



VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

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

No. 107]

FRIDAY, MARCH 20.

[1942

COMMONWEALTH NATIONAL SECURITY (GENERAL)
REGULATIONS.

STATE OF VICTORIA.

ROAD CLOSING ORDER.

ORDER No. 23.

WHEREAS by Regulation 35A of the Commonwealth National Security (General) Regulations it is provided *inter alia* that the Premier of any State may 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 and that all persons within such State or area (as the case may be) to which such Order applies shall comply with the requirements of that Order:

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

1. This Order may be cited as the "Road Closing Order (Victoria)". Citation.
2. (1) In this Order, unless inconsistent with the context or Interpretation. subject-matter—
 - "Chief Commissioner" means Chief Commissioner of Police for the State of Victoria.
 - "Public highway" includes any public highway, road, street, lane, footway or public place or any portion thereof within the said State.
- (2) This Order shall be subject to any Order made under Regulation 61 of the National Security (General) Regulations.

Closing
of roads, &c.

3. (1) The Chief Commissioner or any member of the Police Force of the said State by him authorized in that behalf may whenever such person deems it necessary to protect the persons and property of the civil population in the said State or any part thereof in case of emergency—

- (a) close and keep closed for such length of time as such person considers necessary any public highway against vehicular or pedestrian traffic;
- (b) re-open any such public highway for vehicular or pedestrian traffic;
- (c) direct any person using or intending to use any public highway to use only specified portions of such public highway;
- (d) advise or cause to be advised the public by whatever means he considers effective in the circumstances of the closing or re-opening of any public highway.

(2) Any member of the Police Force may authorize any person to enter upon and use while remaining thereon any public highway which is closed.

Offences.

4. No person shall without the authority of a member of the Police Force of the said State—

- (a) enter upon or use any public highway while such public highway is closed pursuant to this Order;
- (b) contravene any direction given under clause 3 (c) hereof.

Certificate
prima facie
evidence.

5. A certificate signed by the Chief Commissioner of Police certifying that any public highway was closed between the times stated therein shall be prima facie evidence of the fact that such public highway was duly closed under the provisions of this Order between the times stated.

6. This Order shall not apply so as to debar—

- (a) any member of the armed forces of His Majesty or of any Power which is allied or associated with His Majesty in any war in which His Majesty is engaged from using any public highway when he is required to do so in the course of his duties; or
- (b) any person from using any public highway for the purposes of providing road transport services for the Department of the Army, the Department of Supply and Development or the Department of Munitions.

Re-opening
of public
highways
by District
Commandants.

7. (1) Notwithstanding anything contained in this Order the Commandant of the Military District or the Base Commandant of the Command concerned or any person authorized by either of such Commandants may reopen for such vehicular and pedestrian traffic and for such period or periods and subject to such conditions as he thinks fit any public highway which has been closed under the powers conferred by this Order.

(2) During such period or periods any person who uses such public highway for such vehicular or pedestrian traffic and subject to such conditions shall be deemed to have been authorized by a member of the police force to do so.

Compliance
with
directions, &c.

8. (1) Every person to whom any direction or requirement is addressed or directed by under or pursuant to this Order shall comply with such direction or requirement.

(2) No person shall obstruct or hinder any person in the execution of any act authorized or required to be done by under or pursuant to this Order.

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

Dated this 19th day of March, 1942.

COMMONWEALTH NATIONAL SECURITY (GENERAL)
REGULATIONS.

STATE OF VICTORIA.

RURAL FIRES PREVENTION ORDER.

ORDER No. 24.

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:—

1. This Order may be cited as the Rural Fires Prevention Order (Victoria) No. 2. citation.

2. The Rural Fires Prevention Order is amended as follows:— Amendments.
 - (a) by omitting from clause 1 the words "Rural Fires Prevention Order" and inserting in their stead the words "Rural Fires Prevention Order (Victoria)";
 - (b) by inserting in sub-clause (d) of clause 2 before the words "Municipal Council", where first appearing, the words "Melbourne and Metropolitan Board of Works" means the Melbourne and Metropolitan Board of Works within the meaning of the Melbourne and Metropolitan Board of Works Acts of the said State";
 - (c) by inserting after clause 2 thereof the following clause:—

"2A. This Order shall be subject to and to the exercise of powers under Regulations 4, 5 and 6 of the Commonwealth National Security (General) Regulations." Order subject to certain Regulations, &c.
 - (d) by inserting in sub-clause (4) of clause 6 after the word "direction.", where last appearing, the words "Such public authority may recover from such owner in a court of petty sessions the cost incurred by it in carrying out such works."
 - (e) by inserting in sub-clause (a) of clause 9 after the words "national park" the words "or on any land vested in or under the control of the Melbourne and Metropolitan Board of Works";
 - (f) by omitting sub-clause (b) of clause 9 and inserting in its stead the following sub-clause:—

"(b) no person or public authority shall remove or abate any fire hazard—

 - (i) in any State forest (including unoccupied Crown lands) without the permission of the Forests Commission.
 - (ii) on any land vested in or under the control of the Melbourne and Metropolitan Board of Works without the permission of such Board of Works"; and

Non-
application
of Order to
certain
buildings, &c.

(g) by inserting after clause 13 thereof the following clause:—

“13A. Nothing in this Order shall apply to any building property or land occupied by or under the control of the naval military or air forces of His Majesty or of any Power which is allied or associated with His Majesty in any war in which His Majesty is engaged.”

A. A. DUNSTAN,

Premier of the State of Victoria.

Dated this 19th day of March, 1942.

No. 89.