VICTORIA

# GOVERNMENT GAZETTE.

Published by Authority.

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

**No. 276]** **TUESDAY, JULY 23.** **[1940**

NATIONAL SECURITY (EMERGENCY POWERS) ACT 1939.

*At the Executive Council Chamber, Melbourne, the twenty-third day of July,* 1940.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Lind Mr. Bailey.
Mr. Tuckett

## REGULATIONS RELATING TO THE PROTECTION OF WATERWORKS AND SEWERAGE WORKS.

IN pursuance of the powers conferred by the *National Security (Emergency Powers) Act* 1939, His Excellency the Governor of the State of Victoria by and with the advice of the Executive Council thereof doth make the following Regulations, that is to say:—

1. These Regulations may be cited as the National Security (Waterworks and Sewerage Works) Regulations. Citation.

2. In these Regulations, unless inconsistent with the context or subject-matter, "Authority" means any Authority within the meaning of the Water Acts, any Sewerage Authority within the meaning of the Sewerage Districts Acts, the Melbourne and Metropolitan Board of Works, the Geelong Waterworks and Sewerage Trust, any trust within the meaning of the Mildura Irrigation and Water Trusts Acts, and any municipality controlling waterworks under the Local Government Acts. Interpretation. "Authority."

3. (1) No person shall, except with the permission in writing signed by the secretary or other authorized officer of any Authority, enter upon or be on or in— Waterworks, sewerage works, &c., to be prohibited areas.

(*a*) any waterworks or sewerage works of such Authority or any lands vested in or controlled or used by such Authority in connexion with waterworks or sewerage works; or

(*b*) the water of any reservoir, service basin, tank, dam or channel vested in or controlled by such Authority in connexion with waterworks or sewerage works.

(2) Nothing in the foregoing provisions of this clause of these Regulations shall prevent the *bonâ fide* use of— Saving.

(*a*) any public road;

(*b*) any land or any estate interest or right in or with respect to land by any person entitled thereto; or

(*c*) any boat-landing established at the commencement of these Regulations.

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.

NATIONAL SECURITY (EMERGENCY POWERS) ACT 1939.

*At the Executive Council Chamber, Melbourne, the twenty-third day of July, 1940.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Lind | Mr. Bailey.
Mr. Tuckett |

REGULATIONS AS TO THE EVACUATION OF CHILDREN.

IN pursuance of the powers conferred by the *National Security (Emergency Powers) Act* 1939 His Excellency the Governor of the State of Victoria by and with the advice of the Executive Council thereof doth make the following Regulations, that is to say:—

Citation.

1. These Regulations may be cited as the National Security (Evacuation of Children) Regulations.

Powers of Minister as to evacuation of children.

2. The Minister of Public Instruction may—

(*a*) collect such information as is required for the purpose of preparing plans for the transfer of children from one area to another in the event of the possibility of hostile attack and for the accommodation maintenance and care of children so transferred;

(*b*) take in advance measures designed to facilitate any such transfer or to secure the accommodation maintenance or care of children so transferred; and

(*c*) carry out any such transfer and secure the accommodation maintenance and care of children so transferred.

Powers of Minister as to accommodation &c., of children.

3. Without affecting the generality of the last preceding clause of these Regulations the said Minister may, with respect to the provision of accommodation for children transferred under these Regulations, by order—

(*a*) require occupiers of premises to furnish therein such accommodation as may be specified in the requirement;

(*b*) determine the circumstances in which and the extent to which responsibility shall be assumed by occupiers of premises for the maintenance and care of any children accommodated therein under these Regulations;

(*c*) require occupiers of premises in which children are accommodated under these Regulations to observe all directions of the Minister as to the accommodation maintenance care and treatment of such children; and

(*d*) make such other provision as is necessary for the effective administration of these Regulations.

Payments for maintenance, &c. of children transferred.

4. (1) The Minister of Public Instruction shall make payments at such rates as the said Minister by order determines to the occupiers of premises in which any children are accommodated pursuant to these Regulations for the accommodation and maintenance of such children.

(2) The parent guardian or other person normally responsible for the maintenance of any child transferred under these Regulations shall at such times in such manner and subject to such exemptions (partial or total) as the Minister of Public Instruction by order determines make payments to the said Minister equivalent to those made by the said Minister for the accommodation and maintenance of such child, and if any default is made in any such payment the amount in default may be recovered as a debt due to the Crown.

Payment of expenses.

5. The Treasurer of Victoria shall provide all sums required in the administration of these Regulations and not otherwise provided pursuant to these Regulations.

Approval of Treasurer necessary for action involving provision of money.

6. Except with the approval of the Treasurer of Victoria no action shall be taken by the Minister of Public Instruction under these Regulations which involves the provision of money by the said Treasurer.

Offences.

7. Any person who disobeys or fails to comply with any order of the Minister of Public Instruction under these Regulations shall be guilty of a contravention of these Regulations.

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.

No. 14.

## NATIONAL SECURITY (EMERGENCY POWERS) ACT 1939.

*At the Executive Council Chamber, Melbourne, the twenty-third day of July, 1940.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Lind | Mr. Bailey.
Mr. Tuckett

## REGULATIONS RELATING TO LIGHTING RESTRICTIONS.

IN pursuance of the powers conferred by the *National Security (Emergency Powers) Act* 1939 His Excellency the Governor of the State of Victoria by and with the advice of the Executive Council thereof doth make the following Regulations, that is to say:—

Citation.

1. (1) These Regulations may be cited as the National Security (Lighting Restriction) Regulations.

Division into Parts.

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

PART I.—Public Lighting.

PART II.—Private Lighting.

PART III.—Lights on Vehicles.

PART IV.—General.

Interpretation.

2. (1) In these Regulations unless inconsistent with the context or subject matter—

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

"Commission" means the State Electricity Commission of Victoria.

"Council" means municipality or council of a municipality.

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

"Electrical undertaker" means the Commission and any council company or person which or who by Order in Council under the *Electric Light and Power Act* 1928 or any corresponding previous enactment is authorized to supply electricity within any area.

"Gas undertaker" means undertaker within the meaning of the *Gas Regulation Act* 1933.

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

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

"Public place" includes—

(*a*) any public highway road street footway footpath court alley passage or thoroughfare notwithstanding that the same is formed on private property;

(*b*) any park garden foreshore reserve or place of public resort not being an enclosed building; and

(*c*) any pier jetty or wharf.

"Undertaker" means electrical undertaker or gas undertaker.

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

(2) If any doubt arises as to whether any place or any class of place is or is not a public place or is or is not an enclosed building for the purposes of these Regulations the Governor in Council may by Order published in the *Government Gazette* determine whether such place or class of place is or is not a public place or is or is not an enclosed building for the purposes of these Regulations and such determination shall be final and binding.

PART I.—PUBLIC LIGHTING.

Commencement and operation of this Part.

3. This Part of these Regulations—

(a) shall come into force on a day to be fixed by Order of the Governor in Council published in the *Government Gazette*; and

(b) shall apply to and have operation throughout such parts of Victoria as are specified by Order of the Governor in Council published in the *Government Gazette*.

Installation of apparatus, &c., designed to modify lighting, &c.

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

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

(a) the quantity quality distribution and direction of the light emitted from all or any lamps or other devices used by the undertaker council or public statutory corporation for public lighting purposes;

(b) the method of or apparatus used for the switching on or off of all or any lamps or other devices used by the undertaker council or public statutory corporation for public lighting purposes and the location of the switching points for all or any such lamps or other devices;

(c) any directions of the State Emergency Council for Civil Defence as to the nature of the precautions to be taken in any area to modify public lighting (and the said Council is hereby empowered to give such directions).

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

(a) supply electricity or gas to; or

(b) place or allow to remain in any public place; or

(c) light or cause to be lighted—

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

Power to Commission to require information.

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

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

Black-outs.

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

(a) verbally or in writing by—

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

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

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

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

## Part II.—Private Lighting.

Application of this Part.

7. The provisions of this Part of these Regulations shall not apply with respect to—

(a) public lighting; or

(b) lights on vehicles, except when such vehicles are inside an enclosed building.

Direction that lights not to be shown.

8. (1) The Governor in Council may by Order published in the *Government Gazette* and in a daily newspaper circulating generally in Victoria—

(a) direct that no person shall cause or allow any light to be emitted from or by any fire lamp sign or other device which is not inside any enclosed building;

(b) direct that no person shall cause or allow any artificial light to be emitted from any enclosed building.

(2) Any such Order may be made so as to apply and have operation—

(a) with respect to all light making agents or any light making agents specified in such Order;

(b) with respect to the purposes specified in such Order or with respect to purposes other than those specified in such Order;

(c) under the conditions specified in such Order or except under the conditions specified in such Order;

(d) throughout the whole of Victoria or throughout any part of Victoria specified in such Order;

(e) for such hours days or periods as are specified in such Order.

Exemptions.

9. (1) The Chief Commissioner of Police may grant in writing exemptions to any person from the operation of any such Order.

(2) Any such exemption—

(a) shall be subject to such conditions as the Chief Commissioner deems necessary;

(b) may be withdrawn either in writing or orally by the Chief Commissioner of Police or any officer of the Police Force of or above the rank of sub-inspector or by any member of the Police Force authorized in writing in that behalf by the Chief Commissioner of Police;

(c) may be varied in writing by the Chief Commissioner of Police.

Offences.

10. (1) Any person who, except in accordance with the conditions of any exemption granted under this Part of these Regulations and in force, does not comply with any Order made under this Part of these Regulations shall be guilty of a contravention of these Regulations.

(2) Without prejudice to the liability of any person under the last preceding sub-clause the occupier of any premises or place from in or on which any light is emitted contrary to any Order under this Part of these Regulations and not in accordance with the conditions of any exemption granted pursuant to this Part of these Regulations and in force shall be guilty of a contravention of these Regulations.

Power to discontinue supply of electricity or gas.

11. (1) Any undertaker shall at the request of the Chief Commissioner of Police discontinue until such time as the said Chief Commissioner otherwise directs the supply of electricity or gas to any consumer who, except in accordance with the conditions of any exemption granted pursuant to this Part of these Regulations and in force, fails to comply with any Order made under this Part of these Regulations.

Inspection, &c.

(2) Any member of the Police Force may—

(a) at all reasonable times enter any premises for the purpose of inspecting any fire lamp sign or other device which is or may be thereon or therein or the precautions (if any) taken thereon or therein to prevent the emission of light contrary to any Order under this Part of these Regulations;

(b) at any time enter (if necessary by force) any premises from on or in which any light is emitted contrary to any Order under this Part of these Regulations;

(c) extinguish or obscure any fire lamp sign or other device from which light is being emitted in contravention of any Order under this Part of these Regulations and not in accordance with the conditions of any exemption granted pursuant to this Part of these Regulations and in force;

(d) extinguish or obscure any light which is emitted from any building in contravention of any Order under this Part of these Regulations and not in accordance with the conditions of any exemption granted pursuant to this Part of these Regulations and in force.

(3) Any person who refuses entry to or obstructs or hinders any member of the Police Force acting in the administration of this clause of these Regulations shall be guilty of a contravention of these Regulations.

## PART III.—LIGHTS ON VEHICLES.

Commencement and operation of this Part.

12. (1) This Part of these Regulations—

(a) shall come into force on a day to be fixed by Order of the Governor in Council published in the *Government Gazette*; and

(b) shall apply to and have operation throughout such parts of Victoria as are specified by Order of the Governor in Council published in the *Government Gazette*.

(2) This Part of these Regulations shall not apply to any vehicle within an enclosed building.

Screening of lights on vehicles.

13. (1) The lights of every vehicle shall be screened by a contrivance approved for the purpose of this clause of these Regulations by the Chief Commissioner of Police.

(2) The owner and driver of any vehicle the lights of which are not screened in accordance with this clause of these Regulations shall severally be guilty of a contravention of these Regulations.

Lights inside vehicles.

14. (1) Any person who after sunset and before sunrise uses any light which is visible from outside a vehicle to illuminate any part of the interior of such vehicle and the owner and driver of any vehicle in which any such light is so used shall severally be guilty of a contravention of these Regulations.

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

Warning signals.

15. The Chief Commissioner of Police may, in connexion with any hostile attack or raid whether actual or anticipated, cause to be sounded the following signals on sirens or other approved devices:—

First signal—A series of alternate long and short blasts;

Second signal—A series of short blasts of five seconds duration with two seconds interval;

Third signal—A continuous blast of two minutes duration—

and such signals are hereinafter in these Regulations referred to respectively as the "first signal" the "second signal" and the "third signal" irrespective of the order in which they are sounded.

Dimming and extinguishing of lights on vehicles.

16. (1) On the sounding of the first signal all lights on every vehicle shall immediately be dimmed.

(2) If at any time between the sounding of the first signal and the subsequent sounding of the second signal or third signal (whichever first occurs) any lights on any vehicle are of a power exceeding seven watts or the equivalent thereof the owner and driver of such vehicle shall severally be guilty of a contravention of these Regulations.

(3) On the sounding of the second signal—

(a) every vehicle in a public place shall immediately be brought to a halt as near as practicable to the kerb or roadside; and

(b) all lights on every vehicle shall immediately be extinguished.

(4) If at any time between the sounding of the second signal and the subsequent sounding of the third signal—

(a) any vehicle is driven in any public place;

(b) any vehicle is in any public place otherwise than as near as practicable to the kerb or roadside; or

(c) any lights on any vehicle are not extinguished—

the owner and driver of such vehicle shall severally be guilty of a contravention of these Regulations.

17. The provisions of the last preceding clause of these Regulations shall not apply to the following vehicles if fitted with a contrivance approved for the purpose of this clause of these Regulations by the Chief Commissioner of Police for the dimming of the lights on such vehicles, viz.:— Saving as to essential service vehicles.

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

18. Any person who without the approval of the Chief Commissioner of Police— Offence to imitate signals, &c.

(*a*) produces or causes to be produced from any siren or other device; or

(*b*) makes or causes to be made—

any sound in any way resembling any of the signals which may be sounded pursuant to this Part of these Regulations shall be guilty of a contravention of these Regulations.

## Part IV.—General.

19. Notwithstanding anything in these Regulations The Victorian Railways Commissioners may at any time use and continue to use such lighting as in their opinion is necessary for the safe working of any railway traffic. Exception as to railways.

20. No undertaker council or public statutory corporation shall incur any civil or criminal liability or be deemed to have broken or failed to carry out any contract or agreement by reason only of anything done pursuant to these Regulations or to any Order request direction or instruction made or given under these Regulations. Saving as to contracts, &c.

21. The State Emergency Council for Civil Defence— Recommendations and inquiries by State Emergency Council.

(*a*) may make such recommendations as it thinks fit as to the times places and extent in or to which any of these Regulations or any Order thereunder should be given operation; and

(*b*) may make such inquiries and require from any person such information as it considers necessary or expedient for the purpose of carrying these Regulations into effect.

---

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.

By Authority: T. Rider, Government Printer, Melbourne.