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NATIONAL SECURITY (SUPPLEMENTARY) REGULATIONS.

STATE OF VICTORIA.

RACE MEETINGS RESTRICTION ORDER.

ORDER No. 3.

WHEREAS by Regulation 26 (1) of the Commonwealth National Security (Supplementary) Regulations it is provided that notwithstanding anything contained in the law of the State, the Premier of any State may, by Order published in the *Government Gazette* of the State, prohibit or restrict or control or regulate (*inter alia*) the holding of any race meeting for horses:

Now therefore I, Albert Arthur Dunstan, Premier of the State of Victoria, do hereby make the following Order:—

1. This Order may be cited as the "Race Meetings Restriction Order" and shall come into operation upon publication in the Victorian *Government Gazette*. Citation.

2. Race meetings for horses shall not be held in any part of Victoria on any day other than a Saturday or a day which is declared or appointed by or under the Public Service Acts of the State of Victoria a public holiday in the whole or that part of Victoria. Race meetings on Saturdays or public holidays only.

A. A. DUNSTAN,
Premier of the State of Victoria.

31st December, 1941.

No. 58.

No. 10.—15768/41.

COMMONWEALTH NATIONAL SECURITY (GENERAL)
REGULATIONS.

STATE OF VICTORIA.

PUBLIC AUTHORITIES AND CORPORATIONS POWERS ORDER.

ORDER No 4.

WHEREAS by Regulation 35A of the Commonwealth National Security (General) Regulations it is provided *inter alia* that the Premier of any State, after consultation with the Minister of State for Home Security or an officer of the Department of Home Security authorized by that Minister to act on his behalf and with the Commandant of a Military District or an officer authorized by the Minister of State for Defence Co-ordination or the Minister of State for the Army to act on behalf of such Commandant, may by Order make such provision as he deems necessary to protect the persons and property of the civil population in that State or any part thereof in case of emergency:

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

- Citation.** 1. This Order may be cited as the Public Authorities and Corporations Powers Order.
- Definitions.** 2. In this Order unless inconsistent with the context or subject-matter—
- “Corporation” includes any company registered under the *Companies Act 1938* or any corresponding previous enactment.
- “Public authority” includes—
- (a) any municipality (including the city of Melbourne and the city of Geelong) and the council thereof;
 - (b) any waterworks trust or local governing body within the meaning of the Water Acts;
 - (c) any trust within the meaning of the Mildura Irrigation and Water Trusts Acts;
 - (d) any sewerage authority within the meaning of the Sewerage Districts Acts;
 - (e) the State Electricity Commission of Victoria;
 - (f) any undertaker within the meaning of the Electric Light and Power Acts;
 - (g) any undertaker within the meaning of the *Gas Regulation Act 1933*;
 - (h) the Victorian Railways Commissioners;
 - (i) the Board of Land and Works;
 - (j) the Melbourne and Metropolitan Tramways Board;
 - (k) any tramway trust;
 - (l) any ambulance society or association;
 - (m) any hospital.
3. Notwithstanding anything in any Act or any law or in any memorandum articles agreement or document every public authority corporation and association is hereby empowered—
- (a) to undertake perform and carry into effect any act or thing authorized or required to be done by or under or pursuant to any Order made by the Premier of the State of Victoria under the hereinbefore recited Regulation 35A of the Commonwealth National Security (General) Regulations;
 - (b) to apply any of its funds or revenues and obtain advances by overdraft of current account for the purpose of undertaking performing or carrying into effect any act or thing so authorized or required to be done.

Public authorities corporations and associations &c. empowered to carry Orders under S.R. 1941 No. 287 into effect and to apply funds and borrow on overdraft therefor.

4. Except as otherwise expressly provided in any Order made by the Premier of the State of Victoria under the hereinbefore recited Regulation 35A of the Commonwealth National Security (General) Regulations, no public authority and no body representing the Crown shall be liable in respect of any loss or injury sustained by any person in connection with or arising out of any act or thing done by under or pursuant to any Order made by the said Premier under the said Regulation 35A:

Public authorities &c. not to be liable in respect of injuries to persons in connection with acts or things done under Orders under S.R. 1941 No. 287.

Provided that nothing in this clause shall be deemed to limit or affect any right of any person in respect of personal injury by accident arising out of and in the course of the employment of that person.

5. (1) The council of any municipality (including the city of Melbourne and the city of Geelong) may in or upon any vacant land or any street or road construct provide and maintain air raid shelters and trenches, air raid wardens' posts, first aid posts, and any other works or equipment in connection with protection against air raids.

Power to municipal councils to construct provide and maintain air raid shelters &c. on any vacant land or any road.

(2) For the purposes of the last preceding sub-clause any such council may—

- (a) enter upon and take possession of such land;
- (b) open and break up any such street or road; or
- (c) close any portion of any street or road against unauthorized use by members of the public.

(3) Except with the consent of the Premier of the State of Victoria, no council shall enter upon or take possession of or construct or provide such works or equipment in or on any Crown land or land vested in or under the control or management of any public authority. For the purposes of this sub-clause "Crown land" does not include any Crown land of which the council of a municipality has the control or management either as a committee of management or as trustees.

(4) Where any works or equipment which a council is empowered to construct provide or maintain under this clause may interfere with any undertakings or works vested in or under the control or management of any public authority, the council shall notify in writing the public authority concerned before proceeding with the construction or provision of such works or equipment.

(5) When any works or equipment constructed or provided by the council of a municipality as aforesaid are no longer required for the purpose for which they were constructed or provided the council shall dismantle and remove such works and equipment and reinstate the land or street.

(6) No compensation shall be payable by the council of any municipality to the owner occupier or other person interested in any land in respect of or arising out of the exercise of any of the powers conferred by this clause.

6. This Order shall be read as in aid of and not in derogation from section four of the *Local Government Act 1940*.

Saving as to No. 4792 s. 4. Construction of air raid shelters &c. by municipalities.

A. A. DUNSTAN,
Premier of the State of Victoria.

Dated this 3rd day of January, 1942.

No. 59.

