

Bundy

[1941]



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 178]

WEDNESDAY, MAY 20.

[1942

NATIONAL SECURITY (EMERGENCY POWERS) ACTS.

*At the Executive Council Chamber, Melbourne, the
nineteenth day of May, 1942.*

PRESENT:

His Excellency the Governor of Victoria.
Mr. Old | Mr. Rodda.
Mr. Mackrell

REGULATIONS RELATING TO THE SUPPLY OF FIREWOOD AND COKE.

IN pursuance of the powers conferred by the National Security (Emergency Powers) Acts, 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 (Firewood and Coke Supply) Regulations (No. 2).

2. The National Security (Firewood and Coke Supply) Regulations are hereby amended as follows:—

(a) In clause 3, for the words "within a radius of twenty miles from the post office at the corner of Elizabeth and Bourke streets in the City of Melbourne" there shall be substituted the words "within the area within the 'metropolis' within the meaning of section three of the *Melbourne and Metropolitan Board of Works Act 1928* as amended from time to time;

(b) Clauses 7 and 8 thereof are hereby revoked;

(c) For clause 9 thereof there shall be substituted the following clause:—

"9. When firewood or coke for more than one purchaser is carried on any vehicle the firewood or coke for each shall be definitely separated by boards or other suitable divisions and the driver of the vehicle shall on demand by an inspector indicate the firewood or coke for delivery to each purchaser."

(d) Clause 10 thereof is hereby revoked;

(e) (i) Paragraph (c) of clause 11 is hereby revoked;

(ii) In clause 11 for the expression "(d)" there shall be substituted the expression "(c)";

- (f) (i) In clause 12 thereof, for the expression
 “—(a) if in a sack or sacks, is removed therefrom;
 (b) if in bulk, is unloaded”
 there shall be substituted the words “is unloaded”;
 and
 (ii) Paragraph (d) of sub-clause (2) of clause 12 thereof is hereby revoked.

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. 111.

NATIONAL SECURITY (EMERGENCY POWERS) ACTS.

*At the Executive Council Chamber, Melbourne,
 the nineteenth day of May, 1942.*

PRESENT:

His Excellency the Governor of Victoria.
 Mr. Old | Mr. Rodda.
 Mr. Mackrell |

REGULATIONS RELATING TO THE RATIONING OF FUEL.

IN pursuance of the powers conferred by the National Security (Emergency Powers) Acts 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 (Fuel Rationing) Regulations.
- Interpretation. 2. In these Regulations unless inconsistent with the context or subject-matter—
- “ Dwelling-house ”. “ Dwelling-house ” includes any part of a house where that part is separately occupied as a dwelling.
- “ Fuel ”. “ Fuel ” means firewood, mallee roots, and black coal.
- “ Minister ”. “ Minister ” means Minister for Water Supply.
- “ Occupier ”. “ Occupier ” means—
- (a) where the owner of a dwelling-house habitually resides in that dwelling-house—the owner of that dwelling-house;
- (b) where the owner of a dwelling-house does not habitually reside in that dwelling-house—the person by whom rent in respect of that dwelling-house is payable.
- “ Supplier ”. “ Supplier ” means any person who holds himself out as having fuel for sale.
- Application of Regulations. 3. These Regulations shall apply to fuel sold or to be sold by retail within the area within the “ metropolis ” within the meaning of section 3 of the *Melbourne and Metropolitan Board of Works Act, 1928* as amended from time to time, and to such other areas as are from time to time notified by proclamation in the *Government Gazette*.
- Place of sale and retail sales. 4. For the purposes of these Regulations—
- (a) fuel shall be deemed to be sold within the area to which these Regulations apply if delivery pursuant to the sale takes place or is to take place in such area; and
- (b) fuel shall be deemed to be sold by retail if sold otherwise than for re-sale;
- (c) all fuel purchased for use in any one dwelling-house shall be deemed to be purchased by the occupier.

5. (1) Except as hereinafter provided no occupier shall buy and no supplier shall sell to such occupier more than one hundredweight of fuel in respect of any one week or more than three hundredweights of fuel at any one time.

No person to sell or buy more than one hundredweight of fuel per week for any dwelling-house.

(2) Where any occupier at the date of sale of fuel has in hand more than three hundredweights of fuel the supplier shall not deliver any of the fuel then sold until a date on which the occupier would have in hand less than three hundredweights of fuel if he had used the fuel in hand at the rate of one hundredweight per week.

(3) Notwithstanding anything in the preceding sub-clauses, subject to the direction of the Minister, the Forests Commission may after consideration of an application by the occupier of any dwelling-house in the form set forth in the First Schedule hereto and having regard *inter alia* to the nature of the dwelling-house the number of the occupants and the type of cooking stove available, allow to be sold and purchased more than one hundredweight of fuel in respect of any one week and more than three hundredweights of fuel at any one time.

6. No supplier shall refuse to sell fuel to any person tendering payment therefor except where—

Wood merchants not to refuse to sell fuel when they have stocks available.

- (a) such sale would be a contravention of these Regulations; or
- (b) he has no unsold fuel.

7. Where any supplier has not sufficient fuel to fulfil orders given he shall so far as possible fulfil orders given by occupiers of dwelling-houses in which there are only wood stoves available for cooking purposes, in priority to all other orders.

Priority to fuel for cooking.

8. (1) Every supplier shall keep at his business premises a record in the form of the Second Schedule hereto which shall be open for inspection at all reasonable times by an officer authorized thereto by the Forests Commission who may if he thinks fit retain such record or make extracts therefrom.

Records of sales of fuel to be kept by wood merchants.

(2) Such record shall be retained by the supplier for a period of twelve months after the making of the last entry therein.

(3) For the purpose of making such record every supplier shall require each intending purchaser to provide him with a statement in writing in the form of the Third Schedule hereto, and shall not sell any fuel to any person who has not provided such statement.

(4) An occupier who has provided a statement to a supplier shall when any alteration occurs in the facts therein set out provide a further statement setting out such alteration and shall not request a supplier to supply him with any fuel until he has provided such further statement.

(5) Every supplier shall furnish to the Minister within three days after the end of each half-monthly period ending on the fifteenth and last day of every month a statement of the amount of fuel which he has received and sold in the preceding half-monthly period.

(6) Any person making a false statement or record shall be guilty of an offence against these Regulations.

FIRST SCHEDULE.

APPLICATION FOR ADDITIONAL FUEL.

Name of occupier
 Address of dwelling-house
 Nature of dwelling-house
 Number of occupants
 Type of cooking stove available
 Reasons in support of application

Date Signature

To the Forests Commission,
 State Public Offices,
 Melbourne, C.2.

SECOND SCHEDULE.
RECORD OF SALES OF FUEL.

Name of Occupier of Dwelling-house.	Dwelling-house for which Fuel Purchased.	Quantity of Fuel held at Date of Sale.	Quantity of Fuel Supplied.	Date on which Supplied.	Type of Cooking Stove in Dwelling-house (<i>Gas Electric or Wood</i>).

THIRD SCHEDULE.

Name of occupier of dwelling-house for which fuel purchased.

Address of dwelling-house.

Quantity of fuel in hand.

Type of cooking stove in dwelling-house.

Dated

Signature of occupier

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. 112.