		
Cutters employed marking or cutting out such costume coats, overcoats, topcoats, cloaks as are made of twill, tweed, worsted, and similar materials .. .. .	..	5 3 0
All other cutters employed marking or cutting out any articles of wearing apparel other than such costume coats, overcoats, topcoats, cloaks as are made of twill, tweed, worsted, and similar materials .. .. .	..	2 18 9
Pressers employed pressing off any part of a garment, and using an iron weighing more than 8 lb. .. .. .	..	5 0 0
Pressers employed pressing off any part of a garment (other than the garment the worker is making), and using an iron weighing 8 lb. or less .. .. .	..	2 12 9
Table hands, finishers, or machinists employed making and/or machining and/or altering any part of a garment other than blouses, skirts, wrappers, fronts, collars, collarettes, or cuffs .. .. .	..	2 14 9
Table hands, finishers, or machinists employed making and/or machining and/or altering any part of blouses, skirts, wrappers, collars, collarettes, or cuffs .. .. .	..	2 10 9
Cornelli workers, machine embossers, or machine embroiderers employed on cornelli work or machine embossing, or machine embroidery on all kinds of female wearing apparel .. .. .	..	2 15 9
Hand sewers of buttons, or hooks and eyes, or press-studs, or tickets, or thread cutters .. .. .	..	2 5 3
All others .. .. .	..	2 5 3

Note.—These rates include the additional amount as prescribed by Clause (13) herein.

NOTE.—These rates include the additional amounts prescribed by Clause (18) herein.

Underclothing and whitework, including the making of all articles of women's and girls' underclothing, nightgowns, pinafore-aprons, infants' dresses and gowns, and underclothing, and dresses for children not exceeding eight years of age, pillow-slips, pillow-shams :—

	Weekly Wages.	
	Males.	Females.
JOURNEYMEN.		
Cutters employed marking in or cutting out any article of any description	£ s. d. 5 0 0	£ s. d. ..
All others	4 2 0	..
JOURNEYWOMEN.		
Cutters employed marking in or cutting out any article of any description	2 18 9
Table hands or finishers	2 8 3
Machinists employed machining any part of articles of underclothing of all descriptions, or any part of dresses of all descriptions for children not exceeding eight years of age	2 9 9
Machinists employed machining any part of articles of whitework other than underclothing	2 8 3
Pressers or ironers employed on any class of pressing or ironing with an iron not exceeding 8 lb. in weight	2 8 3
Pressers or ironers employed on any class of pressing or ironing with a hand iron exceeding 8 lb. in weight	4 5 0
Hand sewers of buttons, or hooks and eyes, or press studs, or tickets, and thread cutters	2 5 3
All others	2 5 3

Collars, shirts, and pyjamas, including the making of collars, cuffs, shirts, shirt fronts, pyjamas, and underpants (except knitted goods) :—

	Weekly Wages.	
	Males.	Females.
JOURNEYMEN.		
Cutters employed marking in or cutting out garments	£ s. d. 4 18 0	£ s. d. ..
All others	4 2 0	..
JOURNEYWOMEN.		
Cutters employed marking in or cutting out garments .. .. .	..	3 0 9
Machinists, turners, finishers, or table hands, folders, pressers, ironers, starchers, or washers .. .. .	..	2 8 3
Hand sewers of buttons, or hooks and eyes, or press studs, or tickets, or thread cutters .. .. .	..	2 5 3
All others .. .. .	..	2 5 3

(3) DEFINITIONS, AND CLASSIFICATION OF EMPLOYEES.

A *journeyman* is a male person other than an apprentice or improver or juvenile worker { (i) Who has served the term of experience prescribed by this Determination; or
(ii) Who has attained the age of 21 years; or
(iii) Who is in receipt of at least the minimum weekly wage prescribed for the class of work on which such person is engaged, whether on weekly wages or piece-work.

A *journeywoman* is a female person other than an apprentice or improver {

A *juvenile worker* is a male person under the age of 21 years, other than an apprentice or improver, employed as a seam or under-presser in women's order dressmaking and women's order tailoring, and women's ready-made dressmaking and women's ready-made tailoring.

Order work shall include any of the following classes of work :—

- (a) Bespoke work.
- (b) Garments cut to an individual measure.
- (c) Garments that are fitted on.
- (d) Garments cut to chart measure.

(4) HOURS OF EMPLOYMENT.

Forty-four hours shall constitute a week's work within the following hours :—Time of beginning, 8 a.m.; time of ending, 6 p.m.—on five days of the week. Time of beginning, 8 a.m.; time of ending, 1 p.m.—on the other day of the week on which the half holiday is usually observed. Provided further that if the majority of the employees desire to start at 7.30 a.m., the work may begin at 7.30 a.m.

(5) OVERTIME.

(a) Any employee who, in any day, has performed any work outside the working hours ordinarily observed in the factory or workshop in which he or she is employed, shall be paid overtime as follows :—

- (i) Weekly workers shall be paid at the rate of time and one-half, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week-days or on Saturdays in those factories or workshops where a five and a half-day week is worked.

In those factories or workshops where a five-day week is worked all work done on Saturdays shall be paid for at the rate of time and a half, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

- (ii) Pieceworkers shall be paid (in addition to the ordinary piecework prices for work done in the excess time) such sum per hour as is equivalent to the weekly wage divided by 88, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half-day week is worked.

In those factories or workshops where a five-day week is worked for all work done on Saturdays pieceworkers shall be paid (in addition to the ordinary piecework prices for work done) such sum per hour as is equivalent to the weekly wage divided by 88, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

- (b) No employee shall be employed overtime outside the hours fixed, except with his or her consent.
- (c) No employee shall be dismissed, or in any way whatsoever be prejudiced in his or her employment, by reason of his or her refusal to work overtime outside the hours fixed.
- (d) No employee under the age of sixteen years shall be employed overtime.

(6) MIDDAY MEAL.

(a) An interval of not less than three-quarters of an hour shall be allowed for the midday meal unless a majority of the employees in any place desire it to be otherwise. In no circumstances shall less than thirty minutes be fixed.

- (b) No work shall be performed during such meal time.

TASK SYSTEM.

(7) No employer shall make a bonus or merit payment which fluctuates from period to period according to the amount of work performed by the employee concerned, and which is based upon a secret or task rate for measuring the output of such employee. No increase in wages granted to any employee, after the date of operation of this Determination, above the rates herein prescribed shall be deemed to be in contravention of this clause if the same be paid for a period of three months, or for the term of employment, whichever period is the shorter: provided, however, that such increased wages may, at the discretion of the employer, be adjusted according to the wages rates prescribed from time to time by this Determination.

In all factories and workshops where a minimum task is set for a minimum wage the following shall be observed:—

- (a) Until after the termination of six months from the coming into operation of this Determination the minimum task in operation in any workshop or factory on the date on which this Determination becomes operative shall be the minimum task for the minimum wage after the date of operation of this Determination, and shall not during the said period of six months be increased or decreased because of any increase or decrease in wages, and shall not during the said period of six months be increased unless an altered or improved method of working is introduced.
- (b) The task rate in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the manner following:—
 - (i) Where there are fewer than twenty employees involved in the work to be performed, the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the rates.
 - (ii) Where there are twenty or more employees involved in the work to be performed, the employer or his representative, in conference with two employees so chosen, shall fix the rates.
- (c) The task rates shall be fixed so as to enable the average worker to earn the minimum wage prescribed by this Determination for the class of work to be performed; and any number of garments or parts of garments or other articles or parts of articles made in excess of the minimum weekly task fixed by the task rates for the minimum weekly wage shall be paid for at *pro rata* plus 10 per cent.
- (d) When any employee is employed for less than a week on the task rates, then the task of the said employee shall be fixed at per day at the weekly rate prescribed.
- (e) Any excess number of garments or parts of garments or other articles or parts of articles made in any day by the employee shall be subject to the same *pro rata* payment as would apply if the employee were engaged for the whole week.
- (f) A copy of all task rate schedules shall, within twenty-four hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such tasks respectively are being performed.
- (g) A combination or team shall mean two or more persons working together on the same class of work, employed on weekly wages where a task has been imposed. Where employees work in a combination or team, the additional amount of wages shall be distributed amongst the employees on a percentage basis, according to the amount of their ordinary weekly wages.

HOLIDAYS.

- (8) (a) All weekly wage employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.
- (b) All employees working on piece-work or task-work shall be granted the same holidays as are granted to weekly wage workers, and, subject as hereinafter provided, they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage prescribed by this Determination for the class of work performed.
- (c) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day, but not otherwise.
- (d) All other weekly employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.
- (e) Any employee absenting himself or herself from work on any portion of the working day preceding or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.
- (f) Any weekly employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of time and a half in addition to his or her weekly wage.
- (g) Any piece-worker employed on a Sunday or any holiday prescribed by this Determination shall be paid, in addition to the prescribed piece-work prices, at the rate of time and a half calculated on the minimum wage prescribed for the class of work performed.

TERMS OF ENGAGEMENT.

- (9) (a) The week shall terminate on a day other than Monday or Saturday, and all employees shall be paid all moneys due to them in full during the ordinary working hours not later than two working days following the termination of the week. In order to terminate employment of a weekly employee, two days' notice shall be given on any day, with payment to date of termination, or in lieu thereof two days' pay shall be paid or deducted. When employment is terminated by an employer, the employer shall, upon the date of such termination, pay to the employee (weekly employee or piece-worker) all moneys due to him or her, and, when employment is terminated by an employee in accordance with the terms of this Determination, the employer shall pay to the employee (weekly employee or piece-worker) all moneys due to him or her.
- (b) All weekly wages shall be paid to the employees in full, with the following exceptions:—
 - (i) *Turns to be Observed.*—In slack times the employer shall observe turns of employment for weekly workers and piece-workers (including outside workers) not engaged on making samples in the respective class or classes of work at which they are engaged, provided always that journeymen and journeymen having apprentices under their control shall be allowed in their turn extra work equivalent to the wages of the apprentice during the time the turn system is in operation. The employer shall keep in the workroom a true record of every turn, which shall be open to the inspection of the employees.
 - (ii) *Standing Off Employees in Turn.*—Should any employer during slackness of trade desire to stand off his employees in turn, then the employer on any day during any week shall inform every person whom it is proposed to stand off of any day or days in the following week (other than a Saturday or holiday) upon which his or her services will not be required; but an employee shall not, except under the conditions provided in sub-clause (iii) of this clause, be stood off for part of a day without being paid for a whole day.
 - (iii) *Employees Working Shortened Hours.*—If it is desired to work a week of shorter hours in slack times, instead of standing the employees off in turn, the employer may make an arrangement to work his employees for shortened hours, but such arrangement shall be made only where, on the vote of the employees being taken, a majority of the whole of the employees vote in favour of such arrangement. Where such an arrangement is made, the employees shall be informed on the day ending each week of the shortened hours to be worked in the following week. Where an arrangement is made in compliance with this provision the employer shall pay each employee for the actual hours worked on each day on the basis of his or her weekly wage.
 - (iv) *Vacation Periods.*—Nothing contained in this sub-clause shall apply in the case of the usual vacation period at Christmas or Easter.
- (c) *Classes of Employees.*—For the purpose of this clause (but subject to the provisions of sub-clause (b) hereof), in operating the turn system the various classes of employees shall be taken separately, and "classes of employees" shall mean each class of employee in respect of which a classification of work has been provided under this Determination, but in all cases, male improvers and journeymen, or female improvers and journeymen doing the same class of work, shall be deemed to be one class of employee.
- (d) *Stoppage of Work re Breakdown of Machinery.*—In the event of the work of a factory or workshop being stopped by a breakdown of machinery or a stoppage of supply of power, or for any cause for which the employer cannot reasonably be held responsible, all weekly hands who present themselves for work shall be found work for that day, or paid one day's wages in lieu thereof, but when such breakdown or stoppage occurs the employer may give notice to an employee that his or her services will not be required on the following day or days, and the employee shall not be entitled to any further payment in respect of any further days that he or she is out of employment by reason of such breakdown or stoppage.

(e) *Terminating Employment in Relation to a Holiday.*—

- (i) Where the employer terminates the employment of an employee within fourteen days of a day on which a holiday occurs, and such employee is re-employed within a period of one month after such holiday, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

Should the employment of an employee be terminated, or should an employee be stood off within fourteen days prior to any holiday or to the commencement of any group of holidays prescribed in this Determination, such employee shall be paid for such holiday or group of holidays, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

- (ii) When any two or more of the holidays prescribed in this Determination occur within two weeks of one another, such holidays shall for the purposes of sub-clause (i) hereof be deemed to be a group of holidays.

- (iii) Where the employer terminates the employment of an employee more than fourteen days, but not exceeding one month prior to a day on which a holiday occurs and such employee is re-engaged within a period of one month, or normal business is resumed within such period of one month after such holiday, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of employment.

(f) *Employees Absenting Themselves.*—No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work ready to be done by such employee, and where weekly wages are fixed the employee to be entitled to the sums so fixed must be available and ready and willing to do the work on the days and during the hours fixed by this Determination.

(10)

OUTSIDE WORKERS.

(a) No person who is or is deemed to be the occupier of a factory within the meaning of section twenty-three of the *Factories and Shops Act 1928* (No. 3677) shall issue or give out or authorize or permit to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory as articles of clothing or wearing apparel for trade or sale, except to a person who has been licensed by the Chief Inspector of Factories as an outside worker. Provided that no such outside worker shall employ any other person or persons whatsoever in wholly or partly preparing or manufacturing such articles of clothing or wearing apparel save and except members of such worker's own family.

(b) In factories where a task rate is fixed in respect to the same class of work as that given to outside workers, then, in every such case, the rate so fixed shall be the piece-work price to be paid to such outside workers. In factories where no such task rate is fixed for the class of work performed by outside workers, then such outside workers shall be paid such a price as will enable an outside worker to earn at least 1s. 6d. per hour in the case of a female and 2s. 3d. per hour in the case of a male.

(c) Every outside worker shall be provided, free of charge, with cotton, silk thread and all other sewings and trimmings used in the manufacture of garments.

(d) In the case of an employer delivering or collecting the work of such outside worker, the same shall be done without charge to such outside worker.

(e) Every employer who has work done elsewhere than in his factory or workshop shall keep a record book, which shall contain a correct account written in ink as follows:—

- (i) The name and full address of the outside worker.
- (ii) The number of articles and description of work given out.
- (iii) The price paid for such work.
- (iv) The record book shall be signed each week by each outside worker, verifying the accuracy of the amount of wages received.

(f) The record book mentioned in the preceding sub-clause shall be open for inspection at any time by any authorized officer of the Department of Labour.

(11)

MISCELLANEOUS PROVISIONS.

(a) *Record of Time Worked and Wages Paid.*—1. The employer shall provide in each factory, workshop, or place where there are fewer than 30 employees, and where work is carried on for him, a time and wages book. Such time and wages book:—

- (i) shall be in the English language and shall contain a correct account of the hours worked each day, and the wages received each week, by each employee;
- (ii) shall be kept correctly entered up in ink; and
- (iii) shall record clearly the actual date of each day, of each week, and also the date of the day on which the week ends.

2. The employer shall provide in each factory, workshop, or place where there are not fewer than 30 employees, and where work is carried on for him, a time-book, or sheet, or record. Such time-book, or sheet, or record shall be in the English language and shall contain a correct account of the hours worked each day and the wages received each week by each employee. Such time-book, or sheet, or record shall be kept correctly and entered up in ink.

(b) *Chairs to have Backs.*—1. Where it is necessary for employees to sit at their work, seats shall be provided for the employees by the employer. Such seats shall be reasonably comfortable seats.

2. A seat provided for any female employee shall have a back to it, unless the work of such employee cannot be conveniently done in such a seat, or unless the employee requests to be allowed to use a seat without a back to it.

(c) *Collecting Logs.*—Where piece-work is in operation, the employer shall make arrangements for collecting the logs, and the employees need not leave their places.

(d) *Rest Period.*—When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the third hour to females and apprentices for refreshment. The interval shall be as part of the time of duty without deduction of time-work pay. During such rest period, the employees may leave their seats, but not the premises.

(e) *Authorized Person May Enter Factory.*—

- (i) Any person or persons duly authorized, in writing, by the Secretary for Labour (such authorization to be terminable at the will of the Secretary for Labour) shall have power to inspect any part of a factory, workshop, or place where it is believed that a breach of this Determination is occurring or has occurred.
- (ii) At least six hours' notice shall be given by the authorized person or persons (not exceeding two) prior to his or their actually going on the premises, and the employer shall be notified of his or their arrival, and shall in person (accompanied by a nominee, or by his nominees, not exceeding two) be entitled to accompany the authorized person or persons and shall provide access to the wages book or time sheet or records of any employee including outside workers. The work and duties of the employee shall be interfered with as little as possible by the authorized person or persons.

- (iii) The Secretary for Labour shall have power to dispense with the said six hours' notice on special application being made for any cause shown and supported by an affidavit setting out the facts. A certificate duly signed by the Secretary for Labour stating that such notice has been dispensed with shall be sufficient proof of such fact.

(f) *Union Official Visiting Employer's Establishment.*—The employer shall permit any official of the Victorian Branch of the Amalgamated Clothing and Allied Trades' Union of Australia (authorized in writing by the Secretary for Labour) to enter from time to time the factory or workshop during the midday meal time for the purpose of—

- (i) Collecting members' contributions;
- (ii) Posting Union notices and interviewing employees on Union matters relating to this industry and/or this Determination.

Such authorized person shall inform the person in charge of his arrival before entering the workshop or factory. Such official shall have reasonable ingress into the factory and access to the employees. If any official so authorized makes himself objectionable during any such visit to the employer or his manager or foreman or any employee his right to visit may be terminated by the Secretary for Labour on the application of the employer.

For the purpose of this clause the words "factory or workshop" shall include every room or place where work in respect of which a wage is prescribed by this Determination is carried out, together with the room in which the employees partake of their meals, notwithstanding that such room may be detached from or in a separate building from the main place of business of the employer.

(12)

PIECE-WORK.

(a) Subject to the conditions hereinafter set out, the employer, in conjunction with his employees, may fix his own piece-work prices, provided such prices enable a journeyman or journeywoman of average capacity working under like conditions to earn at least 10 per centum more than the minimum weekly wage in their respective classes. The same piece-work prices shall be paid to all piece-workers doing the same operation in the factory or workshop whether they be improvers, apprentices, or juveniles on piece-work or otherwise.

(b) All piece-workers who are available and ready and willing to work during the ordinary working hours, shall be paid in each week:—In the case of journeymen and journeywomen, who at the piece-work prices so fixed are unable to earn the rate fixed for all others not less than the all others rate; and in the case of apprentices or improvers, not less than the amount prescribed by this determination for an apprentice or improver of like experience.

(c) The piece-work price in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the following manner:—

(i) Where there are fewer than twenty employees involved in the work to be performed the employer, or his representative, in conference with one employee chosen by and from such employees, shall fix the prices.

(ii) Where there are twenty or more employees involved in the work to be performed the employer, or his representative, in conference with two employees so chosen, shall fix the prices.

(d) A copy of all piece-work schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such piece-work is being performed.

(13) ADDITION TO NEEDS BASIC WAGE CONSTITUENT FOR MALES AND TO WAGE FOR ADULT FEMALES, APPRENTICES, AND IMPROVERS.

(a) From the beginning of the first pay period to commence in June, 1939, the weekly wage rates of all adult male employees shall be increased by the constant amount of 6s.

(b) From the beginning of the first pay period to commence in June, 1939, the weekly wage rates of all adult female employees shall be increased by the constant amount of 2s. 9d.

(c) The rates for pieceworkers shall be increased in the same proportion at the same time.

(d) From the beginning of the first pay period to commence in June, 1939, the weekly wage rates of all apprentices and improvers shall be increased by the following constant amounts:—

Experience.	Males.	Females.	Females Commencing at the Trade Between the Ages of 18 and 21 Years.
	s. d.	s. d.	s. d.
1st six months	0 6	0 6	1 0
2nd "	0 6	0 6	1 0
3rd "	1 0	0 6	1 6
4th "	1 0	1 0	1 6
5th "	1 6	1 0	..
6th "	1 6	1 0	..
7th "	1 6	1 6	..
8th "	2 0	1 6	..
9th "	2 0	..	..
10th "	2 0	..	..

NOTE.—The rates set out in Clauses (1) and (2) INCLUDE the above additional amounts.

F. A. MARZORINI,
Secretary for Labour,

Melbourne, 5th May, 1939.



VICTORIA GOVERNMENT GAZETTE.

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No. 94]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE HEADWEAR AND STRAW HAT BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

NOTE.—This Determination applies to the Metropolitan District and the Geelong District as defined in the *Factories and Shops Acts* and the Order in Council thereunder extending such Metropolitan District, such portions of the City of Sandringham as are not included within the said Metropolitan District, the cities of Ballarat, Bendigo, and Warrnambool and the boroughs of Eaglehawk and Sebastopol.

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the *Factories and Shops Acts*, and in consequence of the provisions contained in a Determination made on the 9th March, 1938, by the Headwear and Straw Hat Board, and published in the *Government Gazette* on the 7th April, 1938, hereby issue an adjusted Determination showing the adjusted wages rates to be paid as from the first pay period to commence in June, 1939, to any persons or classes of persons employed in the trade of—

(a) making males' or females' hats (including straw hats), caps, or bonnets;

(b) trimming females' hats (including straw hats), caps, or bonnets—

but not including persons engaged in any work subject to the jurisdiction of the Felt Hatters Board or of the Knitting Trade Board.

(1)

(a) WAGES.

Experience.	Apprentices or Improvers.		Female Improvers commencing at the Trade between the Ages of 18 and 21 years.
	Males.	Females.	
	Weekly Wages.	Weekly Wages.	Weekly Wages.
1st six months	£ s. d. 0 12 8	£ s. d. 0 9 0	£ s. d. 1 4 0
2nd	0 15 6	0 12 0	1 10 0
3rd	0 19 6	0 15 0	1 16 0
4th	1 2 6	0 18 6	2 1 6
5th	1 6 0	1 4 0	..
6th	1 12 0	1 10 0	..
7th	2 1 0	1 16 0	..
8th	2 11 0	2 1 6	..

And thereafter the minimum weekly wage or piece-work price.

(b) PROPORTION (IN ANY FACTORY OR PLACE).

APPRENTICES OR IMPROVERS.

Males.

One apprentice or improver to every two or fraction of two journeymen.

Females.

Three female apprentices or improvers to every journeywoman.

All apprentices shall be indentured in accordance with the prescribed form of indenture, provided that a minor may serve an employer as a probationer for a period not exceeding three months. During the said three months he or she shall be paid at least the minimum rates prescribed by this Determination for the first six months of apprenticeship. If the probationer becomes indentured, his or her indentures shall be taken to have commenced from the commencement of the period of probation.

In the event of the employer to whom an apprentice is bound ceasing to carry on business, such apprentice may be bound to another employer for the remainder of the term to be served; provided that if such apprentice be over the age of eighteen years at the time of the original employer ceasing to carry on business, such person may complete the time to be served as an improver.

Notwithstanding anything contained in this Determination, any person who at the 3rd March, 1933, was employed in the industry and whose engagement or continued employment as an improver is by this Determination forbidden shall be entitled to be employed and shall be paid the scale of wages prescribed for an apprentice or improver of like experience.

(2) OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).

	Weekly Wages.	
	Males.	Females.
<i>Journeyman.</i>	£ s. d.	£ s. d.
Cutters employed marking-in or cutting out articles of headwear	4 18 0	..
Hand or machine blockers or stiffeners employed blocking articles of headwear ..	4 15 6	..
by hand or machine or stiffening articles of headwear	4 15 6	..
Helmet makers employed making, shaping, blocking, and stiffening helmets ..	4 9 0	..
Pressers employed pressing off articles of headwear	4 2 0	..
All others .. ..	..	..
<i>Journeywomen.</i>		
Machinists employed machining any part of articles of headwear .. ..	..	2 8 3
Milliners, table hands or finishers .. ..	..	2 8 3
Adornment workers, employed making any part of an article of adornment ..	..	2 8 3
which shall include badges, crowns, stars, ornament or insignias of office ..	..	2 5 3
Hand sewers of buttons or hooks and eyes or press studs or ticket or thread cutters .. ..	..	2 5 3
All others .. ..	..	2 5 3

NOTE.—These rates include the additional amounts prescribed by Clause (13) herein.

(3) DEFINITIONS.

- A journeyman is a male person other than an apprentice or improver
- A journeywoman is a female person other than an apprentice or improver
- (i) Who has served the term of experience prescribed by this Determination; or
- (ii) Who has attained the age of 21 years; or
- (iii) Who is in receipt of at least the minimum weekly wage prescribed for the class of work on which such person is engaged, whether on weekly wages or piece-work.

(4) HOURS OF EMPLOYMENT.

Forty-four hours shall constitute a week's work within the following hours:—Time of beginning, 8 a.m.; time of ending, 6 p.m. on five days of the week. Time of beginning, 8 a.m.; time of ending, 1 p.m.—on the other day of the week on which the half-holiday is usually observed. Provided further that if the majority of the employees desire to start at 7.30 a.m., the work may begin at 7.30 a.m.

(5) OVERTIME.

(a) Any employee who, in any day, has performed any work outside the working hours ordinarily observed in the factory in which he or she is employed, shall be paid overtime as follows:—

- (i) Weekly workers shall be paid at the rate of time and one-half, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week-days or on Saturdays in those factories or workshops where a five and a half day week is worked.

In those factories or workshops where a five-day week is worked, all work done on Saturdays shall be paid for at the rate of time and a half and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

- (ii) Piece-workers shall be paid (in addition to the ordinary piece-work prices for work done in the excess time) such sum per hour as is equivalent to the weekly wage divided by 88, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half day week is worked.

In those factories or workshops where a five-day week is worked, for all work done on Saturdays piece-workers shall be paid (in addition to the ordinary piece-work prices for work done) such sum per hour as is equivalent to the weekly wage divided by 88, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

- (b) No employee shall be employed overtime outside the hours fixed, except with his or her consent.
- (c) No employee shall be dismissed, or in any way whatsoever be prejudiced in his or her employment, by reason of his or her refusal to work overtime outside the hours fixed.
- (d) No employee under the age of sixteen years shall be employed overtime.

(6) MIDDAY MEAL.

- (a) An interval of not less than three-quarters of an hour shall be allowed for the midday meal unless a majority of the employees in any place desire it to be otherwise. In no circumstances shall less than 30 minutes be fixed.
- (b) No work shall be performed during such meal time.

(7) TASK SYSTEM.

No employer shall make a bonus or merit payment which fluctuates from period to period according to the amount of work performed by the employee concerned, and which is based upon a secret or task rate for measuring the output of such employee. No increase in wages granted to any employee, after the date of operation of this Determination, above the rates herein prescribed shall be deemed to be in contravention of this clause if the same be paid for a period of three months, or for the term of employment, whichever period is the shorter; provided, however, that such increased wages may, at the discretion of the employer, be adjusted according to the wages rates prescribed from time to time by this Determination.

In all factories and workshops where a minimum task is set for a minimum wage the following shall be observed:—

- (a) Until after the termination of six months from the coming into operation of this Determination the minimum task in operation in any workshop or factory on the date on which this Determination becomes operative shall be the minimum task for the minimum wage after the date of operation of this Determination, and shall not during the said period of six months be increased or decreased because of any increase or decrease in wages, and shall not during the said period of six months be increased unless an altered or improved method of working is introduced.
- (b) The task rate in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the manner following:—
- (i) Where there are fewer than twenty employees involved in the work to be performed, the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the rates.
- (ii) Where there are twenty or more employees involved in the work to be performed, the employer or his representative, in conference with two employees so chosen, shall fix the rates.
- (c) The task rates shall be fixed so as to enable the average worker to earn the minimum wage prescribed by this Determination for the class of work to be performed; and any number of garments or parts of garments or other articles or parts of articles made in excess of the minimum weekly task fixed by the task rates for the minimum weekly wage shall be paid for at *pro rata* plus 10 per cent.

- (d) When any employee is employed for less than a week on the task rates, then the task of the said employee shall be fixed at per day at the weekly rate prescribed.
- (e) Any excess number of garments or parts of garments or other articles or parts of articles made in any day by the employee shall be subject to the same *pro rata* payment as would apply if the employee were engaged for the whole week.
- (f) A copy of all task rate schedules shall, within twenty-four hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such tasks respectively are being performed.
- (g) A combination or team shall mean two or more persons working together on the same class of work, employed on weekly wages where a task has been imposed. Where employees work in a combination or team, the additional amount of wages shall be distributed amongst the employees on a percentage basis, according to the amount of their ordinary weekly wages.

(8)

HOLIDAYS.

(a) All weekly wage employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) All employees working on piece-work or task-work shall be granted the same holidays as are granted to weekly wage workers, and, subject as hereinafter provided, they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage prescribed by this Determination for the class of work performed.

(c) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day, but not otherwise.

(d) All other weekly employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(e) Any employee absenting himself or herself from work on any portion of the working day preceding or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(f) Any weekly employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of time and a half in addition to his or her weekly wage.

(g) Any piece-worker employed on a Sunday or any holiday prescribed by this Determination shall be paid, in addition to the prescribed piece-work prices, at the rate of time and a half calculated on the minimum wage prescribed for the class of work performed.

(9)

TERMS OF ENGAGEMENT.

(a) The week shall terminate on a day other than Monday or Saturday, and all employees shall be paid all moneys due to them in full during the ordinary working hours not later than two working days following the termination of the week. In order to terminate employment of a weekly employee, two days' notice shall be given on any day, with payment to date of termination, or in lieu thereof two days' pay shall be paid or deducted. When employment is terminated by an employer, the employer shall, upon the date of such termination, pay to the employee (weekly employee or piece-worker) all moneys due to him or her, and, when employment is terminated by an employee in accordance with the terms of this Determination, the employer shall pay to the employee (weekly employee or piece-worker) all moneys due to him or her.

(b) All weekly wages shall be paid to the employees in full, with the following exceptions:—

(i) *Turns to be Observed.*—In slack times the employer shall observe turns of employment for weekly workers and piece-workers (including outside workers) not engaged on making samples in the respective class or classes of work at which they are engaged, provided always that journeymen and journeywomen having apprentices under their control shall be allowed in their turn extra work equivalent to the wages of the apprentice during the time the turn system is in operation. The employer shall keep in the workroom a true record of every turn, which shall be open to the inspection of the employees.

(ii) *Standing Off Employees in Turn.*—Should any employer during slackness of trade desire to stand off his employees in turn then the employer on any day during any week shall inform every person whom it is proposed to stand off of any day or days in the following week (other than a Saturday or holiday) upon which his or her services will not be required; but an employee shall not, except under the conditions provided in sub-clause (iii) of this clause, be stood off for part of a day without being paid for a whole day.

(iii) *Employees Working Shortened Hours.*—If it is desired to work a week of shorter hours in slack times, instead of standing the employees off in turn, the employer may make an arrangement to work his employees for shortened hours, but such arrangement shall be made only where, on the vote of the employees being taken, a majority of the whole of the employees vote in favour of such arrangement.

Where such an arrangement is made, the employees shall be informed on the day ending each week of the shortened hours to be worked in the following week.

Where an arrangement is made in compliance with this provision the employer shall pay each employee for the actual hours worked on each day on the basis of his or her weekly wage.

(iv) *Vacation Period.*—Nothing contained in this sub-clause shall apply in the case of the usual vacation period at Christmas or Easter.

(c) *Classes of Employees.*—For the purpose of this clause (but subject to the provisions of sub-clause (b) hereof), in operating the turn system the various classes of employees shall be taken separately, and "classes of employees" shall mean each class of employee in respect of which a classification of work has been provided under this Determination, but in all cases, male improvers and journeymen or female improvers and journeywomen doing the same class of work, shall be deemed to be one class of employee.

(d) *Stoppage of Work re Breakdown of Machinery.*—In the event of the work of a factory or workshop being stopped by a breakdown of machinery or a stoppage of supply of power, or for any cause for which the employer cannot reasonably be held responsible, all weekly hands who present themselves for work shall be found work for that day, or paid one day's wages in lieu thereof, but when such breakdown or stoppage occurs the employer may give notice to an employee that his or her services will not be required on the following day or days, and the employee shall not be entitled to any further payment in respect of any further days that he or she is out of employment by reason of such break-down or stoppage.

(e) *Terminating Employment in Relation to a Holiday.*—

(i) Where the employer terminates the employment of an employee within fourteen days of a day on which a holiday occurs, and such employee is re-employed within a period of one month after such holiday, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

Should the employment of an employee be terminated, or should an employee be stood off within fourteen days prior to any holiday or to the commencement of any group of holidays prescribed in this Determination, such employee shall be paid for such holiday or group of holidays, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

(ii) When any two or more of the holidays prescribed in this Determination occur within two weeks of one another, such holidays shall for the purposes of sub-clause (i) hereof be deemed to be a group of holidays.

(iii) Where the employer terminates the employment of an employee more than fourteen days but not exceeding one month prior to a day on which a holiday occurs and such employee is re-engaged within a period of one month, or normal business is resumed within such period of one month after such holiday, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of employment.

(f) *Employees Absenting Themselves.*—No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work ready to be done by such employee, and where weekly wages are fixed the employee to be entitled to the sums so fixed must be available and ready and willing to do the work on the days and during the hours fixed by this Determination.

(10)

OUTSIDE WORKERS.

(a) No person who is or is deemed to be the occupier of a factory within the meaning of section twenty-three of the *Factories and Shops Act 1928* (No. 3877) shall issue or give out or authorize or permit to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory as articles of clothing or wearing apparel for trade or sale, except to a person who has been licensed by the Chief Inspector of Factories as an outside worker. Provided that no such outside worker shall employ any other person or persons whatsoever in wholly or partly preparing or manufacturing such articles of clothing or wearing apparel save and except members of such worker's own family.

(b) In factories where a task rate is fixed in respect to the same class of work as that given to outside workers, then, in every such case, the rate so fixed shall be the piecework price to be paid to such outside workers. In factories where no such task rate is fixed for the class of work performed by outside workers, then such outside workers shall be paid such piecework price as will enable an outside worker to earn at least 1s. 6d. per hour in the case of a female and 2s. 3d. per hour in the case of a male.

(c) Every outside worker shall be provided, free of charge, with cotton, silk thread and all other sewings and trimmings used in the manufacture of garments.

(d) In the case of an employer delivering or collecting the work of such outside worker, the same shall be done without charge to such outside worker.

(e) Every employer who has work done elsewhere than in his factory or workshop shall keep a record book, which shall contain a correct account written in ink as follows:—

- (i) The name and full address of the outside worker.
- (ii) The number of articles and description of work given out.
- (iii) The price paid for such work.

(iv) The record book shall be signed each week by each outside worker, verifying the accuracy of the amount of wages received.

(f) The record book mentioned in the preceding sub-clause shall be open for inspection at any time by any authorized officer of the Department of Labour.

(11)

MISCELLANEOUS PROVISIONS.

(a) *Record of Time Worked and Wages Paid.*—1. The employer shall provide in each factory, or place where there are fewer than 30 employees, and where work is carried on for him, a time and wages book. Such time and wages book:—

- (i) shall be in the English language and shall contain a correct account of the hours worked each day, and the wages received each week, by each employee;
- (ii) shall be kept correctly entered up in ink; and
- (iii) shall record clearly the actual date of each day, of each week, and also the date of the day on which the week ends.

2. The employer shall provide in each factory, or place where there are not fewer than 30 employees, and where work is carried on for him, a time-book, or sheet, or record. Such time-book, or sheet, or record shall be in the English language and shall contain a correct account of the hours worked each day and the wages received each week by each employee. Such time-book, or sheet, or record shall be kept correctly and entered up in ink.

(b) *Chairs to have Backs.*—1. Where it is necessary for employees to sit at their work, seats shall be provided for the employees by the employer. Such seats shall be reasonably comfortable seats.

2. A seat provided for any female employee shall have a back to it, unless the work of such employee cannot be conveniently done in such a seat, or unless the employee requests to be allowed to use a seat without a back to it.

(c) *Collecting Logs.*—Where piece-work is in operation, the employer shall make arrangements for collecting the logs, and the employees need not leave their places.

(d) *Rest Period.*—When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the third hour to females and apprentices for refreshment. The interval shall be as part of the time of duty, without deduction of time-work pay. During such rest period, the employees may leave their seats, but not the premises.

(e) *Authorized Person may enter Factory.*—

- (i) Any person or persons duly authorized in writing by the Secretary for Labour (such authorization to be terminable at the will of the Secretary for Labour) shall have power to inspect any part of a factory, workshop or place where it is believed that a breach of this Determination is occurring or has occurred.
- (ii) At least six hours' notice shall be given by the authorized person or persons (not exceeding two) prior to his or their actually going on the premises, and the employer shall be notified of his or their arrival, and shall in person (accompanied by a nominee, or by his nominees, not exceeding two) be entitled to accompany the authorized person or persons and shall provide access to the wages book or time-sheet or records of any employee including outside workers. The work and duties of the employee shall be interfered with as little as possible by the authorized person or persons.
- (iii) The Secretary for Labour shall have power to dispense with the said six hours' notice on special application being made for any cause shown and supported by an affidavit setting out the facts. A certificate duly signed by the Secretary for Labour stating that such notice has been dispensed with shall be sufficient proof of such fact.

(f) *Union Official Visiting Employer's Establishment.*—The employer shall permit any official of the Victorian Branch of the Amalgamated Clothing and Allied Trades Union of Australia (authorized in writing by the Secretary for Labour) to enter from time to time the factory or workshop during the mid-day meal time for the purpose of—

- (i) Collecting members' contributions;
- (ii) Posting Union notices and interviewing employees on Union matters relating to this industry and/or this Determination.

Such authorized person shall inform the person in charge of his arrival before entering the workshop or factory. Such official shall have reasonable ingress into the factory and access to the employees. If any official so authorized makes himself objectionable during any such visit to the employer or his manager or foreman or any employee his right to visit may be terminated by the Secretary for Labour on the application of the employer.

For the purpose of this clause the words "factory or workshop" shall include every room or place where work in respect of which a wage is prescribed by this Determination is carried out, together with the room in which the employees partake of their meals, notwithstanding that such room may be detached from or in a separate building from the main place of business of the employer.

(12)

PIECE-WORK.

(a) Subject to the conditions hereinafter set out, the employer, in conjunction with his employees, may fix his own piece-work prices, provided such prices enable a journeyman or journeywoman of average capacity working under like conditions to earn at least 10 per centum more than the minimum weekly wage in their respective classes. The same piece-work prices shall be paid to all piece-workers doing the same operation in the factory or workshop whether they be improvers or apprentices or juveniles on piece-work or otherwise.

(b) All piece-workers who are available and ready and willing to work during the ordinary working hours, shall be paid in each week:—In the case of journeymen and journeywomen who at the piece-work prices so fixed are unable to earn the rate fixed for "All others," not less than such rate; and in the case of apprentices or improvers, not less than the amount prescribed by this Determination for an apprentice or improver of like experience.

(c) The piece-work price in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the following manner:—

- (i) Where there are fewer than twenty employees involved in the work to be performed, the employer, or his representative in conference with one employee chosen by and from such employees, shall fix the prices.
- (ii) Where there are twenty or more employees involved in the work to be performed, the employer, or his representative, in conference with two employees so chosen, shall fix the prices.

(d) A copy of all piece-work schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such piece-work is being performed.

(13) ADDITION TO NEEDS BASIC WAGE CONSTITUENT FOR MALES AND TO WAGE FOR ADULT FEMALES, APPRENTICES AND IMPROVERS.

(a) From the beginning of the first pay period to commence in June, 1939, the weekly wage rates of all adult male employees shall be increased by the constant amount of 5s.

(b) From the beginning of the first pay period to commence in June, 1939, the weekly wage rates of all adult female employees shall be increased by the constant amount of 2s. 9d.

(c) The rates for piece-workers shall be increased in the same proportion at the same time.

(d) From the beginning of the first pay period to commence in June, 1939, the weekly wage rates of all apprentices and improvers shall be increased by the following constant amounts :—

Experience.	Males.	Females.	Females commencing at the trade between the ages of 18 and 21 years.
	s. d.	s. d.	s. d.
1st six months	0 6	0 6	1 0
2nd " "	0 6	0 6	1 0
3rd " "	1 0	0 6	1 6
4th " "	1 0	1 0	1 6
5th " "	1 6	1 0	..
6th " "	1 6	1 0	..
7th " "	1 6	1 6	..
8th " "	2 0	1 6	..

NOTE.—The rates set out in clauses (1) and (2) INCLUDE the above additional amounts.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 5th May, 1939.

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VICTORIA GOVERNMENT GAZETTE.

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No. 95]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE TINSMITHS BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act* 1934 (No. 4275).

NOTE.—(1) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portions of the City of Sandringham as are not included within the said Metropolitan District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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, Geological Museum Buildings, Gisborne-street, Melbourne (price 3d.).

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a Determination made on the 10th August, 1938, by the Tinsmiths Board, and published in the *Government Gazette* on the 1st September, 1938, hereby issue an adjusted Determination showing the adjusted wages rates to be paid, to any person or 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.

(1) The adjusted rates shown herein shall be paid as from the beginning of the first pay period to commence in June, 1939,

(2)

WAGES.

Adults.	Per Week of 44 Hours.	
	The Metropolitan District as defined in the Factories and Shops Acts; such portions of the City of Sandringham as are not included within the said District, the Cities of Geelong, Geelong West, and Warrnambool, and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination Applies.
First-class bench hand	£ s. d. 5 9 0	£ s. d. 5 6 0
Second-class bench hand	5 1 0	4 18 0
Metal spinner setting up and making his own dies	5 3 0	5 0 0
Other spinners	4 13 0	4 10 0
Die setters	4 13 0	4 10 0
Press operators (heavy)	4 11 0	4 8 0
Press operators (light)	4 9 0	4 6 0
Solderers and dippers	4 11 0	4 8 0
Drop hammer stampers	4 11 0	4 8 0
Guttering machinists	4 9 0	4 6 0
Other power machinists	4 6 0	4 3 0
(a) <i>Welding Division.</i>		
Welder—		
First class, other than when using Cutler machine	5 14 0	5 11 0
First class, using Cutler machine	5 3 0	5 0 0
Second class	4 15 0	4 12 0
Third class	4 11 0	4 8 0
Tack welder	4 13 0	4 10 0
(b) <i>Canister-making</i>		
Die setter and/or leading press hand	4 13 0	4 10 0
Canister-makers by hand and riveters by hand	4 13 0	4 10 0
Solderers and dippers	4 9 0	4 6 0
Canister vent closers and solderers working on tins containing substances with an artificial temperature of 150 degrees Fahrenheit and over	4 13 0	4 10 0
Operators of power capping machines or metal pots on automatic machines	4 11 0	4 8 0
Operators of power presses	4 6 0	4 3 0
Other cap solderers	4 9 0	4 6 0

WAGES.

Adults.	Per Week of 44 Hours.	
	The Metropolitan District as defined in the Factories and Shops Acts; such portions of the City of Sandringham as are not included within the said District, the Cities of Geelong, Geelong West, and Warrnambool, and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination Applies.
	£ s. d.	£ s. d.
(c) Galvanizing.		
Galvanizer	4 19 0	4 16 0
Tinners and grease tanners	4 13 0	4 10 0
Assistant working over metal pot	4 11 0	4 8 0
All other male adults	4 6 0	4 3 0
(d) Painting and Enamelling.		
Stencil cutter	5 0 0	4 17 0
Mixer	4 9 0	4 6 0
Fuser	4 9 0	4 6 0
Pickler	4 9 0	4 6 0
Liquidizer	4 6 0	4 3 0
(e) Japanning.		
Artistic japanners and goldworkers	5 1 0	4 18 0
Spray operators	4 13 0	4 10 0
Grainers, liners, and fillers	4 9 0	4 6 0
Painters and lacquerers	4 9 0	4 6 0
Dippers	4 8 0	4 5 0
All others	4 1 0	3 18 0

(3) APPRENTICESHIP.

(a) Minors shall not be engaged in the following occupation except under contracts of apprenticeship or trainee apprenticeship framed in conformity with this Determination:—(a) Sheet-metal work—first-class bench work.

(b) The proportion of apprentices who may be taken by any employer shall be as follows:—One apprentice for every three, or fraction of three, tradesmen.

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.

(c) The periods of apprenticeship shall be as follow:—If the apprentice when articulated is under the age of seventeen, five years; if over the age of seventeen, four or five years, at the option of the contracting parties.

(d) An employer especially qualified to teach apprentices may, with the consent of the Secretary for Labour on the recommendation of the Wages Board, employ a greater proportion of apprentices to tradesmen than hereinbefore specified.

(e) Minors may be taken on probation for three months, and if apprenticed, such three months shall count as part of their period of apprenticeship.

(f) Until further order any contract of apprenticeship hereafter made may contain the following provision:—

If through lack of orders, or through financial difficulties, the employer is unable at any time to find employment for an apprentice, and if a transfer to another employer cannot be arranged, the obligations and duties imposed by the indenture may with the concurrence of the apprentice and his guardian be suspended for a period agreed upon, or if no such agreement is arrived at may be cancelled by the employer. The onus of proof of circumstances justifying such cancellation shall be on the employer.

This provision shall also be deemed to be included in contracts of apprenticeship entered into after the 25th day of March, 1930.

Wages.

(g) Five-year terms—

	Per Week of 44 Hours.
	£ s. d.
1st year	15 0
2nd year	21 6
3rd year	36 3
4th year	58 9
5th year	73 6

Four-year terms—when the apprentice enters or has entered his apprenticeship after reaching the age of seventeen years—

	£ s. d.
1st year	18 0
2nd year	35 0
3rd year	58 9
4th year	73 6

Notwithstanding anything elsewhere in this Determination contained, where an apprentice is under the age of 21 years on the expiry of his apprenticeship, he shall be paid four-fifths of the tradesman's time wage until reaching the age of 21 years.

(h) All wages shall be paid without deduction for specified holidays or for unavoidable absences through sickness certified as in Clause 13 (a) to the number of four days per annum.

(i) The ordinary hours of employment of apprentices shall be the same in each workshop as those of journeymen.

(j) An apprentice under the age of eighteen years shall not be liable to work overtime unless he so desires.

(k) An apprentice shall not work under any system of payments by results.

(l) 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.

(m) 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 the Determination for the trade, 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.

(n) 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.

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

(p) Where an Apprenticeship Commission or other body under Statutory authority has issued or may hereafter issue any regulations relating to apprentices such regulations so far as they are not inconsistent with this Determination shall operate.

(q) 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.

(4) FEMALE AND UNAPPRENTICED JUNIOR LABOUR.

(a) Adult female labour may be employed in such work in the sheet-metal and canister-making industry in which females were employed at the time of the making of this Determination.

The wages of adult females shall be at the following weekly rates of wage:—

	Weekly Hiring.	Hourly Hiring.
	<i>s. d.</i>	<i>s. d.</i>
If of less than twelve months' experience	50 3	53 5
If of twelve months' or more experience	57 0	60 7

(b) Junior females may be employed in the occupations set out in sub-clause (a) of this clause at the following weekly rates of wages:—

	Weekly Hiring.	Hourly Hiring.
	<i>s. d.</i>	<i>s. d.</i>
1st year's experience	14 0	15 0
2nd year's experience	18 9	20 1
3rd year's experience	29 6	31 5
4th year's experience	37 0	39 5
5th year's experience	42 6	45 3
Thereafter until reaching 21 years of age	47 6	50 6

(c) Unapprenticed male juniors may be employed in or in connexion with manufacturing (as defined in Clause 16 of this Determination) in all occupations including as to employment upon all classes of work which before the making of this Determination could be done by female employees under this Determination for which apprenticeship is not provided by the Determination, at the following weekly rates of wages:—

	Weekly Hiring.	Hourly Hiring.
	<i>s. d.</i>	<i>s. d.</i>
1st year's experience	15 6	16 8
2nd year's experience	23 6	25 0
3rd year's experience	32 3	34 4
4th year's experience	43 6	46 4
5th year's experience	55 6	59 1
6th year's experience	64 6	68 8
7th year's experience	68 6	72 11

For the purpose of this and the immediately preceding sub-clause "experience" shall mean any form of employment in any branch covered by this Determination.

Juniors employed under this and the immediately preceding sub-clause shall on dismissal receive from their employer a certificate of the period of employment completed. Employers who wilfully employ juniors without taking into account previous experience shall be guilty of a breach of this Determination.

(d) Unapprenticed male juniors may be employed (other than in manufacturing as defined in Clause 16) in all occupations covered by this Determination for which apprenticeship is not provided at the following weekly rates of wage:—

	Weekly Hiring.	Hourly Hiring.
	<i>s. d.</i>	<i>s. d.</i>
Under sixteen years of age	17 0	18 3
Sixteen and under seventeen years of age	26 3	27 11
Seventeen and under eighteen years of age	46 6	49 6
Eighteen and under nineteen years of age	58 9	62 6
Nineteen and under 21 years of age	70 9	75 3

Subject to the minimum payments herein, females and juniors under this clause may be employed on piecework rates.

(5) HOURS OF EMPLOYMENT.

With the exceptions herein set out the ordinary hours of employment shall be 44 per week, to be worked in five days of eight hours and one day (Saturday) of four hours, or five days of 8 hours 48 minutes each, continuously except for meal hour 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. to noon on Saturday: Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees.

By agreement between any employer and his employees ordinary hours may be worked on the basis of 88 per fortnight with one week of 40 and one of 48 hours.

Exceptions.

(a) Shift workers working eight hours per shift without any break for meals on six days in each week shall be deemed to work 44 hours per week, provided that they are given one fortnight's holiday in each year on full pay as compensation for working Saturday afternoon, holiday, and/or Sunday shifts:

Further provided that such shift workers ceasing to be employed on shift before the completion of any year shall be paid one day's pay for each month or part of a month's service in lieu of the fortnight's holiday herein mentioned.

(b) Employees working in country towns where Wednesday afternoon is recognized as the usual half working day of the week shall work the Saturday afternoon at ordinary rates: Provided that for work done after noon on a Wednesday overtime rates be paid.

(6)

SHIFT WORK.*Continuous Processes.*

(a) Employees working in establishments carrying on continuous process shall work such shifts, up to six per week, as may be required.

(b) A shift shall consist of eight hours inclusive of such time as by mutual arrangement may be taken for meal breaks.

(c) For all time of duty outside ordinary hours or in excess of eight consecutive hours in 24 or of 44 in one week an employee on shift work in a continuous process shall be paid at double rates. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift or when the relief does not come on duty at the proper time: Provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

(d) Employees working afternoon and night shifts shall be paid 5 per cent. more than ordinary rates for such shifts.

(e) Employees working any Sunday or holiday shift shall be paid at the rate of time and a half for such shift.

Shift Work in other than Continuous Processes.

(f) In establishments not coming within the definition of continuous processes, any afternoon or night shift which does not continue for five successive working nights or more in a five day workshop, or six successive working nights or more in a six day workshop, shall be paid for at the rate of time and a half.

(g) For any afternoon or night shift which has been in operation for five nights or more and less than one month 25 per cent. more than ordinary rates shall be paid and after such shifts have continued for more than one month 5 per cent. more than ordinary rates shall be paid.

(h) Shift workers shall be paid overtime at the rate of time and a half for the first four hours and double time thereafter for all time worked in excess of shift hours.

(7)

MIXED FUNCTIONS.

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.

(8)

OVERTIME.

(a) For all work done outside ordinary hours the rates of wage shall be time and a half for the first four hours and double time thereafter, such double time to continue to be paid until an employee has been relieved from work for at least eight hours: Provided that an employee shall not be entitled to payment for such rest period.

(b) Except as provided above in computing overtime each day's work shall stand alone.

(c) An employee recalled after leaving his workshop to work overtime shall be paid for a minimum of three hours' work at the appropriate rate.

(d) An employee occasionally 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. But any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back shall continue.

(e) An employee (other than on shift) who has worked up to or beyond midnight shall not be bound to continue work on the following day.

(f) As far as practicable employees shall not work overtime while competent labour is available.

(g) 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.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(i) Before starting overtime after working ordinary hours a meal break of at least 45 minutes shall be allowed, unless the period of overtime is less than one and a half hours.

An employer and his employee may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(j) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their work-shop who can reasonably return home for meals.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime he shall be paid for each meal so provided.

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

(l) When an employee working overtime finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance or pay him his current wage for the time occupied in reaching his home.

(9)

HOLIDAYS AND SUNDAY WORK.

(a) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—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.

Exceptions.

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

(b) Employees not engaged in continuous processes shall be paid at the rate of double ordinary time for work done on Sundays and public holidays, such double time to continue until the employee has been relieved from duty for at least eight hours: Provided that the employee shall not be paid for the time he is resting.

(10)

PIECEWORK RATES.

Subject to the minimum wages herein prescribed an employer may remunerate any of his employees under any system of payment by results.

(11)

EXTRA RATES NOT CUMULATIVE.

Extra rates in this Determination, including rates prescribed in Clause 8, are not cumulative so as to exceed the maximum of double the ordinary rates.

(12)

PAYMENT OF WAGES.

(a) Wages shall be paid weekly or fortnightly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal or forwarded to him by post on the day following.

(b) 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.

(13)

CONTRACT OF EMPLOYMENT.

(a) With the exceptions hereinafter stated, employment may be by the week or by the hour. If by the week it shall be terminable on either side by one week's notice given on any day or (if the employer terminate it without such notice), by payment of one week's wages.

A contract for weekly employment may be terminated by any employer, without liability to pay for more than time actually worked, for misconduct or for absence from work without reasonable excuse.

If an employee engaged by the week absents himself from duty, except on public holidays or for days for which he produces a certificate from a medical practitioner or other proof satisfactory to his employer of sickness (aggregating four days' sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage for each day of absence, including Saturday in shops working six days and one-fifth in shops working five days per week: Provided that only time actually lost shall be deducted when an employee is absent with leave on a Saturday.

(b) If the contract of employment is for hourly hiring, the total amount of the rates prescribed in Clause 2 hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of females and juniors), but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours' work or to four hours' pay for the job—such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

(14)

MISCELLANEOUS PROVISIONS.

(a) *Tools*.—The employer shall provide for each employee all necessary tools, including micrometer, where used, but excluding other measuring or precision tools less than 13 inches. The employee shall replace or pay for any tools so provided if lost through his negligence.

(b) Employers shall provide proper washing and sanitary conveniences.

(c) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.

(15)

TIME AND WAGES BOOK.

Each employer shall keep a time and wages book showing the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

The time occupied by an employee in filling in any time books 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 at the beginning or end of duty.

(16)

DEFINITIONS.

For the purposes of this Determination the following definitions shall apply:—

"Manufacture and/or manufacturing" means the making and assembling in quantities of interchangeable or standardized parts used in or in connexion with the manufacturing of heating and cooking appliances, tin and aluminium ware, other metallic articles by specialized processes.

"Continuous process" means a process in which work is carried on, except for break-downs, with successive shifts of men throughout the days and nights for at least six days in each week.

"Year" means 365 consecutive days, starting from the day of commencement of operation of this Determination.

"Shift work"—afternoon shift means any shift finishing after 6 p.m. and at or before midnight. Night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"First-class welder" means an adult employee using electric arc or acetylene blowpipe or coal gas-cutting plant on work other than filling castings, cutting scrap metal, using jigs, or doing work covered by definitions of second and third-class welder, and includes re-welding by hand processes.

"Second-class welder" means an adult employee not required to do first-class welding, but engaged in filling castings or in manufacturing of metal goods or welding with the aid of jigs, or re-welding except by hand processes, or operating automatic welding machines for the setting up of which he is not responsible.

"Third-class welder" means an adult employee using electric spot or butt welding machine, or cutting scrap with oxy-acetylene blowpipe.

"Tradesman—first-class bench hand" means an adult workman working to scaled prints or drawings or applying general trade experience or knowledge to the making of completed articles and/or the erection and installation thereof.

"Second-class bench hand" means an adult workman working at the bench in the making and/or repairing of completed articles not calling for the use of prints or drawings or measurements.

"Canister making" means the making of canisters, tin boxes and other tin containers in quantities by specialized processes.

(17)

SPECIAL RATES.

In addition to the wages prescribed in Clause 2 hereof, the following special rates and allowances shall be paid:—

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

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

(c) Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.

(d) 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.

(18)

TRAVELLING TIME, ALLOWANCE, AND BOARD.

(a) When an employee is required to work away from his workshop or depot, all times reasonably spent in excess of time usually spent in travelling to or from his home to the workshop, depot, or district centre shall be paid for at ordinary rates up to a maximum of twelve hours out of every 24 (except on Sunday when payment shall be at the rate of time and a half, or a maximum of eight hours out of each 24). An employee required to work at a job away from his workshop, depot, or district centre shall, at the direction of his employer, present himself for work at such job at the usual time for starting work.

(b) An employee engaged in Melbourne to work in the country or sent from one country centre to work in another, shall be entitled to travelling time, and, for a period not exceeding three months, to expenses.

(c) All excess fares and reasonable travelling expenses, including board and lodging and 2s. for each meal (if any) incurred in such travelling time shall be paid by the employer.

(d) 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.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 15th May, 1939,

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No. 96]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE TENNIS STRINGS BOARD.

NOTE.—This Determination on the 12th day of May, 1939, applied to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to determine the lowest prices or rate which may be paid to any person or persons or classes of persons employed in the process, trade, or business of making strings for tennis rackets, has made the following Determination, namely:—

- (1) That on the 12th May, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination
(2)

APPRENTICES OR IMPROVERS.			JUVENILE WORKERS.		OTHER EMPLOYEES.
Wages per Week of 46 Hours.			Wages per Week of 46 Hours.		Wages per Week of 46 Hours.
Age.	Males.	Females.	Males.	Females.	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Under 17 years	26 6	26 6	26 6	26 6	Males 99 6
17 years and under 18 years	35 6	31 0	35 6	31 0	Females 50 0
18 " " 19 " "	44 6	35 9			
19 " " 20 " "	53 3	40 0			
20 " " 21 " "	62 0	44 6			
PROPORTION (IN ANY PLACE).			Definition of Juvenile Workers.		
<i>Apprentices.</i>			Persons other than apprentices or improvers under—18 years of age doing general work, i.e., all work except—		
One apprentice to every three or fraction of three workers receiving not less than 99s. 6d. per week of 46 hours.			(a) picking out or selecting.		
<i>Improvers (Males).</i>			(b) making in the raw state.		
Four improvers to each male worker receiving not less than 99s. 6d. per week of 46 hours.			(c) twisting in the dry state.		
<i>Females.</i>			PROPORTION (IN ANY PLACE).		
Two improvers to each female worker receiving not less than 50s. per week of 46 hours.			<i>Males.</i>		
			Six juvenile workers to each worker receiving not less than 99s. 6d. per week of 46 hours.		
			<i>Females.</i>		
			Three juvenile workers to each worker receiving not less than 50s. per week of 46 hours.		



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No. 97]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE BUILDERS' LABOURERS BOARD.

Adjusted pursuant to Section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the *Factories and Shops Acts*, and in consequence of the provisions contained in a determination made on the 16th November, 1937, by the Builders Labourers Board, and published in the *Government Gazette* on the 10th December, 1937, hereby issue an adjusted Determination showing the adjusted wages rates to be paid as from the beginning of the first pay period to commence in June, 1939, to any person or persons or classes of persons (other than persons bolting structural ironwork in position, heating rivets, and holding up for boilermakers) employed in the occupation of—

- (a) builder's labourer on or about any building, or assisting any bricklayer, mason, plasterer, carpenter, plumber, or any other tradesman engaged in building operations;
- (b) labourer engaged in the construction, repair, demolition, or removal of buildings and bridges;
- (c) scaffolder, gear hand, gantry hand, crane hand, or dogman, or as a drainer on work in connexion with buildings;
- (d) labourer excavating ground for foundations or basements of buildings, or levelling ground on a proposed building site;
- (e) labourer doing concrete work or mortar mixing in connexion with or incidental to building construction;
- (f) labourer doing tar-paving or asphaltting work, or other work of a similar character in connexion with or incidental to building construction;
- (g) Labourer cleaning bricks on a site on which a building is being demolished, repaired, or constructed,

(1)

Wages
per week.
s. d.

WAGES OF WEEKLY EMPLOYEES.

- (a) Labourer employed as steel structural erector (on steel frame buildings), gear hand, rigger, pile driver, tackle hand, gantry hand, dogman, scaffolder (erecting rope scaffolding on buildings exceeding two stories above ground level), powder monkey: Provided always that men employed doing labouring work assisting these classifications shall be paid under sub-clause (b) hereof 93 0
- (b) Builders' labourers in occupations other than those set out in sub-clause (a) 87 0

(2)

WAGES OF CASUAL EMPLOYEES.

Builders' labourers shall, subject to the conditions hereinafter set out, be deemed to be and shall be paid as casual employees for the first six months of their employment. At the end of six months employees who have been continuously employed for that period without loss of time on all usual working days and with loss of time if such is due to the fault of the employee shall be deemed thereafter to be continuously employed and shall be paid not less than the weekly rate herein prescribed. The period of six months referred to in this clause may have been served during or before or partly during and partly before the date of the coming into operation of this Determination.

Casual employees shall be paid not less than the following per hour:—

					For a 44-hour week	For a 48-hour week
					s. d.	s. d.
(a)	If doing the work set out in 1 (a) above	..	..	..	2 5	2 2½
(b)	If doing the work set out in 1 (b) above	..	..	..	2 3	2 0½

(3)

GENERAL PROVISIONS.

Where the employer has made a payment, which payment purports to be a payment of the wages payable to an employee for any period, the employer shall not be liable to pay to such employee any further sum prescribed by this Determination in respect of any services rendered to the employer during such period, unless within three months after the last day of such period a demand in writing of such further sum claimed has been made to the employer by such employee or by some person on his behalf and/or if proceedings to recover the amount claimed are not taken within nine months.

Wherever in this Determination time worked is required to be paid for at more than the ordinary rate, such time shall not be subject to more than one penalty, but shall be subject to that penalty which is to the employee's greatest advantage.

(4)

SPECIAL RATES.

Employees when 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, shall be paid 1½d. per hour extra; employees when working in places where the temperature exceeds 130 degrees Fahrenheit shall be paid 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 representative of the employer after consultation with the employees who claim the extra rate.

Employees when working for more than one hour in places where the temperature is reduced by artificial means below zero, shall be paid 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes after every two hours without loss of pay.

(5)

FARES AND ALLOWANCES.

Town work.—Except as to work within a radius of twelve miles of the General Post Office at Melbourne and except as to an employee continuously employed, an employee on construction work shall be paid all fares necessarily incurred in travelling to and returning from the job to his home in excess of 3d. per day.

As to work performed by such an employee within the above-mentioned radius there shall be added to the wages of such employee an allowance at the rate of 2s. 6d. per week in lieu of excess fares.

Country work.—When engaged on country work (as hereinafter defined) an employee shall be entitled to an additional payment at the rate of 3d. per hour if he return to his home on completion of the day's work or an additional payment at the rate of 3s. 6d. per day for seven days if the work render it reasonably necessary for him to sleep at a place other than his usual place of residence, and in either case such employee shall be entitled to fares necessarily incurred in travelling from and to his centre, and to have his time of travelling from and to his centre (not exceeding eight hours per day) treated as time on duty.

A fare shall be deemed to be necessarily incurred under this clause, or such additional payment shall be made if the employee use a bicycle or other means of locomotion or walk instead of using a public conveyance, but a fare shall not be deemed to have been so incurred and such payment shall not be required to be made where the employer provides or offers to provide a reasonable conveyance free of charge.

(6)

PUBLIC HOLIDAYS.

Employees other than casual employees shall be entitled to the following days (referred to herein as "public holidays") on full pay, namely:—Christmas Day, Boxing Day, New Year's Day, Anniversary or Foundation Day, Good Friday, Easter Monday, Eight Hours Day, Anzac Day, or such days as are observed from time to time as substitutes for such days respectively in a city or locality: Provided always that if any of the above-mentioned holidays fall on a Saturday or Sunday where a week of six days is worked only the half day in the case of Saturday shall be observed and in the case of Sunday no holiday shall be allowed excepting where a day is generally observed in the locality as a substitute. Provided also that in the case of a five-day week no holiday shall be allowed on a Saturday or Sunday excepting on such a substituted day: And provided further that such employees when engaged in another industry shall be entitled only to the public holidays prescribed for the majority of employees in such other industry.

(7)

TRANSFER FROM JOB TO JOB.

An employee transferred by the employer from one job to another job on the same day shall be paid for the time occupied in travelling as for time worked and the cost of such transfer shall be borne by the employer.

(8)

EMPLOYEES CALLED FOR WORK.

(a) An employee notified to commence duty and actually attending for duty and who is notified by the employer or his representative that his services are not required, shall be paid for two hours as time worked.

(b) An employee who is required to attend for work and is kept waiting to commence work by the instructions of the employer or his representative shall be paid at his ordinary rate of pay for the time he is so kept waiting.

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply where one hour's previous notice that he will not be required to take up duty at the commencement of work has been given to the employee personally or left at his residence provided that if the employee has not given his address to the employer then the employer shall not be required to pay as prescribed by these sub-clauses.

(d) The provisions of sub-clauses (a) and (b) hereof shall not apply in cases where work cannot be commenced or continued on account of wet weather.

(9)

PAYMENT OF WAGES.

(a) Wages accrued may be paid on any day of the week, Monday to Friday inclusive, and shall be paid at or before the cessation of work.

Provided always that—

(i) an employer shall not keep more than one day's pay in hand;

(ii) an employee whose service ends before pay time shall be paid at or before the time of its ending, or shall be paid by post or otherwise within 24 hours thereafter;

(iii) in the case of a mixed industry, payment of wages shall be made in accordance with the practice prevailing for the majority of the employees in such mixed industry.

(b) If wages be not paid within the periods prescribed the employee shall be paid at ordinary rates for all time in excess of fifteen minutes beyond such time until the wages are paid or posted to his last known place of address.

(10)

TERMINATION OF EMPLOYMENT.

Casual employment may be terminated by the employee on giving not less than one hour's notice or by the employer on giving not less than one hour's notice or by the payment of one hour's pay.

(11)

HOURS OF LABOUR.

(a) Except as herein provided the ordinary hours of duty shall be 44 per week to be worked on five days of eight hours and one day (Saturday) of four hours between the hours of 8 a.m. and 5 p.m., with one hour's interval for a meal on week days, and 8 a.m. and noon on Saturday: Provided always that an employer may agree with the Australian Builders Labourers' Federation to vary the hours of starting and finishing work or to work a five-day week within such hours as may be agreed upon or as may be determined by a Board of Reference in default of such agreement. The Board of Reference shall for the purpose of this determination consist of the Chairman of this Wages Board, the President of the Victorian Branch of the Australian Builders Labourers' Federation, and the President of the Master Builders Association, or the respective occupants of those positions for the time being.

(b) Where the standard hours in an employer's industry exceed 44 per week, the hours of duty shall be the standard hours in that particular industry.

(c) The ordinary hours of duty of employees engaged in a continuous process shall be 48 per week to be worked as to day workers eight and three-quarter hours on ordinary week days between 7.30 a.m. and 5 p.m., with three-quarters of an hour interval for a meal, and four and a quarter hours on Saturday between 7.30 a.m. and 11.45 a.m., and as to shift workers eight hours per shift.

(d) Builders' labourers attending on or assisting tradesmen whose ordinary hours of duty are more than 44 per week shall work the hours of such tradesmen and such builders' labourers shall be entitled only to overtime for work done in excess of such hours.

(e) In the case of a mixed industry, builders' labourers shall conform to the daily hours and meal time of the tradesmen they assist.

(12)

OVERTIME.

- (a) Except as hereinafter provided; all time on duty beyond the ordinary hours of duty hereinbefore provided shall be paid for at the rate of time and a half for the first two hours and at the rate of double time thereafter.
- (b) As far as practicable employees shall not be required to work overtime.
- (c) In computing overtime each day's work shall stand alone.
- (d) For the purpose of computing overtime each fraction of a quarter of an hour shall be paid for as if it were a full quarter of an hour.
- (e) In the case of employers employing members in a continuous process, all time on duty beyond 8 hours per day or beyond 48 hours per week shall be paid for at the rate of time and a half, except where the excess time of duty—
- (i) is by arrangement between the employees themselves; or
 - (ii) is for the purpose of effecting the customary weekly rotation of shifts; or
 - (iii) is due to the fact that the relieving man does not come on duty at the proper time.

(13)

MEAL HOURS.

- (a) For work done during meal periods and thereafter until a meal period break is allowed time and a half rates shall be paid. Where owing to the requirements of the work it is necessary for an employee to work beyond noon then the meal period of such employee shall commence not later than 1 p.m.
- (b) An employee working overtime shall be allowed a crib-time of twenty minutes without deduction of pay after each four hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.
- (c) Before starting overtime after working ordinary hours a meal period of at least 45 minutes shall be allowed, unless the period of overtime is less than one and a half hours.
- An employer and his employee may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(14)

SUNDAY AND HOLIDAY WORK.

- (a) Except as hereinafter provided, all time on duty on Sundays or public holidays (as herein defined) shall be paid for at the rate of double time.
- (b) In the case of an employer employing workers continuously, all time on duty on Sundays or on the public holidays observed by the majority of the employees in the establishment concerned shall be paid for at the rate of double time.
- (c) Notwithstanding the provisions of sub-clauses (a) and (b) hereof employees engaged in repairs or renewals of their employer's plant or machinery necessary for the resumption of work the next following working day shall on public holidays or Sundays be paid at the rate of time and a half.

(15)

SHIFT WORK.

Within half a mile from the General Post Office at Melbourne the employer may carry on demolition and/or building work or work incidental thereto by shifts subject to the following conditions :—

- (a) Up to three shifts may be worked, namely, morning shift, afternoon shift and night shift.
- (b) As far as practicable shifts shall be worked in rotation.
- (c) The hours of work in each shift be as follows :—
 - (i) Night shift from midnight Sunday to 7 a.m. Monday, from 11 p.m. Monday to 7 a.m. Tuesday, from 11 p.m. Tuesday to 7 a.m. Wednesday, from 11 p.m. Wednesday to 7 a.m. Thursday, from 11 p.m. Thursday to 7 a.m. Friday, and from 11 p.m. Friday to 7 a.m. Saturday.
 - Day shift from 7 a.m. to 3 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday.
 - Afternoon shift from 3 p.m. to 11 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday with an allowance of half an hour in each shift for a meal.
 - (ii) The wages to be paid to builders' labourers as such who are employed on the said works shall be as follows :—
 - Morning shift—Ordinary rate.
 - Afternoon shift—Time and one-eighth.
 - Night shift—Time and a quarter.
 - (iii) All time on duty in each shift beyond the hours of work mentioned shall be paid for at the rate of time and a half for the first two hours and double time thereafter.
 - (iv) That any builder's labourer properly presenting himself for work and no work being then available for him shall be allowed and paid two hours wages at shift rates.
 - (v) That so far as possible 44 hours' work shall be made available for each builder's labourer in each week.
 - (vi) That in the event of any builder's labourer having to cease work on account of any stoppage operations after trams and trains have ceased running, provision shall be made by the employer for conveying him to his home or alternatively he shall be paid in respect thereof two hours wages.
- (d) If it is desired to work shifts in any other place then the question shall be referred to the Secretary for Labour and he shall determine whether under all the circumstances it is proper for the work to be carried on by shift. If he should so determine, then the above provisions relating to shift work shall apply.
- (e) Except where inconsistent with the provisions of this clause the other provisions of this Determination shall apply to such work.

(16)

SANITARY CONVENIENCES.

Suitable and adequate sanitary conveniences shall be provided by the employer.

(17)

SUPPLY OF WATER.

Employers shall provide pure drinking water for employees and boiling water at meal times. Where the water is not conveyed by pipe it shall be kept in a covered receptacle.

(18)

FIRST AID.

- (a) A sufficient first aid chest shall be supplied and maintained by the employer and shall be kept under the control of a responsible person in a place accessible to the employees. In case of any dispute as to the adequacy of any first aid equipment the matter shall be referred to the Secretary for Labour.
- (b) An employee meeting with an accident on the job necessitating his removal to hospital or to a doctor for medical attention shall be conveyed by ambulance or other suitable conveyance at the expense of the employer.

(19)

LOADS.

- (a) No employee shall be required to carry more than the following loads by hod :—

Up to a height of 15 feet—12 bricks.
Over a height of 15 feet—10 bricks.

- (b) In cases where bricks are carried by wheelbarrow the employee shall not be required to carry more than 36 bricks in a load on scaffolding at a height of more than 15 feet from the ground, or more than 40 bricks in a barrow in any other place.

If any other barrow than that which is commonly in use at the time of this award is introduced by an employer then any question as to the load which may be carried in such barrow shall be determined by the Secretary for Labour.

(20)

TOOLS.

(a) Employers shall provide all necessary plant and tools except picks, shovels, hods and ladders, which are to be provided by employees.

(b) The employer shall be responsible for the sharpening of picks.

(c) Employers shall provide a suitable lock-up place in which to store employees' tools.

(21)

CHANGE HOUSE.

Where practicable and where not less than a total of fifteen men are employed the employer shall provide a suitable change house for the keeping of the clothes of the workmen employed. No cement, lime or building materials shall be stored in such change house. This clause shall come into force after the expiration of two months from the coming into force of this Determination.

(22)

WET PLACES.

(a) Where an employee is obliged by the employer to work spreading or packing wet concrete so that his boots are liable to become saturated, then the employer shall provide the employee with gum boots.

(b) Where an employee is obliged to work in conditions where boots become saturated with water, the employer shall supply the employee with gum boots for use on such work.

(c) If an employee is required to work in a place in which water is continually dripping from overhead so as to saturate the clothing of the employee he shall be provided with an oilskin coat so as to protect him from getting wet or in lieu thereof shall be paid 1s. extra for the day whatever amount of work may be done by him on such day.

(23)

DEFINITIONS.

For the purposes of this Determination—

"Continuous process" means a process in which during an unbroken period of not less than one week operations are continued during all the hours of the day from midnight to midnight or during sixteen hours of the day. Such a process shall be deemed to be a continuous process even if, through no fault of the employer, the work ceases for a time to be carried on.

"Shift worker" in a continuous process means an employee engaged for not less than a week in such continuous process.

"Country work" means work on a job distant more than 20 miles from the employee's centre (in case the centre be in Melbourne or in the suburbs thereof respectively) or more than 6 miles in other places.

"Employee's centre" means his residence or his nearest post office, whichever be the nearer to the job.

(24)

CONTRACTING, SUB-CONTRACTING.

(a) No employer shall permit any of the classes of work covered by this Determination to be carried on by a contractor or other person except in accordance with the terms and conditions of this Determination as if the contractor or other person were himself an employer and bound by this Determination.

(b) No employer shall enter into any contract for the carrying on of any of the classes of work covered by this Determination by any contractor unless the contract contains a clause binding the contractor to pay the rates and observe the conditions set out in this Determination in respect of the work contracted for, and unless a clause is inserted in any such contract to the effect that the employer can determine the contract if there is any breach of the condition above referred to.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 10th May, 1939.



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE TANNERS BOARD

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On 21st April, 1925, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed in the trade of a tanner of all kinds of furred skins, or a dresser or a dyer of such skins, and such power was conferred on the Tanners (Furred Skins) Board.

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a determination made on the 12th November, 1937, by the Tanners Board, and published in the *Government Gazette* on the 4th December, 1937, hereby issue an adjusted determination showing the adjusted wages rates to be paid, as from the beginning of the first pay period to commence in June, 1939, to any person or persons or classes of persons employed in the trade of a tanner, currier, leather dresser, or dyer of all kinds of skins other than a tanner of sheep skins.

(1)							
Apprentices and Improvers.				Juvenile Workers, i.e., Persons other than Apprentices or Improvers Employed as Strainers.			
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.			
		s.	d.			s.	d.
14 to 15 years of age	.. .. .	15	3	14 to 15 years of age	.. .. .	15	3
15 to 16 " "	.. .. .	22	0	15 to 16 " "	.. .. .	22	0
16 to 17 " "	.. .. .	29	9	16 to 17 " "	.. .. .	29	9
17 to 18 " "	.. .. .	37	6	17 to 18 " "	.. .. .	37	6
18 to 19 " "	.. .. .	44	9	18 years of age or over	.. .. .	80	6
19 to 20 " "	.. .. .	52	9				
20 to 21 " "	.. .. .	59	6				
Proportion.							
(In any place.)							
One apprentice or one improver to every three or fraction of three workers receiving not less than 79s. per week of 44 hours.							

Other Employees.				Per Week of 44 Hours.			
				£	s.	d.	
Currier	.. .. .			4	19	0	
Person classing or sorting green hides or sides, or skins, after being unhaired	.. .. .			4	17	0	
Hand flesher	.. .. .			4	14	0	
Hand fleshing after machining	.. .. .			4	12	0	
Machine flesher	.. .. .			4	12	0	
Unhairers, scudders, stoners and punchers, and persons trimming green hides on tables after being fleshed, and persons working unhairing and scudding machines	.. .. .			4	6	6	
Lime jobbers	.. .. .			4	4	0	
Drum hands, paddle and/or vat hands, tanpitmen, and hydraulic pressers	.. .. .			4	3	0	
Bark baggers	.. .. .			4	3	0	
Extract workers in tanneries, bark grinders in tanneries, and persons boiling down fleshing or rendering down tallow or handling hides, bark, or tannin extract	.. .. .			4	1	0	
Splitting machinist	.. .. .			4	17	0	
Man behind splitting machine	.. .. .			4	1	0	
Machine shaver	.. .. .			4	13	0	
Jiggers and grainers of bookbinding or furniture leathers, or japanned or enamelled or morocco leathers, or persons engaged at japanning or enamelling leather, or at ovens used for japanning or enamelling leather, and operators of spraying machines	.. .. .			4	9	6	
Rollers, strikers, and setters out of sole leather	.. .. .			4	8	6	
Whitening or buffing machinists	.. .. .			4	13	6	
Fluffing machinist	.. .. .			4	4	6	
Leather dresser (table hand)	.. .. .			4	6	0	
Persons (not otherwise provided for) finishing fancy leathers, including ironing by hand	.. .. .			4	6	0	
Machinists (not otherwise provided for) working at any machine used for preparing fancy leather or other leathers	.. .. .			4	3	0	
Table hands setting out harness leathers	.. .. .			4	6	6	
Table hands and knee stakers	.. .. .			4	6	0	
Shedmen and men unloading hides, bark, and other materials used in tanneries	.. .. .			4	1	0	
Strainers over the age of eighteen years	.. .. .			4	0	6	
All others	.. .. .			3	19	0	

(2) Times of beginning and ending work—

Time of Beginning.	Time of Ending.
7 a.m.	12 noon on Saturday.
7.30 a.m.	5.15 p.m. on the other working days of the week.

(3) OVERTIME.—The rate to be paid for all work done outside the hours of beginning and ending work shall be—

(a) Night workers (not working during ordinary hours)—

Between 5.15 p.m. and 5.30 p.m.	Ordinary rates.
Between 5.30 p.m. and midnight	Time and a quarter for the first six hours and double time thereafter.
Between midnight and 7 a.m. on Saturday	
Between midnight and 7.30 a.m. on the other working days of the week	

(b) Other workers Time and a half.

(c) Piece-workers
For the first hour piece-work prices shall be increased 25 per cent.
For the next six hours, 50 per cent.
Thereafter, 100 per cent.

(4) SPECIAL RATES.—Double time shall be paid for all work done on Sundays, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Christmas Day, Boxing Day, and Tanners' Picnic Day, if held on a Saturday not preceding a Monday prescribed as a holiday; but if any other day be by Act of Parliament or proclamation substituted for the above holidays the special rate shall be payable only on the day so substituted.

Employees called to work on a Sunday shall be entitled to a minimum of two hours' pay, and on a public holiday to a minimum of four hours' pay, unless work is prevented by rain, in which event they shall receive a payment of 4s.

(5) MEAL INTERVAL.—All employees shall be allowed an interval of 45 minutes for a meal between 12 noon and 1 p.m. on each day from Monday to Friday.

(6) CONTRACT OF EMPLOYMENT.—(a) Except as to piece-workers, and subject to the undermentioned provisos, employment shall be by the week. Each employee shall be entitled to a week's notice of dismissal given on any day, or a week's pay in lieu of notice, unless such dismissal is for wilful failure to attend for duty, malingering, misconduct, or neglect of duty.

(b) Absence through sickness shall not be regarded as failure to attend, but an employee shall not be entitled to pay for more than four days in each year on which he is absent by reason of sickness.

(c) An employer may require satisfactory proof of sickness before paying for such days of absence.

(d) An employee leaving his employment without giving a week's notice (unless his employer dispenses with such notice) shall sacrifice a week's pay.

(e) If the operations of any factory are suspended owing to a stoppage over which the employer has no control, of the power plant, or of the supply of power or of fuel used in generating power, such employer shall be entitled to terminate temporarily employment of all or any of his employees without liability to any payment of wages beyond the time of such termination.

(f) Employees shall be entitled to payment for Anzac Day and the days set out in Clause 4 as if worked.

(g) If the engagement of any employee is terminated by his employer within fourteen days preceding any of the prescribed holidays the holiday or holidays occurring during such period shall be paid for unless the employee has started work with another employer with the right of payment for such holiday or holidays.

(h) If more than 50 per cent. of the total adult employees of an employer do not desire to work between Boxing Day and New Year's Day, or on the day between Good Friday and Easter Monday, the employer shall be entitled to close his tannery on such days, and his employees shall not be entitled to payment for such days, and if more than 50 per cent. of the adult employees in any department of a tannery employing twenty hands in all in such tannery do not desire to work on such days, the employer shall be entitled to close such department on such days, and his employees in such department shall not be entitled to payment for such days. The desire of the employees concerned shall be ascertained by a secret ballot to be conducted by one representative of the management and one representative of the employees. If the ballot results in favour of remaining open on such days the employees not desiring to work on such days shall give their names to the management within 24 hours after the holding of such ballot.

(7) LIMITATIONS.—(a) In any department as defined in Clause 17, the proportion of apprentices and improvers shall not exceed two to five or fraction of five adults receiving the minimum wage.

(b) Apprentices or improvers shall not be employed rolling, striking, or setting out crop leather until they attain the age of nineteen years.

(8) TIME RATES.—Any person employed on time wages for less than the number of hours fixed for a week's work shall for each hour worked up to one-half the number of hours per week fixed in this Determination be paid the ordinary wage, with an addition of 33½ per cent., and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(9) TEA MONEY.—Employees called on to work overtime in excess of one hour on Monday to Friday inclusive, without notification the previous day, shall be paid 2s. tea money in addition to their overtime rates.

(10) Where an employee is engaged on any day on mixed functions or on work carrying a higher rate of pay than his ordinary classification he shall be paid at the higher rate for the time so worked on such higher classification. If the aggregate hours worked by an employee on such higher classification exceed sixteen hours in the week he shall be paid at the higher rate for the week.

Provided further that an employee at both buffing and fluffing not entitled to the higher wage rate for any week shall for each day on which he is called on to do both operations be paid the higher rate of pay.

(11) PAYMENT OF WAGES.—Wages shall be paid not later than Thursday of each week. Dismissed employees shall be paid all wages due on dismissal.

Wages shall be paid in the employer's time or within five minutes of knock-off time. Time waiting for payment after such five minutes shall be paid for at overtime rates.

(12) TOOLS OF TRADE.—The employer shall provide all tools, leggings, gloves, aprons, respirators, and other tools and implements of trade necessarily required by an employee in the performance of his duties. Such leggings, gloves, and aprons shall be put on in the employer's time.

The employers shall provide waterproof capes for employees working in wet weather on pits in the open.

(13) ACCIDENT PAY.—When an employee meets with an accident while at work he shall be paid at the rate of half the pay prescribed by this Determination for the class of work on which he is engaged for the period not exceeding one week for which he does not receive any payment under the provisions of the appropriate State laws.

(14) BOILING WATER.—Boiling water shall be supplied by the employers for tea for the employees at lunch time.

(15) **PAYMENT BY RESULTS.**—Subject to the following provisions piece-work or any other system of payment by results may be adopted by an employer so long as such rates permit employees of average capacity to earn at least 10 per cent. in addition to the total wages to which they are entitled:—

- (a) The piece-work or bonus rates now operating shall not be varied except in the manner hereinafter provided.
- (b) Piece-work prices may be fixed or varied by Factory Boards, consisting of two representatives of any employer and two representatives nominated by his employees. If any such Board is unable to agree on any rate or rates proposed by the employer the matter shall be referred to this Wages Board, whose decision shall be final.
- (c) If the employees of any factory fail to appoint representation to any such Board, or fail to attend a meeting of such Board called by the employer on a date not less than seven days after the service of notice on a representative of the employees, the employer may adopt such piece-work rates which he deems reasonable without the authority of any Board.

(16) **NOTICE BOARD.**—An employer shall permit a notice board to be erected in a prominent position for the purpose of posting any notices thereon in connexion with meetings of employees.

(17) **DEFINITIONS.**—(a) "Currier" shall mean a person who uses in his work a whitening knife, skiver slicker, whitening slicker, or shaving knife, or buffing knife, or buffing slicker.

"Hand flesher" shall mean a person who uses in his work a knife for the purpose of fleshing green hides or cutting down hides or skins or pieces before or after being fleshed by a machine.

"Table hand" shall mean a person engaged upon any class of work done on tables, except on sole leather or as otherwise provided for.

"Strainer" shall mean a person engaged at straining or tacking out, or stripping or toggling or carrying boards or frames used for straining or tacking out or toggling.

(b) For the purposes of Clauses 6 and 7, of this Determination, operations in a factory shall be divided into the following departments:—

1. Beam-shed department.
2. Tanning department (including all wet work).
3. Curriers department (including rolling).
4. Finishing department (other than rolling).
5. Japan shop.—Japan shop to mean places where persons japanning or enamelling leather are engaged.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 12th May, 1939.



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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE AERATED WATER TRADE BOARD.

Adjusted pursuant to Section 21 of the *Factories and Shops Act 1934* (No. 4275.)

NOTE.—This determination applies to the whole of the State of Victoria.

I FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts, and in consequence of the provisions contained in a Determination made on the 6th September, 1938, by the Aerated Water Trade Board, and published in the *Government Gazette* on the 26th September, 1938, hereby issue an adjusted Determination showing the adjusted wages rates to be paid as from the beginning of the first pay period to commence in June, 1939, to any person or persons or classes of persons employed in the process, trade, or business of an aerated water or cordial or non-intoxicating beer manufacturer.

(1) APPRENTICES, IMPROVERS, OR JUVENILE WORKERS.

	Wages per Week of 44 Hours.	
	Within 20 Miles of G.P.O., Melbourne; Within 10 Miles of G.P.O., Geelong; in Warrnambool; and in Mildura and Gippsland Districts.	Elsewhere in Victoria.
	£ s. d.	£ s. d.
Under 17	1 5 0	1 4 0
17 and under 18	1 12 0	1 10 0
18 and under 19	1 17 6	1 16 0
19 and under 20	2 6 0	2 4 0
20 and under 21	2 14 6	2 12 6

PROPORTION (within any factory or place).

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 78s. per week of 44 hours.

Improvers.

One improver to every fifteen adult workers receiving not less than 78s. per week of 44 hours.

Provided that not more than one person under the age of 21 years shall be employed by any employer to each two or fraction of two adults employed by the said employer.

Other Employees.

	Wages per week of 44 Hours.		
	Within 20 Miles of G.P.O., Melbourne; Within 10 Miles of G.P.O., Geelong; at Warrnambool; and in Mildura and Gippsland Districts.	Yallourn.	Elsewhere in Victoria.
	£ s. d.	£ s. d.	£ s. d.
Cordial Maker, i.e., one who makes up either from his own or his employer's recipe	5 1 0	5 8 0	4 18 0
Employee who under the direction of employer or foreman is in charge of the running, adjustment, and maintenance of machinery, gas generators, or aerated water plant	4 11 0	4 18 0	4 8 0
Employee on automatic combined bottle-washing, syrrupping, bottling, sealing (or crowning), and labelling machine	4 6 0	4 13 0	4 3 0
Employee bottling aerated or carbonated waters	4 3 6	4 10 6	4 0 6
Employee engaged in handling Glauber Salts	4 3 6	4 10 6	4 0 6
All other male adults	4 1 0	4 8 0	3 18 0
Leading hand, 1s. per day in addition to the above rates.			

(2) **DEFINITION OF JUVENILE WORKERS.**—Persons under 21 years of age (other than apprentices or improvers, employed in the syrup room or at syphoning, stoppering, capsuling, labelling, wrapping, wiping, cleaning up, marking cases, sighting, wiring, tying, stacking cases not more than 5 feet high, and any other work of a light nature).

Provided that juveniles under the age of 19 years shall not be called on to work on machine labelling unless they are paid the rates fixed for a male juvenile of 19 years.

(3) **TIME OF BEGINNING AND ENDING WORK.**—

Time of Beginning.	Time of Ending.
7.30 a.m.	12 noon on Saturday.
7.30 a.m.	6 p.m. on the other working days of the week.

(4) **OVERTIME.**—The following rate shall be paid for all work done—

- (a) Outside the hours fixed in clause (3) } Time and a half for the first four hours on
 (b) Within the hours fixed in clause (3) in excess of 4 hours on Saturday or } any day, and double time thereafter.
 8 hours on the other working days of the week }

(5) **TERMS OF EMPLOYMENT.**—(a) All employees, other than temporary employees, shall be engaged by the week and shall be paid weekly.

(b) Except as to temporary employees, a week's notice at least shall be given by the employer or employee to terminate employment, or in lieu of such notice a week's wages shall be paid. Such notice shall be given to expire at the end of the regular working week. If the employment is terminated, all money due to the employee shall be paid on the day of termination.

(c) The next preceding sub-clause (b) shall not apply if and when an epidemic, fire, strike, or breakdown of machinery occurs causing a stoppage of labour beyond the control of the employer.

(d) The week's work shall terminate at quitting time on the last day of the regular working week which shall not be later than Thursday or Friday in the week, and the pay day shall not be later than the day next succeeding such last day.

(e) If an employee absents himself from duty, the employer may make a deduction from the employee's wage proportionate to the length of the absence, provided that this sub-clause shall not apply to absence on holidays in accordance with clause (9), and as to cases of illness subject to the sub-clause (f) next hereto.

(f) If the absence from duty of an employee engaged by the week be reasonable because of his own illness, and he produce to the employer satisfactory evidence thereof by medical certificate or otherwise, no deduction shall be made in respect of such absence except so far as it exceeds in the aggregate four days during any one year of the employment or a proportionately less time during any shorter period of the employment. Provided that this sub-clause shall not apply to any employee who has not been in the employment for three months.

(6) **MEAL HOURS.**—(a) Meal intervals shall not be less than 40 nor more than 60 minutes in duration.

(b) An employee who has worked continuously for a period of five hours shall be allowed an interval off duty without pay of not less than 40 minutes.

(7) **TEMPORARY EMPLOYEES.**—A temporary employee shall mean and be deemed to be any employee engaged for a less period than one full working week. He shall be paid per hour at a rate not less than one-fortyfourth of the rate prescribed for an employee engaged by the week for similar work with an addition of one-fifth. Payment of his wages shall not be delayed beyond the termination of his employment.

(8) **TEA MONEY.**—An employee required to work overtime in excess of one hour and a half after the usual finishing time without having been notified on the previous day that he would be so required shall either be supplied with a meal or be paid 2s. by the employer.

(9) **HOLIDAYS AND SUNDAYS.**—(a) For the purposes of this Determination the days generally observed as the following shall be holidays:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Union Picnic Day, King's Birthday, Christmas Day, and Boxing Day.

(b) If any of the said-named days falls on a Sunday and no week day is generally observed on such day, a week day in lieu thereof shall be allowed to each employee and shall in respect of such employee be treated as if it were such named day.

(c) All work performed on Sundays or holidays shall be paid for at the rate of double time with a minimum payment as for four hours.

(d) If an employee is required to work on a holiday he shall be notified thereof at least 24 hours before such holiday, and if he is not so notified, shall be paid at the rate of treble instead of double time unless it can be proved that it was not reasonably practicable to notify him.

(e) No deduction shall be made from the wage of any employee engaged by the week because of absence from work on a holiday unless without permission or reasonable excuse he stays away on the day next preceding or next succeeding the holiday.

(f) If an employee is required to work on a holiday he shall be paid treble instead of double time if it can be proved that it was reasonably practicable by working overtime or otherwise to avoid requiring the employee to work on such holiday.

(10) **MIXED FUNCTIONS.**—Where an employee is called upon to perform two or more classes of work on any one day he shall, for the purpose of assessing the wages to be paid, be deemed to have worked a day at the class for which the highest rate of wages is prescribed.

(11) **FIRST AID KIT.**—First aid kit as required under the Factories and Shops Acts shall be provided by the employer in each factory, and in the event of an accident occurring the first aid attendant shall be allowed reasonable time to attend to employees concerned in such accident.

(12) **TIME AND WAGES SHEET.**—(a) All employers shall keep a time and a wages sheet which may be either combined or separate, and which shall be entered in ink showing the hours worked each day and the wages paid to each employee.

(b) The time sheet and the wages sheet shall, as to entries therein in respect of employees covered by this Determination, be open for inspection to a duly accredited official of the Federated Liquor and Allied Trades Employees' Union of Australasia during the usual office hours at the employers' office or other convenient place: Provided that no inspection shall be demanded unless the secretary or district secretary or organizer of such union suspects that a breach of this Determination has been committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

(13) **WATERPROOF CLOTHING AND BOOTS.**—Where it is necessary for an employee to wear waterproof clothing or boots or clogs, the same shall be provided by the employer. The question as to whether waterproof clothing or boots or clogs are necessary for an employee shall be settled by agreement between the employer and the employee, and in default of such agreement by the Secretary for Labour.

(14) **GLOVES.**—All employees working on bottling machines or required to bring their hands in contact with broken glass shall be supplied with suitable protective gloves by the employer.

(15) **DEFINITIONS.**—In this Determination, unless a contrary intention appears—

"Foreman" shall mean and be deemed to be a person who is responsible for other employees' work, and has the power to engage or dismiss any person subject to the approval of the employer.

"Leading hand" is an employee who is authorized to exercise and does exercise supervision over the work of at least three other employees.

(16) **RIGHT OF ENTRY OF UNION OFFICIALS.**—The Secretary or Organizer of the Federated Liquor and Allied Trades Employees' Union of Australasia may enter the employer's premises to interview members of the said Union during non-working hours subject to the approval of the employer, which approval shall not be withheld except for a reasonable excuse.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 5th May, 1939.



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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE CEMENT ARTICLES BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a Determination made on the 31st March, 1938, by the Cement Articles Board, and published in the *Government Gazette* on the 12th April, 1938, hereby issue an adjusted Determination showing the adjusted wages rates to be paid, as from the beginning of the first pay period to commence in June, 1939, to any persons (other than persons under the jurisdiction of the Fibrous Plasterers Board) employed in the trade of making portable articles of cement or concrete.

(1)

(a) Apprentices and Improvers.						(b) Other Employees.					
WAGES.						WAGES.					

(4) OVERTIME.—The following rates shall be paid for all work done, except where shifts are worked :—

- | | | |
|--|---------|--------------------|
| (a) Outside the hours fixed as the times of beginning and ending work | | } Time and a half. |
| (b) Within the hours fixed as the times of beginning and ending work in excess of the maximum number of hours fixed as a week's work | | |

(5) SHIFTS.—Where a person is employed on shift work outside the hours of beginning and ending work he shall for each hour while so employed be paid 1½d. an hour in addition to above rates.

(6) TIME WAGES.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for each hour worked up to 22 hours, as follows :—

- | | |
|---|---|
| (a) in any week in which two or more public holidays occur .. | At the ordinary wages rate with an addition of fifty per centum ; |
| (b) in any other week | At the ordinary wages rate, with an addition of thirty-three and one-third per centum ; |

and for each hour worked beyond the 22 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(7) MIXED FUNCTIONS.—An employee engaged for not less 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.

(8) SPECIAL RATES.—Double time shall be the rate payable for all work done on Sundays, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, Labour Day, King's Birthday, 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 be payable only for work done on the day so substituted.

(9) TEA MONEY.—An allowance of 2s. for tea money shall be made where work extends for more than two hours beyond the usual time of ending work provided the employer has not given notice the day before of intention to work overtime.

(10) TOOLS, BOOTS, &c.—The employer shall supply the employee with all requisite tools and gloves for the performance of his duties, and when the employee is called upon to work in water he shall be provided with suitable boots and waders.

Melbourne, 15th May, 1939.

F. A. MARZORINI,
Secretary for Labour.



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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE RUBBER TRADE BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the *Factories and Shops Acts* and in consequence of the provisions contained in a determination made on the 7th December, 1938, by the Rubber Trade Board, and published in the *Government Gazette* on the 30th December, 1938, hereby issue an adjusted determination showing the adjusted wages rates to be paid to any persons :—

1. Employed in or in connexion with the trade of—

- (a) a maker of all kinds of rubber goods;
- (b) a reclaimer of rubber; and
- (c) a maker of solution;

2. Employed in the repairing of all kinds of rubber goods—

(1) The adjusted rates shown herein shall be paid as from the beginning of the first pay period to commence in June, 1939.

(2) APPRENTICES OR IMPROVERS.

	Wages per Week of 44 Hours.		
	Males.	Females.	
	<i>s. d.</i>	<i>s. d.</i>	
Under 16 years of age	15 6	14 6	Except in the fancy goods section no female shall be employed until she attains the age of fifteen years.
16 years of age	23 6	18 6	
17 " "	31 0	23 0	
18 " "	39 0	27 0	
19 " "	47 0	31 6	
20 " "	54 6	35 6	

And thereafter the minimum wage.

Proportion.

MALE APPRENTICES.

One male apprentice to every three or fraction of three adult male workers receiving not less than 81s. per week of 44 hours

MALE IMPROVERS.

Such number of improvers as shall not together with apprentices exceed, in the aggregate, one to every three or fraction of three adult male workers receiving not less than 81s. per week of 44 hours.

FEMALE APPRENTICES.

Fancy Goods Section.

Three female apprentices to every adult female worker receiving not less than 43s. per week of 44 hours.

All Other Sections.

One female apprentice to each adult female worker receiving not less than 43s. per week of 44 hours.

FEMALE IMPROVERS.

Fancy Goods Section.

Such number of improvers as shall not together with apprentices exceed in the aggregate three to each adult female worker receiving not less than 43s. per week of 44 hours.

All Other Sections.

Such number of improvers as shall not together with apprentices exceed, in the aggregate, one to each adult female worker receiving not less than 43s. per week of 44 hours.

(a) Except in the fancy goods section of the industry, the number of adult females or adult males respectively employed at any given time shall be deemed to be the weekly average number employed (exclusive of any female employees employed in the fancy goods section of the industry) during the immediately preceding period of twelve calendar months. For the purpose of ascertaining the proportion of improvers to male or female adults, there shall be a weekly count, and any Union official making an inspection of the books to ascertain such proportion shall take the weekly average number of such male or female adults as the case may be, and the average number of male or female improvers employed during the week in which the inspection is made.

(b) Notwithstanding anything hereinbefore contained, female workers receiving the adult female wage prescribed for the class of work being performed by them, shall be counted as adult female workers in calculating the proportion of females, but in calculating such wage, bonuses shall not be considered as part of the wage.

(3)

ADULT MALES.

	Wages per Week of 44 Hours.
	£ s. d.
1. Employee engaged on any operation connected with or incidental to the handling, preparation, manufacture, or repair of rubber and/or rubber goods and/or goods in the manufacture of which rubber is used, other than those set out hereunder	4 1 0
2. Sifter and/or drier of compounding ingredients	4 3 0
3. Operator in charge of drying machine	4 5 0
4. Weigher and/or assembler of compounds for mixing, calendering, &c.	4 8 0
5. Wrapper of goods made by wrapped process	4 3 0
6. Operator in charge of lead-covered hose stripping machine	4 5 0
7. Operator in charge of hose-making machine (wrapped process)	4 7 0
8. Helper on hose-making machine (wrapped process)	4 5 0
9. Lead-covering machine helper	4 5 0
10. Operator in charge of lead-covering machine (hose)	4 11 6
11. Maker of wrapped hose by hand-made process	4 14 0
12. Dough mixer working on mill and/or enclosed mixer for solution or cement	4 5 0
13. Operator on washing mill and/or grinding waste	4 5 0
14. Operator on warming and/or masticating mill and/or reclaim refining mill	4 7 0
15. Operator on cracker mill	4 5 0
16. Operator on mixing mill	4 14 0
17. Reclaimer or employee engaged on acid tank	4 5 0
18. Employee on digester machine	4 7 0
19. Spreader in charge of machine (not otherwise classified)	4 8 0
20. Spreader of waterproof piece-goods for making garments and/or spreader of rugs and/or printers blankets and/or bed sheeting	4 14 0
21. Employee engaged on doubling and/or chalking and/or polishing and/or embossing	4 4 0
22. Operator engaged on motor, motor cycle, bicycle tube and/or bicycle tire making and/or joining (not otherwise classified)	4 5 0
23. Operator engaged on motor, motor cycle and/or bicycle tube joint curing	4 7 0
24. Operator building pneumatic tire on flat and/or crown drum and/or on flat top core (excluding bicycle tire)	4 9 0
25. Operator building pneumatic tire on core (excluding flat top core and/or bicycle tire)	4 11 6
26. Inspector and/or examiner and/or tire tester	4 7 0
27. Tester with water	4 1 0
28. Weaver in charge of braiding machine and/or circular and/or flat loom and/or knitting machine and/or operator in charge of creels and/or other similar machines and/or winding wire	4 7 0
29. Operator in charge of cotton creels	4 7 0
30. Cutter of treads and/or assembler of motor, motor cycle and/or bicycle treads by machine	4 5 0
31. Maker of packing	4 7 0
32. Operator on mat-cutting guillotine, mat-punching process, mat-buffing and/or sanding machine	4 7 0
33. Designer and/or maker of inlaid mats and/or inlaid floor matting (including punched mats)— First year	4 5 0
Second and third year	4 11 6
Thereafter	4 16 0
34. Operator employed fitting solid tire to wheel (motor vehicle or otherwise)	4 9 0
35. Operator employed fitting pneumatic tire to rim and/or wheel	4 5 0
36. Operator on clicking press and/or sole-cutting machine and/or mechanically operated punching press	4 7 0
37. Operator on lathe and/or other power-driven cutting machine engaged in cutting off rings, washers and/or strips and/or buffing cylindrical rollers up to 3 feet in length	4 7 0
38. Operator employed on mechanical lathe fashioning hand-made mechanical and/or surgical goods (including buffing cylindrical rollers over 3 feet in length)	4 11 6
39. Operator on lathe engaged fashioning biased bowls	4 11 6
40. Operator dipping ballons and/or other dipped goods	4 7 0
41. Operator of rubber thread cutting lathe	4 9 0
42. Operator in charge of self-contained mould and/or heaterman in charge of curing pan and/or dry heater	4 7 0
43. Helper on self-contained mould and/or curing pan and/or dry heater	4 1 0
44. Operator in charge of vulcanizing press, more than 4 feet in length	4 11 6
45. Operator in charge of vulcanizing press, not more than 4 feet in length	4 9 0
46. Helper on vulcanizing press, more than 4 feet in length	4 7 0
47. Operator in charge of person engaged in the moulding of and/or on any operation directly connected with the moulding of motor and/or motor cycle tires	4 14 0
48. Operator engaged in the moulding of and/or on any operation directly connected with the moulding of motor and/or motor cycle tires and/or air bags	4 11 6
49. Operator in charge of person engaged in making and/or moulding solid motor tires	4 11 6
50. Operator engaged in making and/or moulding solid motor tires	4 5 0
51. Operator engaged in moulding articles other than motor and/or motor cycle tires and/or tubes and/or air bags	4 7 0
52. Moulder in charge other than moulder engaged on motor and/or motor cycle and/or solid tire moulding	4 9 0
53. Operator in charge hand making transmission conveyor and/or elevator belting	4 11 6
54. Operator engaged hand making transmission conveyor and/or elevator belting	4 8 0
55. Operator engaged on belt making machine	4 5 0
56. Operator laying mats, tiles, or rubber flooring	4 14 0
57. Repairer of used motor and/or motor cycle tire and/or tube and/or air bags	4 14 0
58. Repairer of blemishes on new motor and/or motor cycle and/or bicycle tire and/or tube	4 7 0
59. Operator re-treading new tires	4 5 0
60. Maker of air bags with extruded material	4 7 0
61. Maker of air bags (not otherwise classified)	4 14 0
62. Operator in charge of forcing machine	4 9 0
63. Operator in charge of forcing machine straining rubber	4 5 0

Adult Males—continued.

	Wages per Week of 44 Hours.
	£ s. d.
64. Operator in charge of textile cutting machine ..	4 7 0
65. Operator of electric cutting machine (other than cutter in the waterproof) or operator cutting textile by hand	4 5 0
66. Operator engaged in the individual making of surgical mechanical and/or sporting goods who designs, lays out, cuts to shape and/or builds up and is responsible for making complete article up to but not including the sandpapering or curing or turning of the article ..	4 16 0
67. Operator engaged in the making of general surgical mechanical or sporting goods, including mandrel and/or drum built belts ..	4 7 0
68. First assistant on calender 48 inches and over ..	4 11 6
69. First assistant on calender under 48 inches ..	4 5 0
70. Operator in charge of calender 72 inches and under ..	5 3 0
71. Operator in charge of calender over 72 inches ..	5 8 0
72. Table hand and/or machinist employed on sewing machines engaged in the manufacture of waterproof articles (other than articles of waterproof clothing) ..	4 12 0
73. Operator engaged in the process of sponge rubber made from latex or similar composition on the following class or classes of work:—mixing, frothing, pouring, stripping, trimming, inserter hydro, cleaning or tying, table hand ..	4 7 0
74. Storeman in charge of moulds ..	4 3 0
75. Operator engaged on sand blasting in a properly enclosed cabinet ..	4 5 0

ADULT FEMALES.

	Wages per Week of 44 Hours.
	£ s. d.
76. Adult female employee who individually fabricates complete shoes, goloshes and/or rubber boots, or who lasts up shoes and/or rubber boots ..	2 8 6
77. Adult female employee employed tire making and/or case making and/or individually fabricating motor and/or motor cycle and/or bicycle tires and/or tubes and/or mechanical surgical and/or sporting goods ..	2 7 6
78. Adult female employee employed on sewing machine ..	2 8 6
79. Adult female employee on machine used in the production of rubber goods and/or goods containing rubber and/or employed on part making any rubber goods and/or goods containing rubber (including rubber footwear) ..	2 6 0
80. Adult female employee employed on dipped goods ..	2 6 0
81. Adult female employee engaged cleaning, finishing, folding, packing, labelling, despatching and/or carton making and despatching ..	2 4 6
82. Adult female employee employed on wire or bead making ..	2 7 6
83. Adult female employees not specially provided for ..	2 3 0

(4) SPECIAL RATES.—(a) Any female or junior (male or female) employed in any way in the making, finishing, or packing of preventatives, pessaries, or sheaths, shall receive the male basic wage provided herein, and in addition thereto shall receive the margin provided for a male operator engaged in the individual making of surgical goods.

(b) Any employee engaged in the process of acid curing, cold curing, or vapour curing (as defined in clause (23) hereof) shall be paid at the rate of 4s. per hour.

(c) Employees engaged in processing free carbon black or slicking and/or spraying motor and/or motor cycle tires or actually working on acid vats in reclaiming, shall be paid the sum of 4d. per day in addition to the rate herein fixed for the class of work performed.

(d) Employees using a spray gun for the purpose of spraying motor and/or motor cycle and/or bicycle tires, other than the spraying of trade marks, transfer marks, or other distinguishing signs, shall be paid the sum of 1s. per day in addition to the rates herein prescribed for the class of work performed. Such payment shall include any payment made under sub-clause (c) hereof.

(e) Employees engaged on continuous work shifts shall be paid an additional 1s. per shift on afternoon and night shift. Instead of paying the said sum of 1s. for each afternoon or night shift the employer may at his option pay the sum of 8d. for each continuous work shift.

(f) Employees, not engaged on continuous work shifts, working on night shift, as defined in clause (5) hereof, shall be paid an additional 1s. per shift.

(5) DEFINITIONS.—“Adult female,” as used in this Determination, shall include junior female workers receiving the adult female wage under sub-clause (b) of clause (2) hereof.

“Night shift” means any shift worked wholly or partially between the hours of 8 p.m. and 6 a.m., but shall not include any shift worked on continuous work shift.

“Union,” in this Determination, shall mean The Federated Rubber Workers' Union of Australia.

(6) HOURS OF DUTY.—(a) The ordinary hours of duty for employees not engaged on continuous work shifts, shall not without payment of overtime at the rates and subject to the conditions hereinafter appearing, exceed 8 hours 48 minutes on each of the first five days of the week, and 4 hours on Saturday, and shall not exceed 44 hours in any week.

(b) The ordinary hours of duty of employees on continuous work shifts shall not without payment of overtime at the rates and subject to the conditions hereinafter appearing, exceed eight in any one day; nor 48 in any one week; nor an average of 44 per week during the period of employment upon such shifts; nor a total of 132 during any three consecutive working weeks of the period of employment upon such shifts.

Employees on continuous work shifts shall work such shifts up to six per week as may be required. A meal break, not exceeding twenty minutes shall be granted with pay on each shift exceeding four hours, and shall be arranged by the employer at a convenient time as near as practicable to the middle of the shift. Continuous work shifts shall be worked in rotation.

(c) The hours of duty of any night shift worker shall be consecutive with breaks for meals.

(d) No male junior worker, under the age of eighteen years, shall work between the hours of 10.30 p.m. and 6 a.m.

(e) The starting or finishing time of any employee must be the same for at least one week unless overtime is paid: provided that the starting or finishing times may be changed in the case of sickness or accident or breakdown of plant or equipment, or in the case of an employee replacing another who does not turn up for work at his usual starting time.

(7) OVERTIME.—(a) Except as hereinafter provided all time worked before or after the employee's starting or finishing time shall be paid for at the rate of time and one-half for the first four hours, and double time thereafter.

(b) On continuous work shifts, when one or more employees fail to report for duty without having given 24 hours' notice of intention of being absent, a corresponding number of employees on the preceding shift may be worked overtime at the rate of time and a quarter for the first two hours, and double time thereafter.

(c) The laws in force at the date of commencement of this Determination governing overtime in factories in the State of Victoria, except in regard to the payment of tea money to females, shall, where not inconsistent with this Determination, be deemed to be incorporated in this Determination as part thereof: provided, however, that the number of days upon which males under sixteen years of age, or females may be called upon to work overtime, shall be thirty in each year, and such additional number of days as may be approved by the Secretary of Labour.

For the purposes of this sub-clause "year" shall mean twelve calendar months, starting with the 22nd December, 1938, each year.

(8) MEALS.—(a) Any male employee not informed the day before that he is required to work overtime shall be allowed the sum of 2s. for meal money, if the overtime so worked exceeds one hour in any day or shift. If an employee, pursuant to notice in that regard, has provided himself with a meal and is not required to work overtime, he shall be paid 2s. for the meal so provided: provided that this payment need not be made if the employee concerned could not work overtime on account of a strike by the Union or any other Union, or through any breakdown of machinery, or any stoppage of work brought about by any cause whatsoever which the employer could not reasonably prevent.

(b) Any female required to work overtime in excess of 30 minutes in any one day shall be paid 1s. meal money.

(c) An interval of not less than 30 minutes shall be allowed for the midday meal, as near as possible to the middle of the day's work: provided that on shift operations, other than continuous work shift, a meal period of not less than 20 minutes in each shift shall be provided, which shall not count as time worked.

(d) Any employee required for duty during his usual meal time shall be paid at the rate of time and a half until he be allowed the usual length of time for a meal, unless he is allowed to have his meal at his job and is paid at the rate of time and a half during the time of his usual meal time.

(9) MAXIMUM NUMBER OF HOURS WORKED.—(a) No employee shall be required to work in the factory, workshop, or repair-shop for more than twelve hours in any one day or night.

(b) No employee engaged on day work, shift-work, or night shift, after completing the recognized hours which constitute the day's work or shift, shall be called upon to work an extra shift.

(c) No employee shall be required to work in the factory or workshop for more than twelve hours without a break of eight hours' rest before commencing a shift or day's work.

(10) RECORD OR TIME BOOK.—(a) Each employer shall keep some card or check used in connexion with a mechanical clock or a time and wages book, showing the name of each employee, his occupation, the hours worked each day, and the wages, allowances and overtime paid each week: provided that the requirement in respect to his occupation shall be deemed to be shown as required if the item number set out against the employee's classification in Table "B" of clause (27) hereof be shown in lieu of the said occupation.

(b) The records referred to in sub-clause (a) hereof shall be open for inspection by a duly accredited official of the Union (as to members of his Union) during the usual office hours at the employer's office or other convenient place: provided that no inspection shall be demanded unless the secretary of the Union or of a branch thereof suspects that a breach of this Determination has been or is being committed: provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment: provided also that no demand for production need be complied with unless 24 hours' notice in writing of the intention to inspect shall have been given to the employer concerned.

(11) HOLIDAY AND SUNDAY WORK.—(a) All weekly wage employees shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Good Friday, Easter Monday, Eight Hours' Day, Anzac Day, Christmas Day, and Boxing Day.

(b) If any of the above holidays occur on a Sunday or a Saturday, and are not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday if a working day as for a half day, but not otherwise: provided that if the employee is a shift worker, working a full day on Saturday he shall be paid for the full day.

(c) Any employee absenting himself from work on any portion of the working day preceding or following a holiday provided for in this clause without reasonable excuse or without permission from his employer, shall not be entitled to payment for such holiday.

(d) Shift workers may be required to work until the completion of their shifts on holidays without the payment of holiday rates, provided they are not required to work on the night shift commencing on a holiday. Where a holiday, prescribed by this Determination, is observed on a Monday, shift workers may be given time off on the shift commencing on the Sunday night preceding a holiday, and in such event shall be required to work on the usual night shift commencing on the holiday, without additional pay.

(e) Notwithstanding anything to the contrary contained in this Determination, if any employer shall give to any employee a notice of termination of engagement expiring or taking effect as a dismissal within seven days of the date on which any of the said holidays fall or are observed, such employer shall pay to the employee so dismissed, a day's pay for each such holiday falling or being observed within seven days of the termination of the engagement, unless the engagement is determined by the employer by reason of the misconduct of the employee: provided that this sub-clause shall not apply to any employee who at the date of the expiration of such notice shall not have been employed by the employer concerned for at least 80 per cent. of the ordinary working time of the three consecutive weeks immediately preceding the expiration of such notice: provided further that when any holiday is observed on a non-working day, the employee concerned shall not be entitled to payment for such holiday.

(f) Any employee who is employed on a Sunday or any holiday provided for in this clause shall for all time worked on that day be paid at the rate of double time.

(12) ANNUAL HOLIDAY.—(a) Except as hereinafter provided employers shall in each year give their employees continuously employed, as defined, a holiday from and after the day observed as Boxing Day to the 31st day of December inclusive, and shall pay the full wages, prescribed by this Determination, for ordinary working days included in that period.

(b) Employees entitled to such holiday and required to work during that period shall be given a week's holiday, on full pay, at some other time during the year or if dismissed from employment before receiving such holiday, shall be paid an extra week's wages on dismissal.

(c) "Continuously employed," for the purpose of this clause, means employed (except as to breaks arising from slackening of work) for the six months immediately preceding the 25th day of each December.

(d) Any employee dismissed during the three weeks immediately preceding the 25th day of December (who except for such dismissal would be entitled to annual holiday) shall be entitled to payment of one week's wages for such annual holiday.

(e) If the employer does not require any employee to work during the period from and after the day observed as Boxing Day to the 31st day of December inclusive, and such employee is not entitled to annual holiday under this clause, such employee shall not be entitled to payment of wages for the said period or part thereof during which he is not required to work.

(13) TERMS OF ENGAGEMENT.—(a) To become entitled to payment of a weekly wage, an employee must perform such work as the management shall from time to time require on the days and during the hours usually worked by the class of employee affected, and in accordance with the terms of this Determination.

(b) An employee engaged for the first time shall for the first three weeks of such engagement be employed from day to day at the weekly rate fixed by this Determination.

(c) Any employee failing to attend for duty shall lose pay for the time of such non-attendance unless such employee produces or forwards, within 48 hours of commencement of such absence, a medical certificate, or other evidence satisfactory to the management, that such non-attendance was due to personal accident arising out of and in the course of employment in respect of which no payment is received under any Workers Compensation Act, or to personal ill health necessitating such absence: provided that any employee shall be entitled to payment for non-attendance on the ground of personal ill health for not more than four days in any one year of his or her employment.

(d) Employment shall be determined only by a week's notice on either side, but such notice may be given at any time during any week: provided that any employer may dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, and in any such case the employee shall be paid up to the time of dismissal only: provided further, that any employer may deduct payment for any day or part thereof an employee cannot be usefully employed because of any strike by the Union, or any other Union, or through any breakdown of machinery, or any stoppage of work by any cause whatsoever which the employer cannot reasonably prevent.

(e) Casual employers may be engaged at hourly rates, provided such rates calculated from hour to hour are 10 per centum higher than the rates prescribed for weekly employees doing the same class of work.

(f) Employees who leave without proper notice may, at the option of the employer, be called upon to forfeit to the employer up to three days' pay.

- (14) PAYMENT OF WAGES.—(a) Wages shall be paid not later than Wednesday in each week.
(b) No employer shall keep more pay in hand than has accrued to any employee up to the end of the preceding calendar week.
(c) All wages shall be paid during working hours.
(d) Any employee leaving on proper notice or dismissed shall be paid his wages on leaving or being dismissed: provided that when an employee is dismissed outside ordinary office hours he shall be paid not later than 10 a.m. on the next working day. In the case of pieceworkers or bonus workers, the time wages only need be paid in accordance with the foregoing provisions.
- (15) MIXED FUNCTIONS.—(a) Any employee engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform shall be paid for the full day or shift at the highest rate payable for any such work under this Determination; but if he is so engaged for less than two hours he shall only be paid at the rates fixed by this Determination for the work he actually performs.
(b) Any employee who is transferred to a lower grade of work than that upon which he is usually employed, shall be paid at the higher wage for the remainder of the day or shift on which such transfer takes place, and from the commencement of the next working day or shift he shall be paid at the appropriate wage for the class of work performed.
- (16) TOOLS OF TRADE.—(a) The employer shall provide all tools of trade.
(b) Any employee engaged on acid vats, or on reclaiming or washing raw rubber, or in wet places, shall be supplied with apron or overalls, and rubber or other suitable boots, free of charge.
- (17) SEATS FOR FEMALE WORKERS.—When practicable, seats shall be provided for all females whilst on duty.
- (18) HEAVY WEIGHTS.—(a) No male employee shall be required to pull, drag, or push more than 10 cwt.: provided that this sub-clause shall not apply to any truck on rails nor to any truck fitted with ball or roller bearings.
(b) No female employee shall be required to lift or carry more than 30 lb.
(c) No male employee shall be required to lift or carry excessive weights.
- (19) REST TIME FOR FEMALES.—A specified rest time of ten minutes shall be allowed to all females in the forenoon and afternoon.
- (20) HEALTH OR HYGIENIC CONDITIONS.—(a) Every employer shall in each factory supply suitable dining-room accommodation.
(b) Every employer shall provide sufficient boiling water for employees at meal hours.
(c) Every employer shall supply drinking water in each department of the factory.
(d) Any employee engaged as a reclaim worker or moulder of motor and/or motor cycle tires, calender hands, mill hands, compound hands, and employees engaged in the wet sponge rubber department, shall be provided with a lock-up cupboard, suitable baths or showers, and a changing-room.
(e) All dipping vats, excluding those containing latex and varnishing solutions, shall be provided with covers.
(f) Sifting boxes or machines shall be rendered reasonably dust proof.
(g) Hoods and exhaust flues shall be installed over all mixing mills, dry heaters, chalking or sifting machines, and buffe: provided that no hood or exhaust flue shall be required to be installed over any portable buff.
(h) The provisions of sub-clauses (a), (b), (c), and (d) hereof shall have no application to repair shops.
- (21) SICKNESS.—(a) Any employee may leave work at any time on account of occupational sickness or accident arising out of and in the course of his employment, and shall be entitled to re-employment at the termination of the sickness or recovery from the accident: provided that a satisfactory medical certificate, if called for, is produced to the employer or his representative at the time of application for re-employment, and provided that notice of his inability to work be conveyed to the employer within 48 hours of such inability arising.
(b) Any employee so leaving work for more than seven days may be required to give to his employer seven days' prior notice of his fitness to resume work.
(c) In no case shall an employee be entitled to re-employment in pursuance of this clause after the expiration of six months from the first notification of the sickness or the accident causing the absence.
(d) This clause shall apply only to employees who are entitled to benefits under the Workers' Compensation Act of the State concerned.
(e) Any employee injured on the employer's premises, whether the injury is incidental to his or her work or not, shall report such injury at a first-aid room or other appointed place before leaving the premises.
- (22) FIRST-AID ATTENDANT.—(a) First-aid appliances and a certified first-aid attendant shall be provided by employers at all factories, and where female employees are employed such first-aid attendant, or another first-aid attendant, shall be a female. Such female attendant may do other work.
(b) The provisions of sub-clause (a) hereof shall have no application to repair shops.
(c) A sufficient first-aid outfit shall be provided and maintained on the premises by employers at all repair shops.
- (23) PROCESS OF COLD CURING, ETC.—(a) No person shall be engaged acid curing, cold curing, or vapour curing for more than two consecutive hours, and every person so engaged must have at least four hours interval before resuming same. The employer shall provide fresh milk and respirators free of charge for persons engaged on this class of work.
(b) Provided that vapour curing in sub-clause (a) hereof shall include only vapour curing by bi-sulphide of carbon or benzing with chloride of sulphur.
- (24) UNION DELEGATE.—(a) The general secretary or any branch secretary of the Union, or any official thereunto, authorized by the Union, shall not be prevented by any employer from visiting and conversing with the members of the Union in the dining-room or waiting-room (where provided) at meal times, or before or after the hours of work.
(b) If any such official make himself objectionable to the employer or to any manager or foreman or employee, the right of such official to visit may be determined by the respondent employer affected, and the Union may substitute another official in his stead.
(c) Any official of the Union shall have access to any repair shop for the purpose of interviewing any employee engaged therein.
- (25) UNION BUSINESS.—Any member of the Federal Council of the Union or any member of the Committee of Management of any State branch thereof, may leave work to attend to the business of the Union, provided that at least three days' notice of such intention shall have been given to the employer. Any employee so absent shall not be paid for the period of such absence.
- (26) NOTICE BOARD.—(a) A notice board shall be provided in the dining-room or in some other prominent position at the works.
(b) Any notice previously approved by the employer or his representative may be posted on such notice board.
(c) A copy of this Determination shall be posted and kept posted at the notice board provided pursuant to sub-clause (a) hereof not later than 28 days after the date of issue of such Determination.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 10th May, 1939.



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No. 102]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE CORDAGE BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts, and in consequence of the provisions contained in a Determination made on the 27th April, 1938, by the Cordage Board, and published in the *Government Gazette* on the 17th May, 1938, hereby issue an adjusted Determination showing the adjusted wages rates to be paid as from the beginning of the first pay period to commence in June, 1939, to any person or persons or classes of persons employed in the process, trade, or business of a maker of rope, twine, cordage, halters, coir mats, or coir matting.

(1) APPRENTICES OR IMPROVERS.

Age.	Wages per Week of 44 Hours.		Proportionate Number.
	Males.	Females.	
	£ s. d.	£ s. d.	
Under 16 years of age ..	0 17 0	0 16 0	<i>Apprentices.</i>
16 and under 17 years of age ..	1 2 0	1 0 0	One male apprentice to every three or fraction of three male workers employed and receiving not less than 83s. per week of 44 hours
17 " 18 " " ..	1 6 6	1 3 6	One female apprentice to every three or fraction of three female workers employed and receiving not less than 43s. per week of 44 hours
18 " 19 " " ..	1 11 0	1 7 0	
19 " 20 " " ..	1 17 6	1 11 6	<i>Improvers.</i>
20 " 21 " " ..	2 7 6	1 14 0	One male improver to every twenty male workers employed and receiving not less than 83s. per week of 44 hours
			One female improver to every twenty female workers employed and receiving not less than 43s. per week of 44 hours

(2)

JUNIORS.

	Wages per Week of 44 Hours.		Wages per Week of 44 Hours.	
			Males.	Females.
<i>Hard Fibre Department.</i>		<i>Other Junior Workers.</i>		
Males.	s. d.		s. d.	s. d.
Hand reellers ..	54 0	Under 16 years of age ..	17 0	16 0
Attendants to rope house machine—as for under 2 inches circumference ..	47 0	From 16 to 17 years of age ..	22 0	20 0
Lappers of clothes lines ..	46 0	" 17 to 18 " " ..	26 6	23 6
Persons balling lashing ..	34 0	" 18 to 19 " " ..	31 0	27 0
Persons balling binder twine ..	33 0	" 19 to 20 " " ..	37 6	31 6
		" 20 to 21 " " ..	47 6	34 0
Females.				
All females ..	41 0			

Proportion of Juniors.

Not more than five persons under 21 years of age may be employed to every two adults in the Hard Fibre section of a factory or place and not more than five persons under 21 years of age to one adult in the Soft Fibre section of a factory or place.

(3)

OTHER EMPLOYEES.

	Wages per Week of 44 Hours.
<i>(a) Adult Males.</i>	
First rope layer on heavy type 12 strand machine	s. d. 103 0
Rope layer on heavy type 9 strand machine	98 0
Foreman in charge of spinning and preparing departments	99 0
Other rope layers in walk with travellers	94 0
Rope splicer on driving ropes and springs	91 6
Storeman in charge	91 0
Packer working press (hand or power), pressing over 28 lb. in weight	88 0
Rope house machine making 2 inches up to and including 4 inches	88 0
Rope house machine making over 4 inches	91 6
Power reeler or finisher in connexion with heavy type 12 strand machine	87 0
Feeder of 1st spreader	87 0
Traveller driver on heavy type 12 strand machine	86 0
Damp mixer or batcher	85 0
Feeder of softeners or batchers	86 0
Rope and binder twine packer	86 0
Winder and warper in tarring department	86 0
Winding, oiling, and tarring yarn	86 0
Oiler and/or belt repairer	86 0
Maker of rope fenders	86 0
Maker of pig nets	85 0
Power reeler or finisher in walk	84 0
Other traveller drivers (except on light travellers for cords and lines not exceeding 1½ inches in circumference)	83 0
Opening manila hemp	83 0
Scutcher	83 0
Lumping hemp, flax, or binder twine in store	83 0
Feeder of tow breaker card	83 0
Lumping hemp, flax, or binder twine on wharf	89 0
Packing and balling shop twine	86 0
Mat finisher	85 0
Layer of lines or cords in walk	88 6
Twister or layer of yarn in walk	84 6
Maker of fishing lines	85 0
Hand reeler	83 6
All others	83 0
<i>(b) Adult Females.</i>	
<i>Hard Fibre Department.</i>	
Balling binder twine	46 0
Balling lashing	46 0
Bagging binder twine	45 0
<i>Soft Fibre Department.</i>	
Feeding breaker card with clock	46 0
Feeding spreaders	44 0
Feeding finished cards (hemp)	44 0
Spinning	46 0
All other adult females	43 0

(4) NIGHT SHIFT.—Any employee working on night shift shall be paid 5s. per week in addition to the above rates.

(5) LIMITATION OF WORK TO FEMALES.—Only the following classes of work may be performed by females:—

Hard Fibre Department.

Opening hemp; delivery end first spreader; feeding and delivery of all subsequent spreaders and drawing frames; balling binder twine; spooling binder twine; balling lashing; bagging binder twine; sweeping.
A female under 21 years of age shall not be employed on the above-named machines or work unless at adult female rates.

Tow Department.

Delivery end breaker card; feeding and delivery other cards and drawing frames; sweeping.
A female under 17 years of age shall not be employed in this department.

Soft Fibre Department.

Spreaders; breaker cards; finishing cards; drawing frames, roving frames; spinning frames; winding frames; twisting and laying machines; balling shop twine; reeling and spooling shop twine; weighing and parcelling shop twine; pressing and parcelling bagging twine; reeling; plaiting and braiding, covering cordage with canvas and paper, sweeping; making cores for spooling machine; lapping; doffing, piecing and spinning.

Cordage Department.

Hanking and parcelling plough reins and sash lines; making nets from small rope twine and cords; opening, plaiting, and finishing halters; making shanks for halters; hanking, making up, and parcelling fish and other lines.

Mat Department.

Mat makers on looms; mat makers on frames; making bordered mats; carders; plaiters; and winders (including cop winders).

(6) HOURS OF DAY WORK.—(a) The hours for day work shall be 44 per week. Ordinary time shall be worked between the hours of 7.30 a.m. and 6 p.m., Monday to Friday inclusive, with one break for a meal between 12 noon and 1 p.m., or as may be arranged between the employer and his employees, and on Saturday between 7.30 a.m. and 12 noon.

(b) An employee called upon to oil, repair and/or clean machinery during his or her ordinary meal hour shall be granted equivalent time immediately preceding such ordinary meal hour, otherwise he or she shall be paid time and a half until such meal hour is granted.

(7) HOURS AND SPECIAL CONDITIONS FOR NIGHT SHIFT.—(a) The hours of work on night shift shall be 44 per week.

(b) An employee transferred from day work to night work shall be guaranteed his position on day work after he has completed his work on the night shift.

(c) A night shift shall be deemed to be any shift where the majority of the hours of the shift are worked outside the ordinary hours of day work.

(d) A juvenile under the age of 18 years shall not be required to work at night.

(e) A female employee shall not be employed on night shift.

(f) The employment of adult workers on night shift who are not eligible for transfer to day work may be terminated by 24 hours' notice on either side.

(g) The employment of male juveniles between 18 and 21 years of age on night shift may be terminated without notice.

- (8) **OVERTIME AND SUNDAY WORK.**—(a) Hours of work shall be fixed in each establishment for day work. For work performed outside the fixed hours, overtime shall be paid at the rate of time and a half for the first four hours and double time thereafter.
- (b) For work done outside the recognized hours of duty in any establishment on night shift, overtime shall be paid after 44 hours have been worked, at the rate of time and a half for the first four hours and double time thereafter.
- (c) For all time of duty on Sunday, employees shall be paid double rates for the time worked.
- (d) An employee residing more than half a mile from his work required to work overtime for more than two hours without being notified before the previous meal hour break that he will be so required shall either be supplied with a meal by the employer or paid 1s. 6d.
- (e) If an employee is notified that overtime will be worked and such overtime is not worked then 1s. 6d. meal money shall be paid.
- (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.
- (9) **HOLIDAYS.**—(a) All employees shall be entitled to the holidays hereinafter mentioned without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Christmas Day, Boxing Day, and Picnic Day, or if no picnic is held any public holiday not included in this list.
- (b) Employees working on any of these days shall, except as hereinafter provided, be entitled to ordinary time for the time worked in addition to the weekly wage, with a minimum of four hours.
- (c) Employees engaged on repair work or the cleaning of the plant on any of the prescribed holidays, or on Sunday, shall be paid for such work on holidays at the rate of ordinary time in addition to the weekly wage, and for such work on Sunday at the rate of double time.
- (10) **WEEKLY HIRING.**—(a) Employment shall be terminated only by a week's notice on either side, and such notice may be given at any time during any week.
- (b) This shall not affect the right of the management to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases 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 breakdown of machinery or any stoppage of work by any such cause which the employer cannot reasonably prevent.
- (c) This clause shall not apply to workers on night shift or to juveniles.
- (d) Provided, however, that if 33 per cent. of the total adult employees of any employer do not desire to work on the days between Boxing Day and New Year's Day the employer shall be entitled to close his works on such days and none of his employees shall be entitled to payment for such days.
- (11) **SICKNESS.**—(a) An employee shall not be entitled to payment for non-attendance on the ground of personal ill-health for more than four days in each year.
- (b) An employee may leave work at any time on account of sickness, and shall not be prejudiced in his or her employment by so doing, provided satisfactory evidence of his or her inability to work is given to the management. This sub-clause is subject to the provisions of the Determination relating to weekly hiring and sick pay.
- (c) Juveniles shall not be entitled to payment for non-attendance on the ground of personal ill-health.
- (12) **FEMALE WORKERS.**—(a) Where practicable, seats shall be provided for all female workers who are on duty.
- (b) A rest room shall be provided for all female employees who may be temporarily indisposed during working hours.
- (13) **PAYMENT OF WAGES.**—(a) All wages due shall be paid not later than Friday in each week.
- (b) An employer shall not be allowed to keep more than one day's pay in hand.
- (c) If an employee leaves or is dismissed he shall be paid his wages on leaving or being dismissed, provided that the necessary money is available at the factory office.
- (d) All wages shall be paid during ordinary working hours.
- (14) **TOOLS OF TRADE.**—The employer shall provide all tools of trade excepting knives.
- (15) **HEAVY WEIGHTS.**—(a) A male employee shall not be employed to pull, drag, or push more than 8 cwt. on a level surface, except in trucks on rails, the floor or surface to be kept in good order and repair.
- (b) A female employee under 18 years of age shall not be obliged to lift or carry a greater weight than 25 lb.
- (16) **DINING-ROOM ACCOMMODATION.**—Proper dining-room accommodation, with sufficient supply of boiling water at meal hours, shall be provided.
- (17) **UNION DELEGATE.**—The secretary or branch secretary of The Australian Rope and Cordage Workers' Union or any official thereunto authorized by the said union shall not be prevented by any employer from visiting and conversing with employees at meal time or before or after the hours of work in a place mutually agreed upon by the employer or his works manager and the said union secretary or other authorized official.
- (18) **UNION BUSINESS.**—Members of The Australian Rope and Cordage Workers' Union may leave their work to attend to the business of the said union after at least one day's notice has been given to the employer, but without being paid while absent.
- (19) **ROPE SPLICERS.**—All splicers shall be paid expenses when working away from home.
- All time shall start from the time that rope splicers leave the factory.
- (20) **MIXED FUNCTIONS.**—When an employee works for any part of a day on work of a higher grade than that which he usually performs he shall be paid for the whole day at the higher rate provided in the Determination.

F. A. MARZORINI,
Secretary for Labour.

Melbourne. 15th May, 1939.

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No. 103]

THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE SEWER BUILDERS BOARD.

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

(b) On the 13th September, 1927, the powers of the Board were extended to enable it to fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed as labourers in connexion with the construction of main storm water drains, whether open or closed, with a capacity not less than that of a circular drain of a diameter of 2 feet 6 inches.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed as Labourers in connexion with the construction of sewers," has made the following Determination, namely:—

(1) That on the 16th May, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.		Juvenile Workers.	All other Employees.			
WAGES. Per Week of 44 Hours.		WAGES. Per Week of 44 Hours.	WAGES. Per Week of 44 Hours.			
				Day Shift and Afternoon Shift.	Night Shift.	
				s. d.	s. d.	s. d.
1st year	} .. 57 10	Persons under 19 years of age (other than apprentices or improvers) em- ployed—(a) car- rying tools, (b) as toolsmith's assist- ant 61 8	Man in charge of six or more employees ..	101 6	126 6	
2nd "			Man in charge of borers, testing ground ..	98 2	123 5	
3rd "			Powder monkey	105 6	132 3	
PROPORTION.			Concrete manhole builder	105 2	131 8	
			Man in charge of concrete mixer doing running repairs	95 0	119 8	
Apprentices.			Manhole builders' labourer	92 8	116 8	
			Gauger, mixer, or handler of concrete or placer of steel reinforcements for concrete	92 8	116 8	
One apprentice to every three or fraction of three workers receiving not less than the rate fixed in this Determination for "All others."			Leading trimmer, manhole sinker (any shape), timber cutter, preparer, or measurer and invert block setter	98 2	123 5	
			Renderers employed in pipes, tunnels, or covered drains	129 0	159 0	
			Renderers employed in open drains	115 3	146 2	
			Persons employed patching, i.e., cutting out porous concrete and filling up the hole, or, without cutting out, filling up holes in porous face with cement mortar, and striking and finishing the surface to approximately the same condition as the immediately adjoining concrete surface ..	94 8	119 8	

Apprentices or Improvers.	Juvenile Workers.	All other Employees.			
WAGES. Per Week of 44 Hours.	WAGES. Per Week of 44 Hours.	WAGES. Per Week of 44 Hours.			
			Day Shift and Afternoon Shift.	Night Shift.	
			s. d.	s. d.	
<i>Improvers.</i> One improver to every fifty or fraction of fifty workers receiving not less than the rate fixed in this Determination for "All Others."		Rigger in charge of vent erecting or dismantling Sinkers (other than manhole sinkers), Drivers, Hammer and drill hands, Jumpermen and trim- mers (other than leading trimmers), Persons drawing timber in drives, or working below 12 feet in shafts drawing timber, Vent erectors, Vent dismantlers, and Borers testing ground ..	107 0	133 6	
		Man in charge of machine pumping water from trenches and doing running repairs ..	92 8	116 8	
		Foreman's assistant ..	92 8	116 8	
		Machine borer or pneumatic pick user ..	101 6	127 0	
		Pitcher setter ..	94 6	118 6	
		Pipe layer or jointer ..	94 8	119 8	
		Pipe layer or jointer or any other person out- ting out live pipes or cutting into live mains, sub-mains, or live manholes, or mains or sub- mains in open connexion with live mains or sub-mains ..	123 6	154 3	
		Man in charge of compressed air machine, doing running repairs, and jack hammer repairer ..	105 2	131 8	
		Toolsmith ..	96 6	122 0	
		Slurry filler ..	87 9	111 0	
		Topman ..	82 8	104 8	
		Scoop filler ..	92 8	116 8	
		Ploughman ..	98 8	125 6	
		Ploughman's assistant ..	85 8	109 2	
		Windlass hand working alone on a tripod windlass	88 8	112 2	
		Other Windlass hands ..	85 8	109 2	
		All others ..	82 8	104 8	
		Employees working in airlocks, or compressed air up to 20 lb. per square inch, to be paid 5s. per day of 8 hours in addition to the ordinary rates. Hours to be 8 per shift, from bank to bank. Compression to be at the rate of 2 lb. per minute. Decompression to be at the rate of 1½ lb. per minute.			

Renderer is a person engaged in applying by hand a continuous coat of cement mortar to any surface, and in bringing the same to true and even surface and lines with a trowel or float.

Any employee working in wet ground, that is, ground where a man working therein under ordinary and usual conditions must in the performance of his work—

(i) be wetted from the feet to the knees; or

(ii) be wetted above the waist in the course of a shift through working clothes other than oilskins or other waterproof clothing shall be paid 1s. 4d. per day or portion of a day, in addition to the above rates.

Any topman working at a depth of 8 feet or more and any other employee working at a depth of 16 feet or more shall be paid 2d. per hour in addition to above rate.

(3) ALLOWANCES.—The following additional rates shall be paid to any person employed—

(a) On all work within the Metropolitan District, 10d. per day or portion of a day.

(b) On all work outside the Metropolitan District, 5d. per day or portion of a day.

(4) SHIFTS.—That—

(a) The hour of beginning and the hour of ending each shift shall be as follows :—

			Where one shift is worked.	
			Time of beginning.	Time of ending.
Monday to Friday	.. .. (Day Shift)		8 a.m.	5 p.m.
Saturday	.. .. (Day Shift)		8 a.m.	12 noon
Where two shifts are worked.				
Monday to Friday	.. .. (Day Shift)		7 a.m.	3 p.m.
	.. .. (Afternoon Shift)		3 p.m.	11 p.m.
Saturday	.. .. (Day Shift)		7 a.m.	11 a.m.
	.. .. (Afternoon Shift)		11 a.m.	3 p.m.
Where three shifts are worked.				
Monday to Friday	.. .. (Day Shift)		7 a.m.	3 p.m.
	.. .. (Afternoon Shift)		3 p.m.	11 p.m.
	.. .. (Night Shift)		11 p.m.	7 a.m.
Saturday	.. .. (Day Shift)		7 a.m.	11 a.m.
	.. .. (Afternoon Shift)		11 a.m.	3 p.m.
	.. .. (Night Shift)		3 p.m.	7 p.m.

* Including 20 minutes for crib-time without deduction from wages.

Any of the above times of beginning and ending may be varied on any job by mutual consent of the employer and the majority of the employees, but in no case shall the total length of any shift be increased.

(b) The higher rate to be paid for each hour or fraction of an hour worked by any employee before or after his shift shall be time and a half for the first two hours, and thereafter double time.

(5) **PAYMENT FOR HOLIDAYS.**—All employees shall be entitled to the following holidays without deduction of pay :—New Year's Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Christmas Day, Boxing Day, and Anzac Day (only when Anzac Day does not fall on a Sunday).

(6) **SPECIAL RATES.**—Double time shall be the rate for all work done on a Sunday, and ordinary rates for work done on New Year's Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Christmas Day, Boxing Day, and Anzac Day (only when Anzac Day does not fall on a Sunday), and the employee shall be permitted to take any other day suitable to himself in lieu of such holiday worked and shall be paid at ordinary rates for the day so taken.

(7) **MINIMUM PAYMENT.**—Any employee who starts work on any day shall be entitled to a minimum of two hours' pay.

(8) **EMPLOYEE PRESENTING HIMSELF FOR WORK.**—Any employee who presents himself for work and who is not permitted by the employer to work during any portion of the day for the following reasons namely :—wet weather, waiting until shafts are bailed out, shortage of materials, or any other reasons over which he has no control, shall be paid two hours pay for that day in addition to the allowance provided in clause (3).

(9) **EMPLOYEE ON JUMP UPS.**—Any employee working on jump ups shall be supplied with assistance,

(10) **CHANGE HOUSE.**—Where six or more men are employed the employer shall provide a sufficiently roomy enclosed and roofed structure to enable employees to change their clothing.

(11) **FIRST-AID OUTFIT.**—Where six or more men are employed a first-aid outfit shall be supplied.

(12) **SHEETING SHAFTS.**—All shafts sunk in sandy country below a depth of 8 feet shall be sheeted.

(13) **TOOLS.**—The employer shall supply all tools necessary, which the employee shall return in good condition (fair wear and tear excepted).

H. J. RICHARDSON, Chairman.

J. V. WILLOX, Acting Secretary.

Melbourne. 1st May, 1939.

[1655]



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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE CEMENT BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act* 1934 (No. 4275.)

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a determination made on the 11th January, 1939, by the Cement Board, and published in the *Government Gazette* on the 3rd February, 1939, hereby issue an adjusted determination showing the adjusted wages rates to be paid to any persons employed in the trade of—

- (1) Making Portland Cement;
(2) Quarrying or preparing the raw materials therefor.

(1) The adjusted rates herein shall be paid as from the beginning of the first pay period to commence in June, 1939.

(2)

Apprentices and Improvers.			Other Employees.		
	CEMENT WORKS.	QUARRIES.	CEMENT WORKS.	Wages per week of 44 hours.	
	Wages per week of 44 hours.	Wages per week of 44 hours.		Employed Continuously on Day Shift.	Employed Alternately on Two or Three Shifts.
Under 16 years of age ..	30s. 9d.	35s. 3d.	Cement Burners .. ..	..	104s. 9d.
" 17 " " ..	39s. 0d.	43s. 6d.	Testers on Slurry Controls ..	..	102s. 3d.
" 18 " " ..	46s. 0d.	51s. 0d.	Millers (new plant) ..	..	101s. 0d.
" 19 " " ..	54s. 9d.	60s. 0d.	Millers (old plant) ..	..	99s. 0d.
" 20 " " ..	62s. 6d.	67s. 3d.	Fuller Coal Millers (old plant)	..	101s. 0d.
" 21 " " ..	71s. 0d.	75s. 3d.	Coal Driers (old plant) ..	..	101s. 0d.
Proportion (in any factory or place).			Loaders in railway trucks at bagging sheds	95s. 0d.	..
Apprentices.			Machine Bag Fillers ..	95s. 0d.	..
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.			Stackers	90s. 0d.	..
Improvers.			Electrostatic Precipitator Attendant (new plant) ..	..	99s. 3d.
One improver to every five or fraction of five workers receiving not less than the minimum wage.			Electrostatic Precipitator Attendant (old plant) ..	..	94s. 9d.
			Rubber Band Attendants ..	90s. 0d.	92s. 9d.
			Slurry Tank Attendants (new plant) .. ..	..	98s. 9d.
			Mammoth Crusher Attendant (new plant)	95s. 0d.	97s. 9d.
			All others	87s. 0d.	89s. 9d.

QUARRIES.	Wages per week of 44 hours.		
	Batesford.		Elsewhere within the Area to which the Determination applies.
	Day Shift.	Afternoon or Night Shift.	
Powder Monkeys	106s. 0d.	111s. 0d.	99s. 0d.
Jack Hammermen	106s. 0d.	111s. 0d.	99s. 0d.
Platelayers	103s. 0d.	108s. 0d.	96s. 0d.
Bankmen	101s. 0d.	105s. 9d.	94s. 0d.
Underground Drainers	130s. 6d.	131s. 3d.	..
Underground Quarrymen	109s. 0d.	109s. 9d.	..
Pump Attendants	106s. 0d.	106s. 9d.	..
Signal Attendants	99s. 6d.	100s. 3d.	..
All others	94s. 0d.	98s. 6d.	87s. 0d.

(3) **EXTRA RATES.**—(a) Any person in Cement Works who is employed to re-line kilns or mills or who is required to work in Cement, Clinker, or Slurry Silos, shall be paid 8d. per hour in addition to the ordinary rate.

(b) Any person employed as an Underground Quarryman shall, when it becomes necessary for him to work in wet conditions, be paid 1s. per day extra.

(c) Any person employed on refractory work on new kilns shall be paid 6s. per week above the minimum wage.

(4) **SHIFTS.**—(a) The hour of beginning and the hour of ending each shift shall be as follows :—

	Time of beginning not earlier than :—	Time of ending not later than :—
Day Shift	7.30 a.m.	5 p.m.
Afternoon Shift	4 p.m.	2 a.m.
Night Shift	12 midnight	8 a.m.

Provided that the hours of work on Saturday in Cement Works for persons employed continuously on day shift shall be as follows 7.30 a.m. 12 noon.

(b) The higher rate to be paid for each hour or fraction of an hour worked by an employee, other than an Underground Drainer, before or after his shift, shall be time and a half.

(5) **COAL HANDLING.**—Persons employed handling coal at siding shall, for the first twenty-four hours of any week, be paid at the rate of 2s. 1½d. per hour, and for each hour thereafter at the rate of 1s. 9½d. per hour.

For the purpose of this clause the week shall consist of seven days commencing on the particular day on which an employee starts work.

(6) **SPECIAL RATES.**—Time and a half shall be the rate payable for all work done by persons (other than Underground Drainers), on Sundays, and by all persons on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day and 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 be payable only for work done on the day so substituted.

(7) **ANZAC DAY.**—Where the incidence of Anzac Day is such as to prevent an employee from working his ordinary normal hours of work, then he shall be paid for the time so lost.

(8) **SICK LEAVE.**—Where an employee is disabled by personal ill-health, proof of which sickness is given to the employer by medical certificate or other satisfactory evidence within 24 hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay to absent himself from work one day in each two months, or for a proportionate aggregate in a longer period, but not exceeding six days in any year of employment.

(9) **RIGHT OF ENTRY OF UNION OFFICIALS.**—A duly accredited representative of the Australian Worker's Union not more than once a fortnight shall have the right to enter during the midday meal hour, the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed for the purpose of interviewing employees on legitimate union business.

If any representative is unduly interfering or is creating disaffection amongst the employees or is offensive in his methods, the employer may refuse the right of entry.

F. A. MARZORINI,
Secretary for Labour.

Melbourne. 16th May, 1939.