VICTORIA

GOVERNMENT GAZETTE.

Published by Authority.

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

No. 134] **SATURDAY, AUGUST 19.** **[1944**

COMMONWEALTH NATIONAL SECURITY (GENERAL) REGULATIONS.

STATE OF VICTORIA.

LIGHTING RESTRICTION ORDER.

ORDER No. 58.

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 Commander of a Lines of Communication Area or an officer authorized by the Minister of State for the Army to act on behalf of such Commander, 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:—

Citation.

1. This Order may be cited as the Lighting Restriction Order (Victoria) No. 9.

Amendment of Lighting Restriction Order (Victoria) No. 5.

2. The Lighting Restriction Order (Victoria) No. 5, as amended by Lighting Restriction Order (Victoria) No. 6, Lighting Restriction Order (Victoria) No. 7, and Lighting Restriction Order (Victoria) No. 8, is amended—

Suspension of lighting restrictions.

(*a*) by omitting from paragraph (*a*) of sub-clause (1) of clause 4 the expression "and of clause 25";

(*b*) by omitting sub-clause (2) of clause 4;

(*c*) by omitting from paragraph (*a*) of sub-clause (1) of clause 26A the expression "and of clauses 31, 35, 36, and 37";

(*d*) by omitting sub-clauses (2) and (3) of clause 26A.

A. A. DUNSTAN,
Premier of Victoria.

Dated this 18th day of August, 1944.

No. 181.

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No. 134.—8727/44.

VICTORIA

GOVERNMENT GAZETTE.

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No. 135] MONDAY, AUGUST 21. [1944

PRIVATE ADVERTISEMENT.

In the Supreme Court of Victoria.—In the matter of the *Companies Act* 1938 and in the matter of GAMAX MODES PROPRIETARY LIMITED.

NOTICE is hereby given that a petition for the winding up of the above-named company by the Supreme Court was on the seventh day of August, 1944, presented to the said Court by Percival Charles Maxey, and that the said petition is directed to be heard before the Court sitting at Melbourne on the twenty-ninth day of August, 1944, and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing by himself or his counsel for that purpose: and a copy of the petition will be furnished to any creditor or contributory of the said company requiring the same by the undersigned on payment of the regulated charge for the same.

JOHN CAMPBELL, LL.B., 120 William-street, Melbourne, solicitor for the said Percival Charles Maxey.

NOTE.—Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above named, notice, in writing, of his intention so to do. The notice must state the name and address of the person, or, if a firm, the name and address of the firm, and must be signed by the person or firm or his or their solicitor (if any), and must be served, or if posted, must be sent by post in sufficient time to reach the above named not later than Four o'clock in the afternoon of the 28th day of August, 1944. 357

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VICTORIA

GOVERNMENT GAZETTE.

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No. 136] MONDAY, AUGUST 21. [1944

Factories and Shops Acts.

DETERMINATION OF THE SUGAR REFINERS BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, which, since the 10th April, 1940, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed—

(a) in connexion with the trade of sugar refining;

(b) in the manufacture or treatment of the by-products of sugar;

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in August, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. APPRENTICES OR IMPROVERS.

Wages per Week of 44 Hours.

Males.	Adjustable Rate.	Additional Constant Loading.	Emergency Loading (non-adjustable).	Total Weekly Wage.
	s. d.	s. d.	s. d.	s. d.
Under 16 years ..	22 9	2 0	3 0	27 9
16 years	29 8	2 3	3 0	34 11
17 „	41 3	2 3	3 0	46 6
18 „	52 10	3 0	3 0	58 10
19 „	62 4	3 6	3 0	68 10
20 „	73 9	3 6	3 0	80 3

Wages per Week of 44 Hours.

Females.	Adjustable Rate.	Additional Constant Loading.	Emergency Loading (non-adjustable).	Total Weekly Wage.
	s. d.	s. d.	s. d.	s. d.
Under 16 years ..	22 9	2 0	3 0	27 9
16 years	24 5	2 3	3 0	29 8
17 „	27 7	2 6	3 0	33 1
18 „	32 10	3 0	3 0	38 10
19 „	39 11	3 6	3 0	46 5
20 „	49 0	3 6	3 0	55 6

PROPORTION (IN ANY PLACE).

Males.

One apprentice and one improver to every three or fraction of three workers receiving not less than the rate payable from time to time to "All others."

PROPORTION (IN ANY PLACE).

Females.

One apprentice and one improver to every three or fraction of three workers receiving not less than the rate payable from time to time to "Adult Females."

JUVENILE WORKERS

Wages per Week of 44 Hours.

Males.	Adjustable Rate.	Additional Constant Loading.	Emergency Loading (non-adjustable).	Total Weekly Wage.
	s. d.	s. d.	s. d.	s. d.
Under 16 years ..	22 9	2 0	3 0	27 9
16 years	29 8	2 3	3 0	34 11
17 „	41 3	2 3	3 0	46 6
18 „	52 10	3 0	3 0	58 10
19 „	62 4	3 6	3 0	68 10
20 „	73 9	3 6	3 0	80 3

Wages per Week of 44 Hours.

Females.	Adjustable Rate.	Additional Constant Loading.	Emergency Loading (non-adjustable).	Total Weekly Wage.
	s. d.	s. d.	s. d.	s. d.
Under 16 years ..	22 9	2 0	3 0	27 9
16 years	24 5	2 3	3 0	29 8
17 „	27 7	2 6	3 0	33 1
18 „	32 10	3 0	3 0	38 10
19 „	39 11	3 6	3 0	46 5
20 „	49 0	3 6	3 0	55 6

3. OTHER EMPLOYERS.

—	Wages per Week of 44 Hours.			
	Adjustable Rate.	Additional Constant Loading.	Emergency Loading (non-adjustable).	Total Weekly Wage.
Adult Males.				
Raw Sugar Store—	s. d.	s. d	s. d.	s. d.
Men unstoring	99 0	11 0	5 0	115 0
Men cutting in	100 0	11 0	5 0	116 0
Elevator attendant	98 0	11 0	5 0	114 0
Wash tank hands	95 0	11 0	5 0	111 0
Wash tank hands—assistants	94 0	11 0	5 0	110 0
Riggers	100 0	11 0	5 0	116 0
Melting House—				
Washing fugalmen	98 6	11 0	5 0	114 6
Melter attendant	95 0	11 0	5 0	111 0
Mixer	95 0	11 0	5 0	111 0
Carbonatation House—				
Men on liquor filter presses	96 0	11 0	5 0	112 0
Men on mud	96 0	11 0	5 0	112 0
Leading hand	101 0	11 0	5 0	117 0
Men on gas tank	97 0	11 0	5 0	113 0
Men on crushing and stacking lime	95 0	11 0	5 0	111 0
Men on washing and checking filterpress sheets	95 0	11 0	5 0	111 0
Char End—				
Kiln repairers	95 0	11 0	5 0	111 0
Kiln firemen	101 0	11 0	5 0	117 0
Wet charmen	101 0	11 0	5 0	117 0
Char runners	101 0	11 0	5 0	117 0
Pan Floor—				
First sugar boilers	116 0	11 0	5 0	132 0
Second sugar boilers	109 0	11 0	5 0	125 0
Pan attendant, attending triple effet	95 0	11 0	5 0	111 0
Refined sugar fugalmen	98 6	11 0	5 0	114 6
Refined sugar fugalmen—Leading hands	101 6	11 0	5 0	117 6
Jelly House—				
Leading hand	98 6	11 0	5 0	114 6
Jelly fugalmen	95 0	11 0	5 0	111 0
Refined Sugar Store—				
Receiving at truck yard (leading hands)	98 0	11 0	5 0	114 0
Icing mill attendant	95 0	11 0	5 0	111 0
Driers (leading hand)	98 0	11 0	5 0	114 0
Driers (others)	95 0	11 0	5 0	111 0
Automatic scale attendant	98 0	11 0	5 0	114 0
Leading hand packing floor	98 0	11 0	5 0	114 0
Hand packing sugar	95 0	11 0	5 0	111 0
Golden Syrup and Treacle—				
Men packing and weighing (bulk)	95 0	11 0	5 0	111 0
Golden syrup and treacle mixer	97 0	11 0	5 0	113 0
Liquor runners	101 0	11 0	5 0	117 0
Liquor runners—assistants	95 0	11 0	5 0	111 0
Distillery—				
Stillman	111 0	11 0	5 0	127 0
Mashman	99 0	11 0	5 0	115 0
Spirit and Methylating Rooms—				
Leading hand	108 6	11 0	5 0	124 6
Assistants	98 6	11 0	5 0	114 6
Leading hand cleaning gang	98 0	11 0	5 0	114 0
All others	92 0	11 0	5 0	108 0
Adult females	51 8	5 3	3 0	59 11

SHIFT WORKERS (OTHER THAN CONTINUOUS SHIFT WORKERS).

4. The ordinary working hours of shift workers shall be as follows:—

Night Shift—

Time of Beginning—11 p.m. on Sunday, Monday, Tuesday, Wednesday, Thursday and Friday.

Time of Ending—7 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday.

Day Shift—

7 a.m. to 3 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday.

7 a.m. to 11 a.m. on Saturdays.

Afternoon Shift—

3 p.m. to 11 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday.

DAY WORKERS.

5. From 7.30 a.m. to 4.30 p.m., with a break of one hour for a meal between 12 noon and 1 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday, and from 7.30 a.m. to 11.30 a.m. on Saturday. When an employee is required to work between 12 noon and 1 p.m. he shall be paid time and a half for such work, and in addition shall be allowed time off for a meal.

CONTINUOUS SHIFT WORKERS.

6. For the purposes of this clause the expression "continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption.

(*a*) The ordinary working hours of employees on continuous work shifts shall not exceed an average of 44 per week spread over a period of 1, 2, 3 or 4 weeks to be worked in shifts of eight hours, including such time as by mutual arrangement may be taken for meals.

(*b*) There shall be a roster of shifts which shall:—

(i) provide for rotation unless all the employees concerned desire otherwise;

(ii) provide for not more than eight shifts to be worked in any nine consecutive days; and

(iii) not be changed until after four weeks' notice.

(c) For all time of duty outside the limits of the ordinary hours prescribed in clause (a) hereof, an employee on continuous work shifts shall be paid at double rates. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift or when the relief does not come on duty at the proper time.

(d) Employees on continuous work shifts working any Sunday or holiday shift shall be paid at the rate of time and a half for such shift.

(e) Subject to the provisions of clause 12 (Annual Leave) employees on continuous work shifts shall be allowed an additional six consecutive working days' holiday on full pay.

(The provisions of clause 6 shall apply only to persons employed at the distillery of the Colonial Sugar Refining Co. Ltd at Yarraville.)

TERMS OF EMPLOYMENT.

7. "Casual Worker" means a worker employed for less than six (6) consecutive days, with a minimum of two (2) hours in any day. He shall be paid at the rate of ten per cent. (10%) in addition to the rate prescribed in this Determination on an hourly basis.

This shall not apply to a casual worker storing raw sugar. Employees, other than casual workers, who work less than 44 hours in any week, may be paid the ordinary wages rate calculated *pro rata* according to the number of hours worked.

EXTRA RATES AND ALLOWANCES.

8. In addition to the wages prescribed herein, the following extra rates and allowances shall be paid to adult males:—

Any employee who works on shift shall be paid an additional allowance of 1s. 3d. per shift.

Employees classified as "All others," who are directed to enter and clean tanks, viz.:—Carbonatation tanks, house syrup tanks on roof, black boil-out tanks, extension tanks, scrubbers, crystallizers, char dust towers and gibb driers shall receive an additional 9d. for each hour or part of an hour spent in such work.

Employees required to handle damaged or sweated sugar shall receive an additional 6d. per hour or part thereof whilst handling such sugar. Sugar shall be deemed to be damaged or sweated when it is seeping through the bag.

DEFINITION OF JUVENILE WORKERS.

9. Persons under 21 years of age (other than apprentices or improvers) employed turning bags, sweeping trucks, receiving and placing sacks, driving friction winches, packing sugar and sewing mouths of bags, trucking sugar, collecting samples, labelling, filling golden syrup and treacle tins.

OVERTIME (*other than continuous Shift Workers*).

10. (a) *Workers Employed on Shifts.*—All work done in excess of eight hours per shift or in excess of 132 hours in 21 consecutive days shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

(b) *All Others.*—All work done in excess of eight hours in any one day or in excess of 44 hours in any one week shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

In computing overtime under this clause, each day's work shall stand alone.

Any employee who is required to work overtime shall be paid the overtime rate for a minimum of half an hour.

LATE ATTENDANCE.

11. Any employee arriving late to work shall have a deduction made of a quarter of an hours' pay for each quarter of an hour or portion thereof that he is late.

ANNUAL LEAVE.

12. (a) Each employee shall be allowed in each year, commencing with the year 1936, leave of absence for six consecutive working days on full pay (the equivalent of forty-four hours' pay) in respect of service during the previous year.

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than one week's notice to the employee provided that the giving of annual leave may, with the consent of the Secretary for Labour be postponed for a period to be specified in cases where the exigencies of the war render it impracticable to give it within the said period of six months.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case, a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) Where leave has been granted to an employee pursuant to sub-clause (c) hereof before the right thereto has accrued due, and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted, the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by this Determination.

(e) If after six months' continuous service in any qualifying twelve monthly period, an employee leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid one-sixth of a week's wage in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(f) Employees dismissed for misconduct shall not be entitled to any annual leave.

(g) Except as provided in sub-clause (e) payment shall not be made or accepted in lieu of annual leave.

SICK PAY.

13. Any employee with not less than six months' service who does not attend for duty by reason of personal ill-health shall be allowed ordinary rates for the actual time of such non-attendance, provided he produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the management that his non-attendance was due to personal ill-health.

An employee shall not be entitled to any allowance on this ground for more than six days (the equivalent of 44 hours' pay) in each calendar year, but sick leave allowable under this clause may accumulate subject to continuous employment for a total of two years (the equivalent of 88 hours' pay).

No payment shall be made to employees on discharge or resignation in respect of accumulated sick leave.

Personal ill-health does not include ill-health which is the result of an accident or ill-health the result of misconduct.

MEAL ALLOWANCE.

14. Employees required to work a minimum of two hours' overtime shall be entitled to 2s. tea money unless notified the previous day that they will be required to work overtime. If after having been notified accordingly their services for overtime are not required the allowance of 2s. for tea money shall still be payable.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS (OTHER THAN CONTINUOUS SHIFT WORKERS).

15. (a) All time worked except between 11 p.m. and midnight on Sundays, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day shall be paid for at the rate of double time; but if any other day be by Act of Parliament or Proclamation substituted for any of the abovementioned holidays, the special rate shall only be payable for work done on the day so substituted.

(b) Employees (other than casual employees and continuous shift workers) shall be paid at ordinary rates for Anzac Day and the holidays set out in the preceding sub-clause although they do not work.

PIECEWORK.

16. The Board determines, under the provisions of section 150 of the *Factories and Shops Act* 1928 (No. 3677), that any employer may fix and pay piecework prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

PERIODICAL ADJUSTMENT OF WAGES.

17. The wages rates set out in clauses 2 and 3 are based upon the following basic wage rate, and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage rate.

The basic wage rate shown hereunder shall be adjusted as prescribed in clause 18.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	4 12 0	Melbourne.

ADJUSTMENT OF BASIC WAGE.

18. (*a*) Until the beginning of the first pay period to commence in November, 1944, the amount of the basic wage shall be as prescribed in clause 17.

(*b*) During each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician :—

(i) The index number set to be applied to a place is that assigned thereto in clause 17.

(ii) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(iii) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.

(iv) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994–1006	4 1 0	1118–1129	4 11 0
1007–1018	4 2 0	1130–1141	4 12 0
1019–1030	4 3 0	1142–1154	4 13 0
1031–1043	4 4 0	1155–1166	4 14 0
1044–1055	4 5 0	1167–1179	4 15 0
1056–1067	4 6 0	1180–1191	4 16 0
1068–1080	4 7 0	1192–1203	4 17 0
1081–1092	4 8 0	1204–1216	4 18 0
1193–1104	4 9 0	1217–1228	4 19 0
1105–1117	4 10 0	1229–1240	5 0 0

Any extension of this table must be of the same construction as the table.

The wages rates of adult females and all juniors, male and female, shall be adjusted proportionately to the alteration in the basic wage for male adults.

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 15th August, 1944.

By Authority. H. E. DAW, Government Printer, Melbourne.