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COMMONWEALTH NATIONAL SECURITY (GENERAL)  
REGULATIONS.

STATE OF VICTORIA.

LIGHTING RESTRICTION ORDER.

ORDER No. 41.

WHEREAS it is provided by Regulation 35A of the Commonwealth National Security (General) Regulations 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, by Order—

- (a) direct any total or partial "black-out" and may prohibit or regulate the display of lights of any description within the State; and
- (b) 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 any 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. (1) This Order may be cited as the Lighting Restriction Order (Victoria) No. 5. Citation.

(2) This Order is divided into Parts as follows:— Division into Parts.  
Part I.—Lighting on Vehicles.  
Part II.—General Lighting Provisions.

2. The Lighting Restriction Order (Victoria), the Lighting Restriction Order (Victoria) No. 2, the Lighting Restriction Order (Victoria) No. 3, the Lighting Restriction Order (Victoria) No. 4, and clauses 6A and 6B of the Air Raid Warning System Order (Victoria) are hereby revoked. Without limiting the operation or effect of the *Acts Interpretation Act 1901-1937* or the *National Security Act 1939-1940* section eight of the first-mentioned Act shall apply to and in relation to such revocation as if this Order were an Act and the Orders revoked as aforesaid in whole or in part were former Acts repealed in whole or in part. Revocation of Orders.

PART I.—LIGHTING ON VEHICLES.

3. (1) In this Part of this Order, unless inconsistent with the context or subject-matter— Interpretation.

"Armed Forces" means 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.

“Approving authority” means the Chief Commissioner of Police.

“Authorized dual-purpose lamp” means a lamp with one or more globes or filaments, the power of which lamp may either exceed or not exceed seven watts at the option of the person in control of the motor vehicle, emitting a white light to the front of the vehicle, and complying with the following conditions:—

- (a) The front of the lamp shall be fitted with a mask which allows light to be emitted through more than one aperture;
- (b) One of those apertures shall be circular and one inch in diameter;
- (c) The brightness of the last mentioned aperture shall not be more than twenty candles per square foot when the higher degree of power is employed in the lamp, and the light emitted through such aperture, when the lower degree of power is employed in the lamp, shall be clearly visible at a distance of thirty yards but not visible at a distance of three hundred yards;
- (d) The lamp shall be such that, if the said aperture were totally obscured and the higher degree of power were always employed in the lamp, the lamp would comply with the definition of an authorized head-lamp; and
- (e) No light shall be emitted from the lamp except through the mask—

and includes any other lamp which in the opinion of the approving authority complies substantially with the foregoing requirements of this definition.

“Authorized front-lamp” means an authorized dual-purpose lamp, an authorized indicating-lamp, an authorized head-lamp, or an authorized parking-lamp.

“Authorized head-lamp” means a lamp with a filament of a power exceeding seven watts, emitting a white light to the front of the motor vehicle and complying with the following conditions:—

- (a) The front of the lamp shall be fitted with a mask which allows light to be emitted through one or more apertures;
- (b) Except in the case of an omnibus, no light shall reach the ground at any point nearer than 10 feet from the lamp or five times the height of the bottom of the lamp above ground level, whichever is the less;
- (c) No light shall be projected above the horizontal, when the vehicle is standing on a level surface;
- (d) The light emitted shall be diffused by the insertion in the mask of a screen of some diffusing material or by other similar means;
- (e) The intensity of illumination on a vertical surface at any point 10 feet from the lamp shall not exceed 2.5 foot candles;
- (f) No light shall be emitted from the lamp except through the mask; and
- (g) Any mechanical or electrical device for moving the head-lamps shall be rendered inoperative—

and includes any other lamp which, in the opinion of the approving authority, complies substantially with the foregoing requirements of this definition.

“Authorized indicating-lamp” means a lamp with a filament of a power exceeding seven watts, emitting a white light to the front of the motor vehicle and complying with the following conditions:—

- (a) The front of the lamp shall be fitted with a mask which allows light to be emitted through more than one aperture;
- (b) One of these apertures shall be circular and one inch in diameter;
- (c) The brightness of the last-mentioned aperture shall be not more than twenty candles per square foot;

- (d) The lamp shall be such that, if the said aperture were totally obscured, the lamp would be an authorized head-lamp; and
- (e) No light shall be emitted from the lamp except through the mask—
- and includes any other lamp which in the opinion of the approving authority complies substantially with the foregoing requirements of this definition.
- “Authorized lamp” means an authorized dual-purpose lamp, an authorized indicating-lamp, an authorized head-lamp, an authorized parking-lamp, an authorized stop-lamp, or an authorized tail-lamp.
- “Authorized parking-lamp” means a lamp with a globe of a power not exceeding seven watts which—
- (a) emits a white light to the front of the motor vehicle through a single aperture of one inch in diameter in such a way that the light emitted is clearly visible at a distance of thirty yards but is not visible at a distance of three hundred yards; and
- (b) does not emit any light in any direction from any other aperture.
- “Authorized stop-lamp” means a lamp with a globe of a power not exceeding seven watts which—
- (a) emits a red or amber light, displayed for the purpose of intimating the intention of the driver to stop or slow down the motor vehicle on which it is fitted;
- (b) emits that light to the rear of the motor vehicle through a single aperture of one inch in diameter in such a way that the light emitted is clearly visible at a distance of thirty yards but is not visible at a distance of three hundred yards; and
- (c) does not emit any light in any direction from any other aperture.
- “Authorized tail-lamp” means a lamp with a globe of a power not exceeding seven watts which—
- (a) emits a red light to the rear of the motor vehicle through a single aperture of one inch in diameter in such a way that the light emitted is clearly visible at a distance of thirty yards but is not visible at a distance of three hundred yards; and
- (b) does not emit any light in any direction from any other aperture:
- Provided that a lamp shall not be deemed to be other than an authorized tail-lamp by reason only that it is combined with an authorized stop-lamp.
- “Bicycle” includes a tricycle drawn or propelled or capable of being propelled by human power and any mechanically propelled bicycle the cylinder capacity of the engine of which does not exceed 200 c.c. unless it is fitted with an authorized head-lamp, an authorized dual-purpose lamp or an authorized indicating-lamp.
- “Constable” includes any member of the Police Force of the Commonwealth or of a State or Territory of the Commonwealth, and any Peace Officer appointed in pursuance of the *Peace Officers Act 1925*.
- “Motor cycle” means any motor vehicle having only two wheels, and includes such a vehicle with a trailer or side-car attached.
- “Motor vehicle” means any vehicle propelled or capable of being propelled or drawn along a road or on rails by electricity, steam, gas, oil, or internal combustion or by any means other than human or animal power, and includes any trailer, fore-car, side-car or other vehicle or device attached thereto or drawn thereby, but does not include any train, tram, trolley bus or bicycle.
- “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 place” includes—

- (a) any public highway, road, street, footway, footpath, court, alley, passage, motor drive or thoroughfare, notwithstanding that it is formed on private property;
- (b) any park, garden, foreshore, reserve, place of public resort or open space; and
- (c) any pier, jetty or wharf—

but does not include any place in an enclosed building.

(2) In this Part of this Order—

- (a) any reference to lamps of a particular wattage shall be deemed to include references to lamps which are not electric but emit the same amount of light as an electric lamp of that wattage; and
- (b) any reference to legibility, visibility or conspicuousness shall be construed as a reference to legibility, visibility or conspicuousness in the dark, in the absence of moonlight, fog, mist or rain, and with all lights in the vicinity extinguished.

“Vehicular brown-out area” means the following parts of the State of Victoria—

- (a) The area lying within one hundred miles of the ocean coast-line of the State of Victoria from the border of the States of South Australia and Victoria to Point Lonsdale and from Point Nepean to the border of the States of Victoria and New South Wales;
- (b) such of the following cities and towns as may be outside that area, namely:—Bendigo, Benalla, Eaglehawk, Horsham, Shepparton, Wangaratta, and Wodonga;
- (c) the area lying within five miles of the railway between Benalla and Wodonga.

Relaxation of lighting restrictions on motor vehicles in vehicular brown-out area until notification by Premier.

4. (1) This clause shall continue in operation until such time as the Premier by notice published in the *Victoria Government Gazette* declares that the clause is no longer in operation.

(2) This clause shall apply with respect to motor vehicles which between sunset and sunrise are within any part of the vehicular brown-out area which is not within ten miles of the ocean coast-line of the State of Victoria.

For the purposes of this sub-clause no place within three miles of the Geelong post office shall be regarded as being within ten miles of the ocean coast-line of the State of Victoria.

(3) The driver or person in charge of a motor vehicle shall not be deemed to have contravened or failed to comply with the provisions of this Part of this Order by reason only that the masks on the headlamps of the motor vehicle have been removed if—

- (a) the masks so removed or other masks conforming to a sample which has been approved by an approving authority are carried on the motor vehicle and kept in a serviceable condition; and
- (b) in the event of the First signal within the meaning of the Air Raid Warning System Order (Victoria) being sounded the unmasked head-lamps are immediately masked or covered so that either no light is displayed from any such head-lamp or the intensity of illumination from any such head-lamp on a vertical surface at any point 10 feet from the lamp does not exceed 2.5 foot candles and such head-lamps are kept so masked or covered during the period between the sounding of the First signal and the sounding of the Second signal within the meaning of that Order.

(4) In this clause “head-lamp” means an authorized head-lamp, an authorized dual-purpose lamp, or an authorized indicating-lamp and an “unmasked head-lamp” means such a lamp from which the mask has been removed.

(5) Nothing in this clause shall be deemed to limit or affect the operation of clauses 11 or 12 of this Order.

5. A person shall not, in any public place in the vehicular brown-out area between sunset and sunrise, drive or be in charge of any motor vehicle which is equipped with any lamp fitted on the exterior of such vehicle, other than an authorized lamp, unless the globe or other source of illumination has been removed from that lamp.

Exterior lamps on motor vehicles to be authorized lamps.

6. A person shall not at any time in any public place drive or be in charge of any motor vehicle, which is equipped with a lamp having on it a mask which does not conform to a sample which has been approved by an approving authority.

Masks on lamps to be approved.

7. (1) A person shall not, between sunset and sunrise, drive any motor vehicle (not being a motor cycle) in the vehicular brown-out area unless that motor vehicle carries and displays—

Lights to be displayed on motor vehicles between sunset and sunrise.

(a) two authorized dual-purpose lamps; or

(b) (i) two authorized head-lamps; and

(ii) two authorized parking-lamps: provided that this subparagraph (ii) shall not apply to any motor vehicle carrying and displaying authorized head-lamps fitted with masks approved by the approving authority and manufactured at the date of this Order; or

(c) two authorized indicating-lamps; and

(d) either one or two authorized tail-lamps:

Provided that, if the vehicle is required by or under the Police Offences Acts, the Motor Car Acts or any other Act of the State of Victoria to display any light by reason of the fact that the vehicle is carrying an overhanging or projecting load, it may display one or more additional authorized tail-lamps to indicate the rear extremity of the projecting load.

(2) A person shall not, between sunset and sunrise, drive in the vehicular brown-out area any motor cycle, unless that motor cycle carries and displays—

(a) one authorized dual-purpose lamp; or

(b) one authorized head-lamp fitted with a mask approved by the approving authority and manufactured at the date of this Order; or

(c) one authorized indicating-lamp; and

(d) one authorized tail-lamp.

8. A person shall not drive or be in charge of any motor vehicle on which more than two authorized tail-lamps and two authorized stop-lamps are alight at any one time.

Number of authorized tail- and stop-lamps.

9. (1) A person who is in charge of a motor vehicle—

(a) except while the motor vehicle is in motion; or

(b) except while the motor vehicle is stationary owing to the exigencies of the traffic or in order to comply with any traffic signal or direction, or for the purpose of picking up or setting down passengers—

Use of lamps on parked cars.

shall not, in the vehicular brown-out area, cause or permit any light to be displayed from any authorized head-lamp or indicating-lamp, or the higher power to be used in an authorized dual-purpose lamp.

(2) A person who is in charge of a motor vehicle shall not between sunset and sunrise park or leave parked such motor vehicle on a public highway unless the motor vehicle displays, while the motor vehicle is so parked, either one or two authorized tail-lamps.

10. (1) A person shall not, between sunset and sunrise, drive or be in charge of any motor vehicle (other than an omnibus) in the vehicular brown-out area which displays in its interior any light which is visible outside the vehicle, unless the vehicle is in an enclosed building:

Interior lighting.

Provided that the interior of an omnibus may, between sunset and sunrise, be illuminated by such lighting as is approved by the Chief Commissioner of Police or any constable acting under his general or special direction.

11. (1) The Chief Commissioner of Police or any constable acting under his general or special direction or any Commonwealth officer may, in the event of hostile attack or the apprehension of hostile attack, give directions prohibiting or restricting the display on or from any vehicle of any light, the display of which would otherwise be lawful under the provisions of this Order.

Power of Police and Commonwealth officers to prohibit or restrict lighting.

(2) In this clause "Commonwealth officer" means a Commonwealth officer within the meaning of section three of the *National Security Act 1939-1940* acting in the course of his duty as such.

Front lamps to be extinguished on parked motor vehicles during air raids.

12. A person in charge of any motor vehicle which is parked in any public place shall extinguish and keep extinguished, during the period between the sounding of the First signal within the meaning of the Air Raid Warning System Order (Victoria) and the sounding of the Second signal within the meaning of that Order, the authorized front-lamps on that motor vehicle.

Detention of motor vehicles.

13. Any constable may take into custody any motor vehicle, which, in his presence, displays or emits any light, in his opinion, contrary to this Order, and keep such vehicle in his custody, until the condition leading to the breach of the Order has been remedied:

Provided that the vehicle shall be released by the constable as soon as is convenient to him after the vehicle can lawfully be driven without lights and provided that such detention shall not exceed sixteen hours on any one occasion.

Lighting of essential service vehicles.

14. (1) While a motor vehicle is being used as a police, post office, fire service, ambulance or civil defence services vehicle—

(a) subject to the approval of the approving authority there may be displayed in or on the vehicle, a sign indicating the purpose for which the vehicle is being used, consisting of a circular orange light one inch in diameter, the colour of which conforms to British Standard Colour No. 57 Orange, provided that any such light is just visible at a distance of 50 yards; and

(b) in the case of police, post office, fire service and ambulance motor vehicles there may be used, in addition to or in substitution for the sign herein referred to, any sign indicating the character of the vehicle which a vehicle of that type carried in peace time, provided that the illuminated portion of the sign is just legible at a distance of 50 yards.

(2) A person shall not have in his possession or control or use or enter or occupy any motor vehicle upon which is displayed any light or sign referred to in this clause, or any light or sign resembling such light or sign, unless the vehicle belongs to, or is appropriated for the use of the police, post office, fire, ambulance services, or the civil defence services and is being used with due authority for official purposes.

Lights on taximeter cabs.

15. A light may be displayed in a taximeter cab for the purpose of an illuminated sign indicating that the vehicle is a taximeter cab plying for hire, provided that such light shall be just visible at a distance of one hundred feet.

Masks for front lamps to be authorized.

16. (1) A person shall not manufacture and no such person shall sell or offer for sale any mask or type of mask which makes, or purports to make or may reasonably be assumed to purport to make, any lamp comply with the provisions of this Order regarding an authorized dual-purpose lamp, an authorized indicating-lamp or an authorized head-lamp without the written consent of the approving authority which consent may be withdrawn by the approving authority at any time and may be subject to such conditions as the approving authority specifies.

(2) Every mask so manufactured, sold, or offered for sale shall have shown thereon in a clear and indelible manner—

(a) the name or trade-mark of the manufacturer; and

(b) the month and year of manufacture.

Defence services identifying lights.

17. (1) A person shall not display or cause or allow to be displayed upon any motor vehicle, except a motor vehicle belonging to, or appropriated for the use of, the Armed Forces, the Defence Services Identifying Light as hereinafter defined or any light so resembling such light as to be likely to deceive.

(2) A person shall not have in his possession or control or use or enter or occupy any motor vehicle upon which is displayed the Defence Services Identifying Light or any light resembling such light unless such vehicle belongs to, or is appropriated for the use of, the Armed Forces, and is being used with due authority for official purposes.

(3) The Defence Services Identifying Light means a circular azure light 1 inch in diameter, the colour of which conforms to the British Standard Colour No. 4 Azure.

18. (1) A person shall not in the vehicular brown-out area drive, be in charge of, or leave any motor vehicle on any public highway between sunset and sunrise unless it has white paint or other white material not less conspicuous than white paint applied or affixed in a strip of an even width of not less than three inches on and along the front and rear bumper bars and the running boards.

White paint on motor vehicles.

(2) Where the vehicle has no bumper bars or running boards the paint or other material shall be applied or affixed in a position on such vehicle approximating as nearly as possible to that of bumper bars or of running boards.

(3) Any white paint or white material so applied or affixed shall be maintained in a clean condition and unobscured.

19. Notwithstanding anything in the Police Offences Acts, the Motor Car Acts, or any other Act of the State of Victoria providing for the lighting of motor vehicles, or any regulations made thereunder, no person in charge of, driving, riding, propelling or using a motor vehicle in any part of the State shall be guilty of an offence in respect of the lighting of such vehicle if the lights carried thereon are not in accordance with the requirements of any such Act or regulations by reason only of the fact that they are screened masked or dimmed in the manner and to the extent required by this Part of this Order.

Partial exemption of motor vehicles from the operation of certain State Acts.

20. (1) Any constable may, by notice in writing addressed to an owner of any motor vehicle, require that owner to produce the vehicle at the police station nearest to his place of abode or to such other place as is specified in such notice, at the time mentioned in such notice, for the purpose of having the lighting of the vehicle tested in order to ascertain whether it complies with the provisions of this Part of this Order, and the owner shall, on service of such notice, comply with any requirement contained therein.

Owner to produce motor vehicle for testing as to lighting.

(2) A notice issued in pursuance of this clause shall be deemed to have been served on the owner if the notice is delivered to him personally or posted to him at his last known place of abode, in a pre-paid addressed envelope.

21. (1) Where any motor vehicle is alleged to have been concerned in any contravention or failure to comply with any provision of this Part of this Order, the owner of the vehicle, or the person in whose name the vehicle is registered or the person having custody of the vehicle shall give such information as he is required by any constable to give as to the identity of the driver or person in charge of the vehicle at the time of the alleged offence.

Owner to give information.

(2) Nothing in sub-clause (1) of this clause shall be construed so as to require or compel any person to give information tending to criminate himself.

(3) It shall be a sufficient defence in proceedings against any person for failure to comply with the requirements of sub-clause (1) of this clause if that person proves to the satisfaction of the Court that he did not know and could not, with reasonable diligence, have ascertained who the driver or person in charge was at the time the alleged offence was committed.

22. (1) The Chief Commissioner of Police by notice in writing—

(a) in respect of any motor vehicle or class of motor vehicles specified in the notice which is or are engaged in providing a necessary public service may, having regard to—

(i) the nature of the service provided;

(ii) the character of the vehicle or vehicles;

(iii) the dangers or difficulties associated with the service or the route upon which it is provided—

relax to such extent and subject to such conditions as he thinks proper the restrictions on lighting imposed by this Part of this Order; and

Power to Chief Commissioner of Police to relax in special cases lighting restrictions in respect of motor vehicles providing necessary public service.

(b) may withdraw or vary any such relaxation.

(2) The Chief Commissioner of Police may give directions requiring or providing for the lamps or other devices for illumination with which vehicles (other than motor vehicles, but including bicycles) are to be equipped and the methods or contrivances by which and the times at which and the conditions under which such lamps or devices or lights therefrom are to be screened masked dimmed or extinguished.

Power to Chief Commissioner of Police to give directions with regard to lighting of vehicles other than motor vehicles.

Method  
of giving  
directions.

23. Any direction which any person is authorized to give in pursuance of this Part of this Order—

- (a) may be given either verbally, or in writing, by telephone, telegraph or in such other manner as is sufficient to bring the direction to the notice of any person affected thereby;
- (b) may be given so as to operate for any period or periods or for any time or times or in any area or areas; and
- (c) may contain such incidental and supplementary directions as appear to the person giving the direction to be necessary or expedient for the purposes of the direction.

Proof of  
approval or  
consent with  
respect to  
masks.

24. Any certificate signed or purporting to be signed by an approving authority, to the effect that any type of mask has or has not been approved by him or that he has or has not given his consent to the manufacture, sale, or offering for sale, by any person, of any mask or type of mask, shall be *prima facie* evidence of the facts stated.

Exemption of  
vehicles used  
for purpose  
of armed  
Forces.

25. Nothing in this Part of this Order shall apply to any motor vehicle while it is being used for the purposes of the Armed Forces and any vehicle while it is driven by or is in charge of a member of those Forces may display any light required or authorized to be displayed by the Military Board, Naval Board, or Air Board, as the case requires.

#### PART II.—GENERAL LIGHTING PROVISIONS.

Interpretation.

26. In this Part of this Order unless inconsistent with the context or subject matter—

“Armed Forces” means 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.

“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 council of a municipality.

“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* of the State of Victoria or any corresponding previous enactment, is authorized to supply electricity within any area.

“First signal” and “second signal” mean respectively first signal and second signal within the meaning of the Air Raid Warning System Order (Victoria) or any amendment thereof.

“Gas undertaker” means undertaker within the meaning of the *Gas Regulation Act 1933* of the State of Victoria.

“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.

General  
lighting  
restrictions  
between sunset  
and sunrise.

27. (1) No person shall, at any time after sunset and before sunrise, cause or allow—

- (a) any light to be emitted from or by any fire, lamp, sign, or other device which is not inside any enclosed building;



- (b) any light to be emitted from any shop window or any window in which are shown goods for display or sale to the public or any window which may be or is generally used to show goods for display or sale to the public;
- (c) any light inside any building to be displayed unless—
- (i) the blinds, curtains or shades on all windows of the room or part of the building where the light is displayed are fully drawn over such windows;
  - (ii) such windows are otherwise obscured; or
  - (iii) such light is screened—
- so that no direct light is shown outside the building.
- (2) This clause shall not apply to—
- (a) public lighting; or
  - (b) lights on vehicles, except when such vehicles are inside an enclosed building.
- (3) (a) The Chief Commissioner of Police may grant in writing exemptions to any person from the operation of sub-clause (1) hereof.
- (b) Any such exemption—
- (i) shall be subject to such conditions as the Chief Commissioner deems necessary;
  - (ii) 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;
  - (iii) may be varied in writing by the Chief Commissioner of Police.
- (4) This clause shall apply to the whole of the State of Victoria, except those parts in which the provision of sub-clause (1) of clause 28 are operative.

28. (1) After sunset and before sunrise no person shall cause or allow— Coastal lighting

- (a) any light to be emitted from or by any fire, lamp, sign or other device which is not inside any enclosed building;
  - (b) any light to be emitted from any enclosed building—
- within ten miles of the ocean coast-line of the State of Victoria—
- (i) from the border of the States of South Australia and Victoria to Point Lonsdale;
  - (ii) from Point Nepean to the border of the States of Victoria and New South Wales.

(2) This clause shall not apply to—

- (a) public lighting; or
- (b) lights on vehicles, except when such vehicles are inside an enclosed building.

(3) The Premier may from time to time by notice published in the *Victoria Government Gazette* grant (subject to such conditions as he deems necessary) vary or withdraw exemptions exempting from the operation of— Provision for exemptions.

- (a) paragraph (a) of sub-clause (1) hereof any person or persons or any class of classes of persons specified in such notice;
- (b) paragraph (b) of sub-clause (1) hereof any or all persons in respect of any or all buildings in any area or areas specified in such notice.

29. No person shall, after the sounding of the first signal and before the sounding of the second signal, cause or allow any light to be omitted from any enclosed building. Prohibition of emission of lights from buildings during an air raid.

30. (1) The Premier may by notice in writing direct that no person shall during any period and in any area or areas specified in such notice cause or allow any light to be emitted from any enclosed building. Restriction of emission of light from buildings by direction of the Premier.

(2) The Premier shall give publicity to such notice by whatever means he considers appropriate in the circumstances.

(3) *Prima facie* evidence of such notice and of the fact that it had been given such publicity may be given by the production of a document purporting to be a copy of such notice and purporting to be printed by the Government Printer of the State of Victoria.

(4) In any notice as aforesaid the Premier may in respect of any area specified in the notice declare that the first signal and second signal shall be deemed to have been sounded in that area at the respective times specified in the notice, and this Order shall be read and construed accordingly.

Preparation by  
undertakers,  
&c., for  
blackouts.

31. (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 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.

(3) Where any instructions have been given under this clause 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.

(4) (a) For the purposes of the administration of the last preceding sub-clause hereof, 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.

(b) 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.

(5) The foregoing provisions of this clause shall with such adaptations as are necessary extend and apply to public lighting provided by the Commission and for that purpose any reference in such provisions to the Commission shall be deemed to be a reference to the Chief Commissioner of Police and any reference to an undertaker shall be deemed to be a reference to the Commission.

Discontinuance  
of public  
lighting.

32. 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 proportion of 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.

33. Notwithstanding anything in this Order 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. Exemption in railway lighting.

34. Notwithstanding anything in this Order— Exemption in essential lighting.

(a) subject to the approval of the Chief Commissioner of Police a light may be displayed at any time in or for the purpose of any illuminated sign indicating the position or direction of a Police Station, Fire Station, Hospital, First-aid post, public Air Raid Shelter or building used for the purposes of the State Emergency Services, provided that the sign is screened from above and so dimmed that while legible at night up to a distance of 100 feet it is inconspicuous at a distance of 200 feet;

(b) a light may be displayed at any time if such light is essential for the purposes of urgent—

- (i) rescue, demolition, fire-fighting or first-aid work; or
- (ii) repair work carried out by or on behalf of any public authority within the meaning of the Public Authorities and Corporations Powers Order, the State Rivers and Water Supply Commission, the Melbourne and Metropolitan Board of Works or any Government Department;

provided that such light is screened as far as is practicable so that no direct light is cast above the horizontal and provided that the work cannot be temporarily discontinued.

35. This Part of this Order shall not apply to— Non-application of Order to certain lights.

- (a) any light displayed by any member of the Armed Forces while that member is acting in the course of his duty as such; or
- (b) any light exhibited with the consent of the Naval Board from a lighthouse or other structure on shore or from a light vessel or other floating structure, being a light provided solely for the guidance of shipping; or
- (c) navigation lights displayed by aircraft or other lights at aerodromes in accordance with instructions given by the Minister for Air.

36. (1) Any undertaker shall at the request of the Chief Commissioner of Police discontinue until such time as the Chief Commissioner otherwise directs the supply of electricity or gas to any premises upon which a contravention of the provisions of this Order or any direction given thereunder has taken place. Police powers.

(2) Any member of the Police Force may extinguish or obscure—

- (a) any fire, lamp, sign or other device from which light is being emitted; or
- (b) any light which is emitted from any building—

in contravention of this Order or any direction given thereunder.

37. (1) Every person undertaker council or public statutory corporation to whom or to which any direction, request, instruction or demand is addressed or directed by under or pursuant to this Order shall comply with such direction request instruction or demand. Enforcement of Order.

(2) No person shall obstruct or hinder any person undertaker council or public statutory corporation in the exercise 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 the 9th day of December, 1942.

No. 136.

COMMONWEALTH NATIONAL SECURITY (GENERAL)  
REGULATIONS.

STATE OF VICTORIA.

UNEXPLODED BOMBS ORDER.

ORDER No. 42.

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. (1) This Order may be cited as the Unexploded Bombs Order (Victoria) No. 2.
- Revocation of Unexploded Bombs Order (Victoria). Interpretation. 2. (2) The Unexploded Bombs Order (Victoria) is hereby revoked.
2. (1) In this Order, unless inconsistent with the context or subject-matter—
- “District Warden” and “Warden” mean the persons appointed as such under the State Emergency Services Order (Victoria).
- “Officer of Police” means any member of the Police Force of Victoria who—
- (a) is not below the rank of sergeant; or
- (b) is authorized in writing by a member of the said force not below that rank to act under this Order.
- (2) Where any distance is specified in this Order, that distance may be increased or extended by any officer of police, and any distance so varied shall be deemed to be the distance specified in this Order in lieu of that distance.
- Non-application of Order to Armed Forces &c. 3. Nothing in this Order shall apply to—
- (a) any member (while acting in the course of his duties) of any 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; or
- (b) any lands buildings or vehicles occupied by or under the control of or being used by any of those Armed Forces.
- Powers of officers of police to give directions. 4. Any officer of police shall have power to give such directions and take such action as he deems necessary and to enter any premises or place, by force if necessary, either alone or with such assistance as he deems necessary, for securing or enforcing compliance with the provisions of this Order.
- Fall of bomb to be reported. 5. (1) The fall of any unexploded bomb, including unignited incendiary bomb, unexploded shell, and unexploded parachute mine shall be immediately reported by the most expeditious means possible by a warden or member of the Police Force having knowledge thereof to a control centre in the district within which the fall occurred.
- (2) The fall of any unexploded bomb, including unignited incendiary bomb, unexploded shell, and unexploded parachute mine shall be immediately reported by a member of the public having knowledge thereof to a warden or member of the Police Force.
- Action to be taken by officer of police on receipt of report. 6. An officer of police, on receiving a report or otherwise having knowledge that any such bomb has fallen, may thereupon take the following action:—
- (1) *In the case of a buried bomb*—
- The officer of police may—
- (a) direct all or any persons to depart immediately from an area within thirty yards of the bomb;
- (b) direct any person not to enter any such area;

- (c) take steps with a view of ensuring that all windows of buildings within one hundred yards of the bomb are opened wide;
- (d) take steps with a view of ensuring that all outer doors of evacuated buildings are opened wide; and
- (e) take steps with a view of ensuring that heavy wheeled vehicles do not approach within fifty yards of the bomb.
- (2) *In the case of an unburied bomb in a street—*  
The officer of police may—
- (a) direct all or any persons to depart immediately from an area within thirty yards of the bomb;
- (b) direct all or any occupants to vacate rooms facing the bomb—
- (i) on the ground floor and first floor of any building up to two hundred yards from the bomb; and
- (ii) on the second and higher floors of any building up to one hundred yards from the bomb—
- unless some other building intervenes between the bomb and that building;
- (c) take steps with a view of ensuring that all windows of buildings within one hundred yards of the bomb are opened wide;
- (d) take steps with a view of ensuring that all outer doors of evacuated buildings are opened wide; and
- (e) take steps with a view of ensuring that heavy wheeled vehicles do not approach within fifty yards of the bomb.
- (3) *In the case of an unburied bomb in a small open space building narrow court or alley—*  
The officer of police may—
- (a) direct all or any persons to depart immediately from an area within thirty yards of the bomb;
- (b) direct all or any occupants to vacate rooms facing the bomb—
- (i) on the ground floor and first floor of any building up to three hundred yards from the bomb; and
- (ii) on the second and higher floors of any building up to two hundred yards from the bomb—
- unless some other building intervenes between the bomb and that building;
- (c) take steps with a view of ensuring that all windows of buildings within one hundred yards of the bomb are opened wide;
- (d) take steps with a view of ensuring that all outer doors of evacuated buildings are opened wide; and
- (e) take steps with a view of ensuring that heavy wheeled vehicles do not approach within fifty yards of the bomb.
- (4) *In the case of an unexploded parachute mine—*  
The officer of police may—
- (a) direct all or any occupants to vacate buildings within four hundred yards of the mine;
- (b) take steps with a view of ensuring that all roads or streets within four hundred yards of the mine are roped off and all traffic excluded from those roads and streets;
- (c) take steps with a view of ensuring that all persons in houses from four hundred to eight hundred yards from the mine are warned to keep clear of flying glass and to keep their doors and windows wide open.

7. A person shall comply with every direction given to him by an officer of police in pursuance of this Order. Persons to comply with directions.

8. Any direction given under this Order shall continue to be of full force and effect until it is revoked by an officer of police. Duration of direction

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

Dated the 9th day of December, 1942.

No. 137.

