

[1645]



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[1949

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RULES OF THE SUPREME COURT  
OF THE  
STATE OF VICTORIA

1948



**RULES OF THE SUPREME COURT.**

In pursuance of the powers conferred by the Supreme Court Acts and all other powers hereunto enabling, the following rules are made, and shall take effect from the First day of March, 1949 :—

1. In Chapter III. of the Rules of the Supreme Court and after the heading " Probate and Administration Rules " there shall be inserted the words and figure :—

**" PART I."**

2. In Rule 28 of the said Probate and Administration Rules Part I. there shall be inserted after the words " be made " the words " in the Form No. 5 in the First Schedule hereto " and after the words " the same account " the words " (folded in four and indorsed) ".

3. At the end of the First Schedule to the said Probate and Administration Rules Part I. there shall be added the following :—

**FORM 5.**  
*Administration Account.*

Rule 28.

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Will [or Estate] of

deceased [intestate],

THE ACCOUNT of the administration of the estate of the above-named deceased by the Executor(s) [or Administrator] to the day of 19 deposited pursuant to Rule 28 of the Probate and Administration Rules Part I.

**Part A.**  
**CORPUS ACCOUNT.**  
*Receipts.*

Number of Item.	Date.	Particulars.		£ s. d.
		Total .. ..		£
		<i>Disbursements.</i>		
				£ s. d.
		Balance .. ..		
		Totals .. ..	£	

## Part B.

## INCOME ACCOUNT.

[Set out Receipts, Disbursements, and Balance as in Part A.]

## Part C.

## PORTION OF ESTATE DISTRIBUTED IN SPECIE.

[Set out briefly, with particulars of value for purposes of Probate Duty.]

## Part D.

## PORTION OF ESTATE RETAINED OR REMAINING UNCOLLECTED.

[Set out briefly, with particulars of value for purposes of Probate Duty.]

## Part E.

## STATEMENT OF MONEYS AND SECURITIES HELD BY THE EXECUTOR(S) [or ADMINISTRATOR.]

[Set out particulars of moneys now in hand and investments made since date of death.]

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Signature(s) of Executor(s) [Administrator.]

4. After Rule 39 of the said Probate and Administration Rules Part I. the following rules shall be added:—

## “PART II.”

## GENERAL PROCEDURE IN APPLICATIONS FOR ALLOWANCE OF COMMISSION UNDER SECTION 59 OF THE ADMINISTRATION AND PROBATE ACT 1928 (SUMMARY PROCEDURE).

## PRELIMINARY.

1. In this Part:—

“The Act” means the *Administration and Probate Act 1928* and any amendments thereof in force from time to time.

“The Court” means the Supreme Court or any Judge thereof sitting in Chambers.

“The Judge” means the Judge referred to in Rule 4 of this Part.

“The Master” means the Master of the Supreme Court.

2. The rules under this Part shall not apply to proceedings under Sections 18 and 115 of the *Supreme Court Act 1928*.

## GENERAL.

Title, &c., of proceedings.

3. Every petition and summons, and all notices and other proceedings in any application to which this Part relates shall be dated and the same and all affidavits shall be headed “In the Supreme Court, Probate Jurisdiction and intitled “In the matter of Section 59 of the *Administration and Probate Act 1928*” and “In the matter of the trusts of the Will of” or “In the matter of the Estate of” (the testator or intestate described by name, late address and occupation or addition) and shall be folded in four and indorsed.

## APPLICATIONS.

Petition to be lodged in the office of the Master.

4. Every application for the allowance of commission under this Part shall be made by petition lodged in the office of the Master. Upon the lodgment of the petition the Master shall endorse thereon the name of the Judge for the time being sitting in the Practice Court and thereupon the Petition shall be deemed to have been presented to that Judge and by him

referred to the Master for consideration and shall proceed accordingly. For the purposes of such consideration the office of the Master shall be deemed to be Judges' Chambers.

5. Before lodging the petition the applicant shall deposit in the office of the Master and, in the Form No. 5 in the Schedule to Part I. of these Rules or to the like effect, the account referred to in Rule 28 of that Part.

Administration  
account in  
the estate to  
be deposited.

6. The petition shall be in the Form No. 6 in the Schedule to this Part and contain the note thereto and shall state whether any previous application for the allowance of commission has been made to the Court relating to the same estate or trust and shall be verified by an affidavit of the applicant and his co-executors or co-trustees, if any, referring thereto, in the Form No. 7 in the Schedule to this Part with such variations as circumstances may require.

Form of  
Petition.

7. Upon the lodgment of the petition, or at some convenient time thereafter, the Master shall, by indorsement thereon, appoint a date for the consideration of the application, such date, where notice of the appointment has to be served upon any person, being not less than twenty-one days from the date of such lodgment, and shall give such directions as he may think fit in connexion with the consideration of the application and, in particular, regarding all or any of the following matters:—

Master  
to appoint  
date for  
consideration  
and give  
directions.

- (a) Where the consent, in or to the effect of Form No. 8 in the Schedule to this Part, of all persons beneficially interested in the estate or trust and of the sureties to the bond (if any) to the acceptance as prima facie true and correct of the account relating to the estate or trust is not lodged, the verification of that account, or the vouching of any item therein.
- (b) The furnishing of particulars of the pains and trouble of the applicant in the administration of the estate or trust.
- (c) The service of a copy of the petition, or of any application pursuant to liberty reserved as provided for in Rule 18 of this Part, and of the notice of appointment indorsed thereon upon the persons beneficially interested in the estate or trust (or, where any of such persons is an infant or unascertained or resident out of the jurisdiction, upon some person on his behalf to be nominated by the Master) and upon the sureties to the bond (if any).
- (d) The furnishing by the applicant of a scheme of distribution of the moneys and assets of the estate or trust still remaining therein.
- (e) The bringing up to date by a further account of the figures and particulars set out in the account referred to in Rule 5 of this Part and the verification of such further account or the vouching of any item therein.
- (f) The service of notice of appointment for consideration of the application upon any person who has lodged a notice of objection pursuant to Rule 15 of this Part.

Applicant  
to file  
affidavit of  
service, &c.

8. The applicant shall, on the date fixed for consideration of the application, file in the office of the Master and in the Form No. 12 in the Schedule to this Part or to like effect an affidavit of service of a copy of the petition and of the notice of appointment indorsed thereon and of search for any notice appearance or statement of objections filed in the application.

Statements on  
oath to be  
prima facie  
evidence.

9. Upon consideration of the application the Master shall be at liberty to accept the statement on oath of the applicant and his co-executors or co-trustees, if any, of the assets of the estate of the deceased which have come to his or their hands and of the disbursements thereof as prima facie evidence in respect of such receipts and disbursements as to all entries contained therein.

Master  
to determine  
and allow  
commission.

10. Upon consideration of the application the Master shall determine, and may allow to the applicant out of the assets of the deceased person for his pains and trouble, such commission or percentage not exceeding Five pounds per centum as is just and reasonable.

Appearance  
and statement  
of objections  
to be filed  
and notice  
given by  
persons  
desirous of  
appearing or  
objecting.

11. No person other than the applicant shall be entitled to attend before the Master on consideration of the application unless, not less than four clear days before the day fixed for consideration of the application, he shall have filed in the office of the Master an appearance in the Form No. 9 in the Schedule to this Part and forthwith, after such entry, given notice thereof to the applicant and, if desirous of objecting to the account filed or to the granting of commission, shall have filed in that office a statement of objections verified by affidavit (in or to the effect of Form No. 10 in the Schedule to this Part) and served a copy of such objections and affidavit upon the applicant.

Master  
may adjourn  
proceedings or  
refuse to  
proceed.

12. The Master may at any stage adjourn the proceedings pending the course of further administration or to permit the filing of an appearance or objections by or on behalf of any person interested in the estate of the deceased person, or may refuse to proceed with the consideration of the application, but such refusal shall be without prejudice to the right of the applicant to obtain commission in the proceedings referred to in Rule 2 of this Part.

Certificate of  
Master

13. The result of the consideration by the Master of the application shall be stated in a certificate, to be indorsed upon the petition, in the form or to the effect set out in the Form No. 13 in the Schedule to this Part, with such variations as the circumstances may require and when the Judge shall approve of such certificate he shall sign the same in testimony of his adopting the same.

Certain Rules  
of Procedure  
in Civil  
Proceedings  
to apply.

14. The provisions of the Rules of Procedure in Civil Proceedings so far as they relate to proceedings before the Master shall apply to proceedings under this Part save that the certificate of the Master and all documents shall be filed in the office of the Master.

15. Any person being a beneficiary or claiming an interest in the estate of any deceased person, or purporting to act on behalf of a beneficiary or claimant therein who is an infant or resident out of the jurisdiction, may at any time file a notice (in the Form No. 11 in the Schedule to this Part) which shall be entered in a book to be kept for the purpose in the Office of the Master, and shall serve a copy thereof within seven days from the date of such filing upon the executor administrator or trustee of such estate or upon his solicitor. Such person shall thereupon, and until the filing by him of a withdrawal of such notice, be entitled to be served by the applicant with, and the applicant shall serve upon such person notice of every application under this Part relating to such estate and such person shall on compliance with Rule 11 of this Part be entitled to file objections and to attend before the Master on the consideration of such application.

Notice requiring notification of application for commission may be lodged.

16. If the Court is of the opinion that any costs occasioned to the applicant by the filing of frivolous or vexatious objections by any person or by the attendance of the person objecting upon any proceedings, should not be borne by the estate or the trust fund, the Judge may direct that such costs, to be taxed, or a sum in lieu thereof, shall be paid by such person to the estate or the trust and, if not so paid, be retained by the applicant out of the share (if any) of such person in the estate or trust fund.

Costs of frivolous or vexatious objections.

17. The costs of the applicant and of any other person represented or appearing therein, of and incidental to the proceedings before the Master, may be allowed by the Master out of the estate or trust fund and shall be fixed by the Master and embodied in his certificate.

Costs of applicant.

18. Whenever an allowance of commission is made to an applicant under this Part there shall be deemed to be reserved to the applicant, or his legal personal representative, or the executor, administrator or trustee for the time being of the estate being administered, liberty to apply from time to time, on notice given, for commission in respect of his pains and trouble in the administration of the estate subsequent to the period in respect to which such allowance has been made. Such notice shall be in the Form No. 14 in the Schedule to this Part and shall be verified by an affidavit of the applicant and his co-executors or co-trustees, if any, in the Form No. 15 in the said Schedule, and such notice and affidavit shall be filed in the office of the Master, and in all proceedings following upon such notice the rules of this Part shall, so far as applicable, apply as if those proceedings were by way of, or in connection with, a petition lodged under this Part.

Liberty to apply further.

19. All notices and other documents required under this Part to be served upon any person may, unless otherwise directed by the Master, be sent by registered letter addressed to such person at his address appearing on the file in the office of the Master or, in the absence of any such address, at his last known address and the posting thereof shall be a sufficient service and the time at which the notice so posted would be delivered in the ordinary course of post shall be considered as the time of service.

Service of notices, &c.

## SCHEDULE OF FORMS.

## No. 6.

*Petition.*

Rule 6.

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*  
and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.

The day of 19 .

THE PETITION of showeth as follows:—

1. That on the day of 19 Probate of the Will [or Letters of Administration of the Estate] of the above-named deceased who died [intestate] on the day of 19 were granted to the Petitioner [and hereinafter referred to as the Executor(s) [or Administrator].

2. That a true and just account of the administration of the estate of the said deceased as to his [their] receipts and disbursements up to the day of 19 has been deposited by the Executor(s) [or Administrator] in the Office of the Master pursuant to the provision of Rule 28 of Part I. of the Probate and Administration Rules.

3. That all debts and liabilities, funeral and testamentary expenses and Probate and Estate Duties payable or owing by the said estate have been paid or discharged [save and except ].

4. That the balance of the said estate now in the hands of the Executor(s) [or Administrator] and available for distribution as disclosed by the said account consists of real estate of the value of £ and personal estate and moneys of the value of £

5. That the assets of the said estate were situated entirely within the State of Victoria.

6. That the scheme of distribution of the balance of the said estate now in the hands of the Executor(s) [or Administrator] proposed is as follows:—[or "in accordance with the provisions of the said Will" or set out shortly proposed division of balance].

7. That no previous application for the allowance of commission in respect of the said estate has been made [or as the case may be].

YOUR PETITIONER(S) THEREFORE PRAYS [PRAY]:—

That commission or percentage be allowed to the Petitioner(s) for his [their] pains and trouble in his [their] administration of the said estate.

Witness:

Signature(s) of Petitioner(s):

NOTE.—It is intended to serve this Petition on the persons beneficially interested in the above-mentioned estate and on the sureties to the Administration bond (if any) who may appear hereto by entering appearance not less than four clear days before the day fixed for consideration of this Petition either personally or by their solicitor at the Master's Office, Supreme Court, Melbourne.

## No. 7.

*Affidavit Verifying Petition.*

Rule 6.

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*  
and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.

I [We], of in the State of Victoria [jointly and severally] make oath and say:—

1. That I am [we are] the Executor(s) of the will [or Administrator [or Trustee(s)] of the Estate] of the above-named deceased.

2. That the statements contained in the Petition of filed in this matter and dated are true and correct in every particular.

3. That set out in the First Schedule hereto [or exhibited hereto marked "A"] is a statement of the assets and liabilities disclosed to the Office of the Commissioner of Taxes for the purpose of the assessment of Probate Duty in the estate up to the date of swearing this affidavit.

4. Save as set forth in the said last-mentioned statement the said deceased was not to the best of my [our] knowledge information or belief at the time of his death possessed of or entitled to any debts or sum of money due to him from me [us or any of us] on any account whatsoever nor to any real or personal estate whatsoever.



5. The account referred to in the said Petition according to the best of my [our] knowledge information and belief, sets forth a full account of the corpus of the real and personal estate of the said deceased and of the rents profits and income of such estate which have come to my [our] hands [or to the hands of any of us] or to the hands of any person or persons by my [our] order or authority [or the order or authority of any of us] or for my [our] use [or the use of any of us] and the times when the names of the persons from whom and on what account the same has been received, and also a like account of the distribution in specie of, and of the disbursements allowances and payments made by me [us or any of us] on account of, the said corpus or in respect of the said rents profits and income and the times when, the names of the persons to whom, and the purposes for which the same were made.

6. And I [we, each] speaking positively for myself [himself] and to the best of my [his] knowledge and belief as to other persons, further say that except as appears in the said account I [we] have not [nor has any of us] nor has any other person by my [our] order or authority [or the order or authority of any of us] or for my [our] use [or the use of any of us] possessed received or got in any part of the corpus rents profits and income of the estate of the said deceased nor any money in respect thereof, and that the said account does not contain any item of disbursement, allowance or payment other than such as has actually been disbursed, allowed or paid on account of the said corpus or in respect of the said rents profits and income.

7. Particulars of the real and personal estate of the said deceased retained or remaining uncollected at the date thereof are set forth in the said account and there was at such date no other part of the estate outstanding or undisposed of. The said real and personal estate and all moneys derived from the realization of the estate of the said deceased and all investments made thereout now held by me [us] as such executor[s] [or as may be] are vested in [the joint names of] and are under the sole control of myself [ourselves].

8. That the names and addresses of all persons beneficially interested in the said estate [and of the sureties to the Administration bond] are as follows:—

and the consent in writing of all such persons (other than ) to the acceptance of the said account as true and correct and to the consideration of the said Petition without notice to them is exhibited hereto and marked "C" and is to be filed herein.

And I [we] being the Petitioner(s) herein do hereby [jointly and severally] make oath and say:—

9. That I [we] have incurred the following pains and trouble in the administration of the said estate [set out such clearly.]

SCHEDULE.

STATEMENT OF ASSETS AND LIABILITIES.

[Here set out a summary of the figures appearing in the Statement lodged in the office of the Commissioner of Taxes and of assets subsequently disclosed to that office with particulars sufficient to identify each asset. Lengthy descriptions and lists of furniture, jewellery, &c., should not be set out.]

Sworn at Melbourne in Victoria this  
 day of One thousand nine  
 hundred and

Before me,

A Commissioner of the Supreme Court of the State  
 of Victoria for taking Affidavits.

[Note.—(a) Bank Pass Book must be produced showing the deposit of any moneys forming part of the estate of the deceased.

(b) This affidavit is to be made by all the Executors or Trustees.]

No. S.

Consent of Person Beneficially Interested or of sureties to Administration bond.

Rule 7.

In the Supreme Court of Victoria.

In the Matter of Section 59 of the  
 Administration and Probate Act 1928  
 and

Probate Jurisdiction.

In the Matter of the Estate [or of the  
 Trusts of the Will] of  
 late of deceased.

I, {We} of being a person [or persons] beneficially interested  
 in the estate of deceased [or sureties to the Administration bond herein]  
 hereby consent to the acceptance by the Court of the account of the  
 Executor(s) [or Administrator] of his [their] administration of the estate of the said deceased [deposited in  
 the office of the Master or as the case may be] and dated the day of 19  
 as being prime facie true and correct [insert where desired] and consent to consideration of the application  
 of the said for the allowance of commission proceeding without service upon me [us]  
 of a copy of the petition herein and of notice of appointment for such consideration].

Dated the

day of

19

Signature(s).

Rule 11.

No. 9.  
*Appearance.*

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*  
and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.

of being [or  
beneficiary under the Will [or in the estate] of the above-named Solicitor for ] a  
of for allowance of commission herein. deceased appears on the application

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .  
Signature.

Rule 11.

No. 10.  
*Objections and Affidavit Verifying.*

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*  
and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.  
[on behalf of

THE OBJECTIONS of of  
of an infant] being a beneficiary under the Will [or claiming an interest as  
in the estate] of the above-named deceased to the allowance of commission to the Petitioner(s) for his  
[their] pains and trouble in administering the estate of the said deceased.

I, \_\_\_\_\_ of \_\_\_\_\_ in the State of \_\_\_\_\_ make  
oath and say :—

1. That I am the above-named objector [on behalf of \_\_\_\_\_ an infant who was born on the \_\_\_\_\_ day of \_\_\_\_\_ and am the \_\_\_\_\_ of the said infant].
2. That the nature and extent of my interest [or the interest of the said \_\_\_\_\_ an infant] in the estate of the said deceased is as follows :—
3. [Omit if account is not objected to.] That I object to the account of the said estate filed by the Petitioner(s) herein in the following respects [objections to be set out and numbered].
4. That I object to the allowance of commission to the Petitioner(s) [on the ground that the statement of the Petitioner(s) as to his [their] pains and trouble is incorrect or as the case may be].

Sworn at Melbourne in Victoria this  
day of \_\_\_\_\_ One thousand nine }  
hundred and \_\_\_\_\_ }  
Before me,

A Commissioner of the Supreme Court of the State  
of Victoria for taking Affidavits.

Rule 15.

No. 11.  
*Notice Requiring Notification of Petition or Application.*

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*  
and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.

TAKE NOTICE that I \_\_\_\_\_ of \_\_\_\_\_ [full name and address]  
[on behalf of \_\_\_\_\_ of \_\_\_\_\_ an infant [or a person  
resident out of the State of Victoria]] being a beneficiary under the Will [or a person claiming an interest  
as [state relationship or particulars of interest] in the estate] of the above-named deceased hereby require  
notice of any petition under Part II. of the Probate and Administration Rules or application for the  
allowance of commission to the executor(s) [administrator] or trustee(s) of such Will or Estate to be given  
to me at the address set out hereunder.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .  
Signature of Beneficiary [or Claimant]  
[or Signature of Solicitor].

Address for service of notice,

1655

No. 12.

*Affidavit of Service and of Search.*

Rule 8.

In the Supreme Court of Victoria.  
Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*  
and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.  
hereby make oath and say :—

I, \_\_\_\_\_ of \_\_\_\_\_ in the State of \_\_\_\_\_

19 \_\_\_\_\_ I served a copy of the  
filed herein and of the Notice of

1. That on the \_\_\_\_\_ day of \_\_\_\_\_  
Petition of [or Notice of further application by]  
appointment indorsed thereon on—

(a) Each of the persons mentioned in the Schedule hereto being all the persons beneficially interested  
in the said Estate [and the sureties to the Administration bond] and  
(b) \_\_\_\_\_ of \_\_\_\_\_ a person who has filed a notice under the  
provisions of Rule 15 of Part II. of the Probate and Administration Rules and  
(c) \_\_\_\_\_ of \_\_\_\_\_ a person nominated by the Master to be  
served on behalf of \_\_\_\_\_ an infant [or as the case may be]  
by registered letter addressed to each of such persons at their respective addresses set out in the said  
Schedule [and as above].

2. That I have this day searched in the Probate Office of this Honorable Court and find that no  
appearance has been entered herein and that no objections or notice have or has been filed pursuant to  
Rules 11 or 15 of Part II. of the said Probate and Administration Rules [or as the case may be].

SCHEDULE.

Sworn at Melbourne in Victoria this  
day of \_\_\_\_\_ One thousand nine }  
hundred and \_\_\_\_\_ }

Before me,

A Commissioner of the Supreme Court of the State  
of Victoria for taking Affidavits.

[Note.—This affidavit is to be sworn on the date fixed for consideration of the application.]

No. 13.

*Certificate of Master.*

Rule 13.

COMMISSION ALLOWED :—

On Corpus Receipts:—	..	..	..	..	..	£	..	..	£
Percentage thereof	..	..	..	..	..	..	..	..	£
On property dealt with pursuant to devise or legacy or in specie :—	..	..	..	..	..	£	..	..	£
Value thereof	..	..	..	..	..	..	..	..	£
Percentage thereof	..	..	..	..	..	£	..	..	£
On Income receipts	..	..	..	..	..	..	..	..	£
Percentage thereof	..	..	..	..	..	..	..	..	£
Total..	..	..	..	..	..	..	..	..	£

Costs of Petitioner fixed at £ \_\_\_\_\_ [and of \_\_\_\_\_ at £ \_\_\_\_\_].  
DATED the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Master.

APPROVED the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Judge.

FILED in the office of the Master this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

[Note.—This certificate is to be indorsed upon the Petition or Notice of further application.]

## No. 14.

Rule 18.

*Notice of Further Application.*

In the Supreme Court of Victoria.

Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.

TAKE NOTICE that pursuant to liberty reserved  
the applicant(s) on the Petition dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ lodged  
herein will apply to the Court for the allowance to him (them) of commission for his (their) pains and  
trouble in his (their) administration of the estate of the above-named deceased since the  
day of \_\_\_\_\_ 19 \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Signature(s) of Applicant(s)  
[or of Solicitor].

[Note.—This Notice must bear an indorsement of appointment of date for consideration of this application.  
See Rule 7.]

## No. 15.

Rule 18.

*Affidavit in Support of Application for Allowance of Further Commission.*

In the Supreme Court of Victoria.

Probate Jurisdiction.

In the Matter of Section 59 of the  
*Administration and Probate Act 1928*and  
In the Matter of the Estate [or of the  
Trusts of the Will] of  
late of deceased.

I [We] \_\_\_\_\_ of \_\_\_\_\_ in the State of Victoria [jointly  
and severally] make oath and say:—

1. That I am [we are] the Executor(s) of the Will [or Administrator [or Trustee(s)] of the Estate]  
of the above-named deceased.

2. That set out in the Schedule hereto [or exhibited hereto marked “ ” and to be filed herein] is a  
true and just account of the administration of the estate of the said deceased during the period from  
the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ (the date to which the *Administration Account*  
referred to in the Petition herein was made up) to the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

3. That since the date of the said Petition no further assets or liabilities of the said deceased have been  
disclosed to me [us or any of us]. [save and except \_\_\_\_\_]

4. The said account according to the best of my [our] knowledge information and belief, sets  
forth a full account of the corpus of the real and personal estate of the said deceased and of the  
rents profits and income of such estate which during the said period have come to my [our] hands  
[or to the hands of any of us] or to the hands of any person or persons by my [our] order or  
authority [or the order or authority of any of us] or for my [our] use [or the use of any of us] and the  
times when the names of the persons from whom and on what account the same has been received,  
and also a like account of the distribution in specie of, and of, the disbursements allowances and  
payments made during the said period by me [us] [or any of us] on account of, the said corpus or  
in respect of the said rents profits and income and the times when, the names of the persons to  
whom, and the purposes for which the same were made.

5. And I [we, each] speaking positively for myself [himself] and to the best of my [his] knowledge  
and belief as to other persons, further say that except as appears in the said account I [we] have not  
[nor has any of us] nor has any other person by my [our] order or authority [or the order or  
authority of any of us] or for my [our] use [or the use of any of us] during the said period possessed  
received or got in any part of the corpus rents profits and income of the estate of the said deceased  
nor any money in respect thereof, and that the said account does not contain any item of  
disbursement, allowance or payment other than such as has actually been disbursed, allowed or paid  
on account of the said corpus or in respect of the said rents profits and income.

6. Particulars of the real and personal estate of the said deceased retained or remaining uncollected  
at the date thereof are set forth in the said account and there was at such date no other part of the  
estate outstanding or undisposed of. The said real and personal estate and all moneys derived from  
the realization of the estate of the said deceased and all investments made thereout now held by me  
[us] as such executor(s) [or as may be] are vested in [the joint names of] and are under the sole  
control of myself [ourselves].

7. That the names and addresses of all persons beneficially interested in the said estate [and of  
the sureties to the Administration bond] are as follows:—  
and the consent in writing of all such persons (other than \_\_\_\_\_) to the acceptance of the  
said account as true and correct and to the consideration of the application of \_\_\_\_\_ for  
further commission without notice to them is exhibited hereto and marked “ ” and is to be filed herein.

And I [we] being the Petitioner(s) herein [or as the case may be] and with liberty to apply for  
an allowance of further commission herein do hereby [jointly and severally] make oath and say:—

8. That I [we] have incurred the following pains and trouble in the administration of the said  
estate during the said period [set out such clearly].

1657

SCHEDULE.

SUPPLEMENTARY STATEMENT OF ACCOUNT.

[Here set out under separate headings as in the Administration Account (Form 5 in the First Schedule to Part I. of these Rules) particulars of Receipts Disbursements and Balances and Portions of Estate distributed in specie or retained or remaining uncollected and Statement of moneys and securities held.]

Sworn at Melbourne in Victoria this  
day of                   One thousand nine  
hundred and                       }

Before me,

A Commissioner of the Supreme Court of the State  
of Victoria for taking Affidavits.

[*Note.—(a) Bank Pass Book must be produced showing the deposit of any moneys forming part of the estate of the deceased.*

*(b) This affidavit is to be made by all the Executors or Trustees.]*

DATED this first day of March, 1949, Judges' Chambers, Supreme Court, Melbourne.

- E. F. HERRING, C.J.
- J. R. MACFARLAN, J.
- CHARLES J. LOWE, J.
- C. GAVAN DUFFY, J.
- RUSSELL MARTIN, J.
- NORMAN O'BRYAN, J.
- W. K. FULLAGAR, J.
- JOHN V. BARRY, J.
- ARTHUR DEAN, J.





# VICTORIA

# GOVERNMENT GAZETTE.

Published by Authority.

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

**No. 236]**

**THURSDAY, MARCH 10.**

**[1949**

**Factories and Shops Acts.**

**DETERMINATION OF THE SHOPS BOARD No. 15 (GROCERS).**

NOTE.—This Determination applies to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons whatsoever employed in the business of a grocer, including a seller of tea," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in February, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.	Other Employees.	Wages per Week of 40 Hours.*		
		Within the Cities of Ballarat and Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	Within the Cities of Geelong, Geelong West, and Warrnambool, and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.
		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Per Week of 40 Hours. <i>s. d.</i>				
WAGES.				
Under 15 years of age ..	(a) Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager ..	164 9	166 9	170 9
15 years of age ..	(b) Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits ..	155 6	157 6	161 6
16 years of age ..	(c) Canvasser, i.e., an employee soliciting or collecting orders ..	141 0	143 0	147 0
17 years of age ..	(d) Driver of motor vehicle with a carrying capacity of not more than 25 cwt. ..	136 0	138 0	142 0
18 years of age ..	(e) Driver of motor vehicle with a carrying capacity of over 25 cwt. ..	138 9	140 9	144 9
19 years of age ..	(f) Driver of three or more horses ..	141 0	143 0	147 0
20 years of age ..	(g) Driver of two horses ..	138 9	140 9	144 9
Provided that any apprentice or improver without previous experience entering the trade at 16, 17, or 18 years of age may be paid for his first and second years' service 20 per cent. less than the rates fixed above.	(h) Driver of one horse ..	136 0	138 0	142 0
The Board has prescribed a form of indenture which must be used.	(i) Stableman ..	133 6	135 6	139 6
PROPORTION (in any shop or place).	(j) All others ..	141 0	143 0	147 0
<i>Apprentices.</i>				
One apprentice to every three or fraction of three workers receiving not less than 141s. per week of 40 hours.				
<i>Improvers.</i>				
One improver to every three workers receiving not less than 141s. per week of 40 hours.				
"Worker" includes an owner or partner acting as working manager.				

\* The ordinary hours of employees classified as (d), (e), (f), (g), and (h) include time occupied in attending to horses or motor vehicles.

3. TIMES OF BEGINNING AND ENDING WORK.

	Drivers.		All others except Stablemen	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
On Saturday .. .. .	8.55 a.m.	noon.	9.5 a.m.	noon.
On the other working days of the week .. .. .	8.55 a.m.	6 p.m.	9.5 a.m.	5.30 p.m.

4. OVERTIME.

The following rate shall be paid for overtime :—

Stablemen—

For all work done in excess of 40 hours in any one week .. .. .

All others—

Outside the hours fixed in clause 3 .. .. .

Within the hours fixed in clause 3 in excess of the number of hours fixed for an ordinary week's work .. .. .

} Time and a half.

5. ORDINARY WEEK'S WORK.

The number of hours which shall constitute an ordinary week's work shall be 40.

6. TIME WAGES.

Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for each hour worked up to 20 hours, as follows :—

(a) in any week in which two or more public holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) in any other week .. .. . At the ordinary wages rate, with an addition of thirty-three and one-third per centum.

For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

7. ALLOWANCES.

(a) Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 2s. 6d. per week in addition to the ordinary rate.

(b) Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance of sixpence for each day or part thereof upon which he is so required to use such bicycle.

8. TERMINATION OF EMPLOYMENT.

Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

9. MEAL INTERVAL.

A meal interval of at least one hour shall be allowed between the hours of noon and 2 p.m. daily.

10. SPECIAL RATES.

Time and a half shall be the special rate payable for all work done on Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act 1928*, as are within the area to which this Determination applies), and double time the special rate payable for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day or Boxing Day and treble time shall be the rate payable for work done on Easter Saturday (i.e. the Saturday immediately succeeding Good Friday), but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

11. MEAL MONEY.

For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 2s. 6d. meal money in addition to the prescribed overtime rate.

12. ANNUAL HOLIDAY.

The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* No. 5111 and any amendments which may be made thereto from time to time.

13. REFERENCES.

Every employee, on the termination of his engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

14. RENT OF RESIDENCE.

The employer shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such employer is carried on, a greater sum as rent for such premises than 10s. 0d. per week.

15. SICK LEAVE.

(a) Any employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than twelve months' service with the same employer, and he or she produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall be cumulative from year to year up to a period not exceeding 18 days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

16. PAY DAY.

Payment of wages, including overtime, meal money, special rates, and allowances shall be made not later than Thursday of each week.

17. TIME AND WAGES RECORD.

The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Grocers' Association of Victoria.

18. PAYMENT OF FARES.

Where an employee is required by his employer to work at a shop or branch other than that at which he is ordinarily employed, he shall be paid the additional fares, if any, incurred by him in so doing. Provided that this clause shall not apply to any employee who is transferred to another store or branch for a period of not less than one week.

REST PERIOD.

19. A rest interval of ten minutes shall be given to all employees during each morning and afternoon (Monday to Friday inclusive), and shall be counted as time worked.



## PERIODICAL ADJUSTMENT OF WAGES.

20. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount, and at the same time as such Basic Wage as prescribed by clause 21. Provided that the wages of apprentices or improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

*Basic Wage.*

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	Per week. £ s. d.	Per week. s. d.	Per week. £ s. d.	
Within the area to which this Determination applies ..	5 17 0	6 0	6 3 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

21. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' 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.

(b) Until the beginning of the first pay period to commence in May, 1949, the amounts of the Basic Wage shall be as prescribed in clause 20.

(c) During each future successive period beginning with the first pay period to commence in a May, an August, a November or a February, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 24th January, 1949.

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# VICTORIA GOVERNMENT GAZETTE.

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No. 237]

THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE PLASTERERS BOARD.

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

(B) Plastering was proclaimed on 28th November, 1928, as an apprenticeship trade under the *Apprenticeship Act* 1928 for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell-street, Melbourne. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which, since the 7th February, 1940, has had power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (1) whosoever employed in the process, trade, or business of plastering or cementing;
- (2) employed in the process, trade, or business of fixing all laths used in connexion with the erection or repair of buildings, whether such laths are of wood or of a substitute therefor;
- (3) employed in the finishing of all plastering work in sewers, tunnels, or channels;
- (4) employed in finishing all kinds of plastic acoustic work, waterproofing work, and texture work formed in cement plaster or patent material;
- (5) employed in the making or laying of marble mosaic, granolithic, terrazo, or flooring of which cement forms a part or the laying of magnesite flooring;
- (6) employed in the making or fixing of all pre-cast or moulded work (except such work as is subject to the Determination of the Fibrous Plasterers Board)

has made the following Determination, namely:—

That as from the beginning of the first pay period to commence in February, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### PART I

1. This Part applies only in respect of the employment of persons on the construction renovation alteration repair or demolition of buildings performed on the site thereof, and in particular it shall have no application—

- (i) to employment by an employer in any industry where the work performed by the employee is subsidiary or auxiliary to the chief and principal purpose and business of such industry; or
- (ii) to employment in workshops.

2.

### WAGES.

Apprentices.			Improvers.		Other Employees.		
Per week.			Per week.		—	Per hour.	Per week.
<i>s. d.</i>			<i>s. d.</i>			<i>s. d.</i>	<i>s. d.</i>
1st year	..	35 6	15 years of age	..	35 6	Men employed on swings, bosun's chairs, lifts, or any other suspended platform All other plasterers	205 6 200 0
2nd "	..	47 6	16 " "	..	47 6		
3rd "	..	65 6	17 " "	..	65 6		
4th "	..	92 0	18 " "	..	92 0		
5th "	..	120 0	19 " "	..	120 0		
6th "	..	150 0	20 " "	..	150 0		
PROPORTION (by any employer).			PROPORTION (by any employer).		Foreman, i.e., a plasterer in charge of three or more, but not exceeding ten men, is a day extra; where the number exceeds ten he shall be paid 2s. a day extra. On each job where there are three or more plasterers employed one shall be deemed to be and shall be paid as a foreman.		
One apprentice to every three or fraction of three workers receiving not less than 200s. per week of 40 hours.			One improver to the first five workers, and thereafter one to every seven additional workers receiving not less than 200s. per week of 40 hours.				

## HOURS.

3. The ordinary hours shall be 40 per week to be worked in five or five and half days, the daily hours being respectively not more than 8 hours 48 minutes Monday to Friday inclusive or not less than 8 hours Monday to Friday inclusive and 4 hours on Saturday between the hours of 7.30 a.m. and 5.30 p.m. Monday to Friday inclusive and 7.30 a.m. to 12 noon on Saturday. The lunch break shall be not less than 42 minutes.

## OVERTIME.

4. That the following rates shall be paid—

For work done within the hours fixed in clause 3 of this Part in excess of 40 hours ..	Time and a quarter
For work done on Saturdays—	
Between midnight and 7.45 a.m. .. .. .	Double time
Between noon and 5 p.m. .. .. .	Time and a half
Between 5 p.m. and midnight .. .. .	Double time
For work done on any other working day—	
Between 5.30 p.m. and 10.15 p.m. .. .. .	Time and a half
Between 10.15 p.m. and 7.45 a.m. .. .. .	Double time.

## CASUAL LABOUR.

5. Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the rate of 2d. per hour extra.

## INCLEMENT WEATHER.

6. Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, subject to the following conditions:—

- (i) That such allowance shall not exceed the equivalent of eight hours' pay in any one week.
- (ii) That weather shall not be regarded as inclement for the purpose of this clause, unless the employer or his representative on the job, and a representative of the men on such job, agree that it shall be so regarded. Failing such agreement weather shall not be regarded as inclement and work shall continue.
- (iii) Any intermission of work owing to inclement weather so regarded as aforesaid shall immediately cease and work shall be immediately resumed on the employer or his representative calling for a resumption of work.
- (iv) An employee shall not be entitled to payment as provided for in this clause, unless he remains on the job until a decision to cease work for the day has been made by agreement between the employer or his representative and a representative of the men.
- (v) The intermission of work by employees who would be exposed to or working in inclement weather so regarded in accordance with this clause shall not be a ground for intermission of work in places where employees are not so exposed to or are not called upon to work in such inclement weather.

## ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

7. (a) The following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (cr. Bourke and Elizabeth streets) or the principal Post Offices at Ballarat, Bendigo, and Geelong as centres:—

	s.	d.
Up to and including 12 miles .. .. .	2	0
Over 12 miles and including 20 miles .. .. .	2	6
Over 20 miles and including 30 miles .. .. .	3	0

These allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 1s. 4d. per day travelling allowance shall be paid.

(b) Where fares are necessarily incurred on distant jobs, as defined in clause 9 (a) of this Part, or on work performed outside the radii named in sub-clause (a) hereof the provisions of that sub-clause shall apply except that the local Post Office shall be the centre.

## TRANSFER FROM JOB TO JOB.

8. An employee transferred by the employer from one job to another job on the same day shall be paid for the time occupied in travelling as for time worked and the cost of such transfer shall be borne by the employer.

## ALLOWANCES IN RESPECT OF DISTANT JOBS.

9. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	s.	d.
For less than a full week .. .. .	10	0
For a full working week at the rate of .. .. .	42	0

(b) In lieu of the payments prescribed in clause 7 (a) of this Part an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s. to cover expense of reaching his home railway station and transport of tools if any cost necessary. Provided that the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway Stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week end after three months of continuous service and thereafter at three-monthly periods he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

## ALLOWANCE IN RESPECT OF MEALS.

10. Where an employee is required to work overtime in excess of one hour and has not been given notice of same on the previous working day, he shall be allowed an amount of 2s. 6d. for a meal. When working overtime for two hours or more, employees shall be allowed to take, without deduction of pay, 20 minutes for crib immediately after the ordinary ceasing time, and thereafter 30 minutes for crib shall be allowed after each four hours of continuous work. Provided that where an employee works overtime for two hours without taking the prescribed interval of 20 minutes, he shall be deemed to have worked two and one-third hours.

## EMPLOYEE REQUIRED TO ATTEND FOR WORK.

11. An employee who is required to attend for work and is kept waiting to commence work, shall be paid at his ordinary rate of pay for the time he is so kept waiting.

## SPECIAL RATES.

12. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Anzac Day, King's Birthday, Melbourne Cup Day, and Boxing Day.

## EMPLOYEE NOTIFIED TO COMMENCE WORK.

13. An employee notified to commence work and actually attending for work and not allowed to start shall be paid an amount of 5s. and the fares necessarily incurred.

**EXCESS OF HOURS.**

14. An employee who has worked continuously (except for meal intervals) for 20 hours, shall have a break of at least twelve hours before again starting work.

**REST PAUSE.**

15. (a) There shall be a rest period of ten minutes from the time of ceasing to the time of resuming work between the hours of 9.30 a.m. and 11 a.m. without deduction of pay.

(b) The employer shall provide facilities to enable the employees to obtain an adequate supply of boiling water at meal times and rest periods.

**ANNUAL HOLIDAY.**

16. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* No. 5111, and any amendments which may be made thereto from time to time.

**TRANSPORT AT NIGHT.**

17. Any employee who completes his work during the night after trams and other public conveyances have ceased to run shall, unless provided with means of transport by the employer, be reimbursed for any expense necessarily incurred in reaching his home.

**INJURY TO EMPLOYEE.**

18. In the event of an employee being injured during his employment, his employer shall provide suitable means for his conveyance to the nearest available medical attention.

**PAYMENT OF WAGES.**

19. Wages, allowances, and other moneys due shall be paid not later than the time of ceasing work on Thursday of each working week, or otherwise by mutual arrangement. On termination of employment by the employer all wages, allowances, and other moneys shall be paid at the time of dismissal.

**INSPECTION OF TIME SHEETS AND BOOKS.**

20. The Secretary for Labour may authorize at any time (except pay day) or place, the inspection of all wages sheets, time sheets or other wages records by a person nominated by the Victorian Plasterers' Society and approved by the Secretary for Labour, provided that 24 hours' notice of such inspection is given to the employer.

**STORING OF TOOLS.**

21. Where six or more plasterers are engaged on a job, adequate provision shall be made for the storing of tools. No cement, lime, or building materials shall be stored in such place.

**FIRST-AID OUTFIT.**

22. An efficient first-aid outfit shall be supplied on all jobs where building permits are necessary.

**SANITARY CONVENIENCE.**

23. Suitable and adequate sanitary conveniences shall be provided by the employer.

**TERMINATION OF EMPLOYMENT.**

24. One hour's notice of termination of employment shall be given by either employer or employee or one hour's pay shall be paid or forfeited in lieu thereof. Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

**APPRENTICES.**

25. The provision of clause 24 of this Part shall not apply to the employment of apprentices.

**PART II.**

1. This Part applies in respect of the employment of all persons coming within the ambit of the Determination, other than those provided for in Part I. hereof.

2. **WAGES.**

Apprentices.	Improvers.	Other Employees.	
		Per hour.	Per week of 40 hours.
Per week.	Per week.		
<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
1st year .. .. 35 6	15 years of age .. 35 6	Men employed on underground sewer or tunnel plastering .. .. 4 11½	199 7*
2nd " .. .. 47 6	16 " " .. 47 6	All other plasterers .. 4 10½	195 9*
3rd " .. .. 65 8	17 " " .. 65 6		
4th " .. .. 92 0	18 " " .. 92 0		
5th " .. .. 120 0	19 " " .. 120 0		
6th " .. .. 150 0	20 " " .. 150 0		
PROPORTION (by any employer).	PROPORTION (by any employer).		
One apprentice to every three or fraction of three workers receiving not less than 195s. 9d. per week.	One improver to the first five workers, and thereafter one to every seven additional workers receiving not less than 195s. 9d. per week.	Foreman, i.e., a plasterer in charge of three or more, but not exceeding ten men, 1s. a day extra; where the number exceeds ten he shall be paid 2s. a day extra. On each job where there are three or more plasterers employed one shall be deemed to be and shall be paid as a foreman.	
		* Rates include 6s. war loading.	

**TIME OF BEGINNING AND ENDING WORK.**

3. The time of beginning and ending work for persons (other than underground sewer or tunnel plasterers) shall be—

Time of Beginning.	Time of Ending.
7.45 a.m. .. ..	noon on Saturday.
7.45 a.m. .. ..	5.15 p.m. on the other working days of the week.

## OVERTIME.

4. That the following rates shall be paid to—

- (a) Persons employed on underground sewer or tunnel plastering—  
For work done in excess of 40 hours in any week .. .. Time and a quarter.
- (b) Persons employed on any work other than underground sewer or tunnel plastering—  
For work done within the hours fixed in clause 3 in excess of 40 hours .. .. Time and a quarter.
- For work done on Saturdays—  
Between midnight and 7.45 a.m. .. .. Double time.  
Between noon and 5 p.m. .. .. Time and a half.  
Between 5 p.m. and midnight .. .. Double time.
- For work done on any other working day—  
Between 5.15 p.m. and 10.15 p.m. .. .. Time and a half  
Between 10.15 p.m. and 7.45 a.m. .. .. Double time.

## CASUAL LABOUR.

5. Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this determination as a week's work) shall be paid at the rate of 2d. per hour extra.

## WET WEATHER.

6. When work is stopped by wet weather an employee who is instructed to wait on the job shall be paid for all time lost in waiting in excess of one hour in any one day.

## ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME, FARES, AND TRAVELLING TIME.

7. (a) At the time of his engagement an employee may notify his employer that in relation to fares and travelling time he chooses to be paid under either Part A, or Part B of this clause as provided hereunder, and he shall be paid accordingly.  
(b) If the employee expresses no such choice, Part A shall apply and he shall be paid accordingly.

## PART A.

(i) *Allowance in Respect of Excess Fares and Travelling Time.*—The following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (corner Bourke and Elizabeth-streets), or the principal post office of any City, Town, Borough, or Township (other than a City, Town, Borough, or Township within the Metropolitan District) whichever is nearer to the employer's principal place of business:—

	<i>s.</i>	<i>d.</i>
Up to and including 12 miles .. ..	2	0 per day
Over 12 miles and including 20 miles .. ..	2	6 per day
Over 20 miles and including 30 miles .. ..	3	0 per day.

These allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 1s. 4d. per day travelling allowance shall be paid.

(ii) Where fares are necessarily incurred on distant jobs, as defined in sub-clause (iii) hereof the provisions of clause 8 hereof shall apply.

(iii) A distant job is one where the distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence.

## PART B.

(i) *Fares.*—(a) Where an employee is engaged on a job up to 10 miles from the "centre" he shall be paid an amount of 3s. 6d. per week for fares.

(b) Where an employee is engaged on a job more than 10 miles from the "centre" and is able to return to his home each day, he shall be paid the daily fares, not exceeding 6s., actually and necessarily incurred in travelling to and from the job.

(ii) *Travelling Time.*—Where an employee is engaged on a job more than 12 miles and up to 24 miles from the "centre" he shall be paid in respect of time lost in travelling a daily sum of 1s. 6d.; where the distance travelled from the "centre" exceeds 24 miles a daily sum of 2s. 6d. shall be paid.

## ALLOWANCES.

8. An employee when engaged to proceed to work in such a locality as to necessitate his sleeping elsewhere than at his usual place of residence shall receive:—

- (a) When the time occupied on the job is less than a working week 10s. per day with a maximum of 60s. per week;  
(b) When the time occupied on the job is in excess of a working week 7s. per day with a maximum of 42s. in any week.

The employer shall convey the worker to and from the job free of charge or pay his fare. Ordinary rates shall be paid for such travelling time. An employee shall not suffer any loss in regard to the above allowances where work is stopped by wet weather, or by reason of a Public Holiday.

## TRANSFER FROM JOB TO JOB.

9. An employee transferred by the employer from one job to another job on the same day shall be paid for the time occupied in travelling as for time worked and the cost of such transfer shall be borne by the employer.

## TEA MONEY.

10. Any employee who is required to work overtime for more than two hours on any day and who has not been notified on the previous day that he would be required to work such overtime shall be paid an allowance of two shillings.

## EMPLOYEE REQUIRED TO ATTEND FOR WORK.

11. An employee who is required to attend for work and is kept waiting to commence work, shall be paid at his ordinary rate of pay for the time he is so kept waiting.

## EMPLOYEE NOTIFIED TO COMMENCE WORK.

12. An employee notified to commence work and actually attending for work and not allowed to start shall be paid an amount of 6s. and the fares necessarily incurred.

## SPECIAL RATES.

13. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, Anzac Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall only be payable for work done on the day so substituted.

## REST INTERVAL.

14. There shall be an interval of ten minutes at a time fixed by the employer between 9.30 a.m. and 10.30 a.m. for rest on each day Monday to Friday inclusive in each week for each employee, such time to count as time worked. Boiling water for tea shall be provided by the employer for the employee during such interval if the employee so desires.

## ANNUAL HOLIDAY.

15. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* No. 5111, and any amendments which may be made thereto from time to time.

## TRANSPORT AT NIGHT.

16. Any employee who completes his work during the night after trams and other public conveyances have ceased to run shall, unless provided with means of transport by the employer, be reimbursed for any expense necessarily incurred in reaching his home.

## INJURY TO EMPLOYEE.

17. In the event of an employee being injured during his employment his employer shall provide suitable means for his conveyance to the nearest available medical attention.

## PAYMENT OF WAGES.

18. All employees shall be paid not later than Friday in each week within five minutes of ceasing time, except where otherwise mutually agreed. An employee whose service ends before pay time shall be paid at or before the time of its ending, or shall be paid by post or otherwise within 24 hours thereafter. If wages be not paid within the periods prescribed the employee shall be paid at ordinary rates for all times in excess of fifteen minutes beyond such time until the wages are paid or posted to his last known place of address.

## STORING OF TOOLS.

19. Where six or more plasterers are engaged on a job, adequate provision shall be made for the storing of tools. No cement, lime, or building materials shall be stored in such place.

## FIRST-AID OUTFIT.

20. An efficient first-aid outfit shall be supplied on all jobs where building permits are necessary.

## SANITARY CONVENIENCES.

21. Suitable and adequate sanitary conveniences shall be provided by the employer.

## TERMINATION OF EMPLOYMENT.

22. Except where the conduct of an employee justifies instant dismissal, one hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof. Half an hour shall be allowed the employee to gather, clean, pack, and transport his tools, and in such case wages shall be paid at the commencement of such half hour.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 9th February, 1949.







# VICTORIA GOVERNMENT GAZETTE.

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No. 238]

THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
9th day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

### ENGINEERS AND BRASSWORKERS (SKILLED) BOARD.

Clauses 2, 3, 4 and 5 of the Determination published in *Government Gazette*, No. 27, of the 11th January, 1949, shall be replaced by the following clauses:—

2.

Wages per Week of 40 Hours.

Adults.	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrambool and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
<i>(a) Engineering and Brassworking Section.</i>			
Angle-iron smith .. .. .	8 19 6	9 6 0	8 16 6
Annealer and/or case hardener .. .. .	8 5 6	8 12 0	8 2 6
Brassfinisher (tradesman) .. .. .	8 15 0	9 1 6	8 12 0
Brassfinisher (2nd class) .. .. .	8 0 0	8 6 6	7 17 0
Brass polisher .. .. .	7 13 0	7 19 6	7 10 0
Blacksmith's machinist .. .. .	7 11 0	7 17 6	7 8 0
Brass-smith, coppersmith, or other smith .. .. .	8 16 6	9 3 0	8 13 6
Fitter and/or turner .. .. .	8 15 0	9 1 6	8 12 0
Fitter, turbine blade .. .. .	8 19 6	9 6 0	8 16 6
Forger and/or faggoter .. .. .	9 13 6	10 0 0	9 10 6
Heat treater .. .. .	8 19 6	9 6 0	8 16 6
Inspector .. .. .	9 10 6	9 17 0	9 7 6
Key-seating machinist .. .. .	8 0 0	8 6 6	7 17 0
Locksmith .. .. .	8 15 0	9 1 6	8 12 0
Machine setter .. .. .	8 15 0	9 1 6	8 12 0
Machinist—1st class .. .. .	8 15 0	9 1 6	8 12 0
Machinist—2nd class .. .. .	8 0 0	8 6 6	7 17 0
Machinist—3rd class .. .. .	7 10 0	7 16 6	7 7 0
Marker off (i.e., a fitter the greater part of whose time is occupied in marking off) .. .. .	8 19 6	9 6 0	8 16 6
Motor cycle mechanic .. .. .	8 10 6	8 17 0	8 7 6
Motor mechanic .. .. .	8 15 0	9 1 6	8 12 0
Mould polisher .. .. .	7 9 0	7 15 6	7 6 0
Patternmaker .. .. .	9 8 0	9 14 6	9 5 0
Pipe fitter on low pressure work .. .. .	8 0 0	8 6 6	7 17 0
Process worker .. .. .	7 5 0	7 11 6	7 2 0
Refrigeration mechanic or serviceman .. .. .	8 15 0	9 1 6	8 12 0
Safe maker and/or repairer (security work) .. .. .	8 15 0	9 1 6	8 12 0
Scalemaker and/or adjuster .. .. .	8 15 0	9 1 6	8 12 0
Scientific instrument maker .. .. .	9 8 0	9 14 6	9 5 0
Toolmaker .. .. .	9 8 0	9 14 6	9 5 0

Wages per Week of 40 Hours.—continued.

Adults.	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warramboul and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
Toolsmith .. .. .	8 19 6	9 6 0	8 16 6
Wet stone grinder and glazier (tradesman) ..	8 15 0	9 1 6	8 12 0
Welder—1st class (other than when using Cutler machine) .. .. .	8 19 6	9 6 0	8 16 6
Welder—1st class (using Cutler machine) .. .. .	8 2 0	8 8 6	7 19 0
Welder—2nd class .. .. .	7 11 0	7 17 6	7 8 0
Welder—3rd class .. .. .	7 7 0	7 13 6	7 4 0
Welder—tack .. .. .	7 9 0	7 15 6	7 6 0
Jobbing moulder and/or coremaker .. .. .	8 15 0	9 1 6	8 12 0
Plate and machine moulder and/or coremaker—			
1st six months' experience .. .. .	7 11 0	7 17 6	7 8 0
2nd six months' experience .. .. .	7 14 0	8 0 6	7 11 0
3rd six months' experience .. .. .	7 17 0	8 3 6	7 14 0
Thereafter .. .. .	8 2 0	8 8 6	7 19 0
Experience for the purpose of calculating the rates payable to plate and machine moulders and/or coremakers shall include all experience as a moulder or coremaker, jobbing or machine, as the case may be, whether as a junior or an adult.			
Other employees with not less than three months' experience in the metal trades industry ..	6 12 0	6 18 6	6 9 0
Employee not elsewhere classified .. .. .	6 6 0	6 12 6	6 3 0
<i>(b) Making or Repairing Typewriters, Book-keeping Machines, Adding Machines, Calculating Machines, Cash Registers, Duplicating Machines and Similar Machines.</i>			
Adding, calculating and book-keeping machine mechanic .. .. .	8 16 6	9 3 0	8 13 6
Cash register mechanic .. .. .	8 16 6	9 3 0	8 13 6
Tradesman .. .. .	8 15 0	9 1 6	8 12 0
First-class mechanic .. .. .	8 5 6	8 12 0	8 2 6
Second-class mechanic .. .. .	8 2 0	8 8 6	7 19 0
Process worker .. .. .	7 5 0	7 11 6	7 2 0
Other employees with not less than three months' experience in the metal trades industry ..	6 12 0	6 18 6	6 9 0
Employee not elsewhere classified .. .. .	6 6 0	6 12 6	6 3 0

NOTE.—Employees engaged on ship repairs shall be paid the following additional margins:—

	s. d.
Tradesmen .. .. .	4 6 per week.
All other labour .. .. .	3 0 ..

LEADING HANDS.

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees, 18s. per week extra; more than twenty employees, 27s. per week extra.

Provided that an employee in an electrical supply undertaking detailed to act as leading hand in charge of two other adult employees working away from power station or workshop (one of whom is of the same classification as himself) shall be paid 6s. per week extra.

TRADESMEN IN LARGE POWER HOUSES.

Tradesmen and/or welders, and their assistants employed in large operating power houses (i.e., power houses developing more than 8,000 kilowatts), other than those not on the regular staff, engaged on new construction work, shall be paid 6s. per week extra, and other apprentices and unapprenticed juniors 3s. per week extra; such amount shall be deemed to include all special rates prescribed in clause 6.

This allowance shall continue to be payable to tradesmen attached to the staffs of such power houses while carrying out repairs or maintenance in rotary convertor sub-stations which are in regular operation.

APPRENTICESHIP.

3. (Other than those covered by the Apprenticeship Commission.)

Apprenticeship Trades.

(a) An employer shall not employ minors in the following trades or occupations otherwise than under a contract of apprenticeship as hereinafter provided:—

- (i) Brassfinisher (except the making of parts by specialized processes and the assembling thereof)
- (ii) Electrical fitter and/or armature winder (except the winding of armatures by specialized processes).
- (iii) Electrical mechanic.
- (iv) Fitter and/or turner.
- (v) Locksmith—making and/or repairing locks, including those of safes and strong-room doors, but not including the making of parts by specialized processes and the assembling thereof.
- (vi) Machinist—1st and 2nd class.
- (vii) Motor mechanic.
- (viii) Moulder and/or coremaker—jobbing.
- (ix) Patternmaker.
- (x) Refrigeration mechanic or serviceman.
- (xi) Safe and strong-room maker.
- (xii) Scale maker (except the making of parts by specialized processes and the assembling thereof).
- (xiii) Scientific instrument maker.
- (xiv) Smithing—Blacksmith, copper and/or brass smith.
- (xv) Welder—1st class.
- (xvi) Window frame fitter.
- (xvii) Brass polishing.
- (xviii) Adding machine, calculating machine, book-keeping machine, cash register, or first-class mechanic.

*Contract of Apprenticeship.*

- (b) Every contract of apprenticeship hereinafter made shall contain—
- (i) the names of the parties;
  - (ii) the date of birth of the apprentice;
  - (iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
  - (iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
  - (v) the date at which the apprenticeship is to commence or from which it is to be calculated;
  - (vi) all other conditions of apprenticeship.

*Cancellation or Suspension of Indenture.*

(c) Subject to the approval of the Wages Board, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if, in the opinion of the Wages Board, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provision of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

*Instruction in Welding.*

(d) The training of apprentices to blacksmithing, structural steel works, fitting or fitting and turning shall include instruction in electric welding and/or oxy-acetylene welding as far as is practicable with the facilities available in the shop in which they are trained.

*Proportion.*

(e) (i) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed. Subject to this sub-clause the proportion of apprentices who may be taken by an employer shall not exceed one apprentice to every three or fraction of three tradesmen in the trade concerned.

In the trades of—

- Welder—1st class;
- Motor mechanic; and
- Moulder and/or coremaker—jobbing;

the proportion of apprentices who may be taken by an employer shall not exceed one apprentice for every two or fraction of two tradesmen in the trade concerned.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and in ascertaining such proportion an employer actually working in any workshop shall be deemed to be a tradesman.

A person who is, for a term not exceeding two years, taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

(ii) Notwithstanding anything hereinbefore provided in the trades of—

- Fitter and/or turner,
- Machinist—1st and 2nd class,
- Motor mechanic, and
- Refrigeration mechanic or serviceman,

an employer may with the consent of an apprenticeship authority and upon satisfying that authority that he has the plant, equipment and staff necessary for the proper tuition of each apprentice concerned take apprentices in excess of the proportion herein prescribed. Until further order apprentices so taken shall not be counted in future calculations of the proportion of apprentices to journeymen authorized by the Determination.

*Period of Apprenticeship.*

(f) The periods of apprenticeship, except as to those marked (i), (xi), (xii), and (xvi), shall be as follows:—

If the apprentice, when indentured, is under the age of seventeen years—five years; if over the age of seventeen—four or five years, at the option of the contracting parties.

For the trades marked (i), (xi), (xii), and (xvi)—four or five years at the option of the contracting parties.

*Adult Apprentices.*

(g) Any apprentice who cannot complete his full term of apprenticeship before reaching his 22nd birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

*Probationary Period.*

(h) Minors may be taken on probation for three months, and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the appropriate apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

*Wages.*

(i) The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

The total wages of apprentices and improvers shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(j)

Wages per Week of 40 Hours.

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Total Wage Payable—		
				Within 20 Miles G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	Per Week.	Per Week.	Per Week.	£ s. d.	£ s. d.	£ s. d.
Four and five-year terms—		<i>s. d.</i>	<i>s. d.</i>			
1st year .. .. .	25	0 0	0 9	1 10 0	1 11 6	1 9 0
2nd year .. .. .	33	1 0	1 0	2 0 6	2 3 0	1 19 6
3rd year .. .. .	50	1 6	1 6	3 1 6	3 4 6	3 0 0
4th year .. .. .	83	2 0	2 3	5 1 6	5 7 0	4 19 0
5th year .. .. .	100	2 0	3 0	6 8 0	6 14 6	6 5 0
	plus 6s.					
Four-year terms—Apprentice commencing after the age of 17 years—						
1st year .. .. .	29	0 0	0 9	1 14 6	1 16 6	1 14 0
2nd year .. .. .	50	1 0	1 6	3 1 0	3 4 0	2 19 6
3rd year .. .. .	83	2 0	2 3	5 1 6	5 7 0	4 19 0
4th year .. .. .	100	2 0	3 0	6 8 0	6 14 6	6 5 0
	plus 6s.					

The sum of 4s. per week shall be added to the above rates in the case of apprentice patternmakers.

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

(k) The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

Overtime and Shift Work.

(l) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he so desires.

No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, Determination or regulation applicable to him.

Payment by Results.

(m) An apprentice shall not work under any system of payment by results.

Lost Time.

(n) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent, shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(o) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Attendance at Technical Schools.

(p) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

Annual and Sick Leave.

(q) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 17 and 18 hereof respectively.

IMPROVERS.

4. Improvers employed at brass polishing or in the making or repairing of typewriters, book-keeping machines, adding machines, calculating machines, cash registers, duplicating machines, and similar machines shall be paid as follows:—

Wages per Week of 40 Hours.

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Total Wage Payable—		
				Within 20 Miles G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	Per Week.	Per Week.	Per Week.	£ s. d.	£ s. d.	£ s. d.
1st year .. .. .	25	0 0	0 9	1 10 0	1 11 6	1 9 0
2nd year .. .. .	33	1 0	1 0	2 0 6	2 3 0	1 19 6
3rd year .. .. .	50	1 6	1 6	3 1 6	3 4 6	3 0 0
4th year .. .. .	83	2 0	2 3	5 1 6	5 7 0	4 19 0
5th year .. .. .	100	2 0	3 0	6 8 0	6 14 6	6 5 0
	plus 6s.					

Notwithstanding anything elsewhere in this Determination contained, where an improver is under the age of 21 years after completion of five years at the trade of making or repairing typewriters, book-keeping machines, adding machines, calculating machines, cash registers, duplicating machines, and similar machines, he shall be paid four-fifths of the second-class mechanic's time wage until reaching the age of 21 years.

Proportion of Improvers.—In the making or repairing of typewriters, book-keeping machines, adding machines, calculating machines, cash registers, duplicating machines, and similar machines—one improver to every two or fraction of two workers employed in this section.

Brass polishing.—One improver to every two or fraction of two brass polishers receiving not less than the minimum wage.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

5. (a) No junior other than an apprentice or an improver shall be employed at brass polishing or in assembling, making, or repairing typewriters, book-keeping machines, adding machines, calculating machines, cash registers, duplicating machines, and similar machines.

(b) Subject to the exception hereinafter provided, the minimum rates of wage for adult and junior females and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be as follows:—

Wages per Week of 40 Hours.

	Percentage of Needs Basic Wage.	Constant Loading.	Additional Amount.	War Loading.	Total Wage Payable—		
					Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool and within Mildura and Clippelland Districts.	At Yallourn.	Other Parts of Victoria.
					Per Week.	Per Week.	Per Week.
		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
<i>I.—Adult Females.</i>							
Under three months' experience ..	65	3 0	6 0	..	4 5 0	4 9 6	4 3 0
All others ..	75	3 0	7 0	..	4 17 6	5 2 6	4 15 6
<i>II.—Junior Females.</i>							
17 years of age and under ..	40	1 0	3 6	..	2 11 6	2 14 0	2 10 0
18 years of age ..	47½	1 3	4 0	..	3 1 0	3 4 0	2 19 6
19 years of age ..	55	1 6	4 6	..	3 10 6	3 14 0	3 8 6
20 years of age ..	62½	2 0	5 0	..	4 0 0	4 4 0	3 18 0
<i>III.—Junior Males.</i>							
Under 16 years of age ..	25	0 6	2 0	..	1 11 6	1 13 6	1 11 0
16 years of age ..	35	0 9	3 0	..	2 4 6	2 7 0	2 3 6
17 years of age ..	47½	1 0	4 0	..	3 0 6	3 3 6	2 19 0
18 years of age ..	60	1 0	5 0	..	3 16 0	4 0 0	3 14 6
19 years of age ..	75	2 0	6 0	..	4 15 6	5 0 6	4 13 6
20 years of age ..	90	2 0	7 0	..	5 14 6	6 0 0	5 11 6
<i>IV.—Junior Males (Foundries).</i>							
Under 16 years of age ..	25	0 6	2 0	1 0	1 12 6	1 14 6	1 12 0
16 years of age ..	33	0 9	2 6	1 9	2 3 6	2 6 0	2 2 6
17 years of age ..	60	1 0	5 0	3 0	3 19 0	4 3 0	3 17 6
18 years of age ..	75	2 0	6 0	4 0	4 19 6	5 4 6	4 17 6
19 years of age and over ..	90	2 6	7 0	4 6	5 19 6	6 5 0	5 16 6

Provided that the rate payable to any employee shall not excluding the constant loading be less than 20s. The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(c) Except in the case of employees in foundries, the minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee:

Provided that this sub-clause shall not operate to reduce the rates paid to any female employee as from the beginning of the first pay period to commence in August, 1942.

Prohibited Occupations.

- (d) Junior employees shall not be employed:—
- (i) if under the age of 16 years—
    - on oil or gas burners or fires used for heating of small articles; or
    - using electric arc or oxy acetylene blow pipe, or
  - (ii) if under 18 years of age—
    - die setting on power presses; or
    - as furnacemen or assistants to furnacemen.

Clauses, other than clauses 2, 3, 4 and 5, of the said Determination shall remain in force.



[1675]



# VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
9th day of March, 1949.

RAY H. BEERS,  
Secretary for Labour.

## ENGINEERS AND BRASSWORKERS (UNSKILLED) BOARD.

Clauses 2 and 3 of the Determination published in *Government Gazette* No. 29 of the 11th January, 1949, shall be replaced by the following clauses:—

### 2. WAGES PER WEEK OF 40 HOURS.

Adults.	Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
(a) Ironworking and General—			
Assembler (leading hand) .. .. .	7 8 0	7 14 6	7 5 0
Assembler (assistant) .. .. .	7 3 0	7 9 6	7 0 0
Attendant at small rivet heating, bolt heating or similar types of fires or furnaces .. .. .	7 8 0	7 14 6	7 5 0
Belt repairer .. .. .	7 6 0	7 12 6	7 3 0
Blacksmith's striker .. .. .	7 6 0	7 12 6	7 3 0
Blacksmith's striker on double fires and other assistant .. .. .	7 8 0	7 14 6	7 5 0
Block and tackle hand .. .. .	7 8 0	7 14 6	7 5 0
Boiler (inside) chipper and cleaner .. .. .	7 12 0	7 18 6	7 9 0
Cold saw operator .. .. .	7 8 0	7 14 6	7 5 0
Die caster .. .. .	7 11 0	7 17 6	7 8 0
Dogman .. .. .	7 8 0	7 14 6	7 5 0

WAGES PER WEEK OF 40 HOURS.—*continued.*

Adults.	Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
*Dresser and grinder using portable machine .. .. .	7 10 0	7 16 6	7 7 0
*Dresser, shot blast and sand blast—			
(a) who operates from outside a properly enclosed cabin .. .. .	7 6 0	7 12 6	7 3 0
(b) other .. .. .	7 16 0	8 2 6	7 13 0
*Dresser and grinder (other) .. .. .	7 8 0	7 14 6	7 5 0
*Emery wheel attendant .. .. .	7 8 0	7 14 6	7 5 0
*Employee directly assisting an employee whose margin above the basic wage is 25s. or more .. .. .	7 6 0	7 12 6	7 3 0
Forge assistant, i.e., underhand, hammer driver, and crane man, employed on work 10 cwt. or over .. .. .	7 10 0	7 16 6	7 7 0
Forger's assistant .. .. .	7 8 0	7 14 6	7 5 0
Friction saw operator .. .. .	7 6 0	7 12 6	7 3 0
Furnaceman—forge .. .. .	8 10 6	8 17 0	8 7 6
Furnaceman's assistant—forge .. .. .	7 8 0	7 14 6	7 5 0
*Furnaceman—electric .. .. .	7 17 0	8 3 6	7 14 0
*Furnaceman—other (excepting cupola furnaceman) .. .. .	7 12 0	7 18 6	7 9 0
*Furnaceman's assistant .. .. .	7 6 0	7 12 6	7 3 0
*Grinding machine or emery wheel operator .. .. .	7 8 0	7 14 6	7 5 0
Hammer driver .. .. .	7 8 0	7 14 6	7 5 0
Lagger .. .. .	7 6 0	7 12 6	7 3 0
Machinist—3rd class (as defined) .. .. .	7 11 0	7 17 6	7 8 0
Overhead oiler .. .. .	7 6 0	7 12 6	7 3 0
Painter of ironwork, using spray .. .. .	7 7 0	7 13 6	7 4 0
Painter of ironwork (other than ship painter) using brush .. .. .	7 6 0	7 12 6	7 3 0
Person employed in preparing iron or steel material for reinforcing concrete for building or other purposes—			
On bending and cutting machines .. .. .	7 8 0	7 14 6	7 5 0
On bending and cutting machines (assistant) .. .. .	7 5 0	7 11 6	7 2 0
On steel fabric machines .. .. .	7 8 0	7 14 6	7 5 0
On steel fabric machines (assistant) .. .. .	7 3 0	7 9 6	7 0 0
Person working with hammer 14 lb. weight or over—			
On repair work .. .. .	7 16 3	8 2 9	7 13 3
On other work .. .. .	7 8 3	7 14 9	7 5 3
Pickler .. .. .	7 6 0	7 12 6	7 3 0
Piler .. .. .	7 8 0	7 14 6	7 5 0
Process worker .. .. .	7 5 0	7 11 6	7 2 0
Rigger and/or splicer .. .. .	7 12 0	7 18 6	7 9 0
Tar dipper .. .. .	7 6 0	7 12 6	7 3 0
Other employees with not less than three months' experience in the metal trades industry .. .. .	6 12 0	6 18 6	6 9 0
Employee not elsewhere classified .. .. .	6 6 0	6 12 6	6 3 0
(b) Manufacturing or preparing lead and shot—			
Pipe trap machine operator .. .. .	8 1 0	8 7 6	7 18 0
Roller .. .. .	7 14 0	8 0 6	7 11 0
Extrusion press operator .. .. .	7 13 0	7 19 6	7 10 0
Melter of lead alloys .. .. .	7 6 0	7 12 6	7 3 0
Lead wool machinist .. .. .	7 5 0	7 11 6	7 2 0
Molten metal feeder and/or mixer for shot .. .. .	7 5 0	7 11 6	7 2 0
Roller's assistant .. .. .	7 6 0	7 12 6	7 3 0
Pipe trap machine operator's assistant .. .. .	7 6 0	7 12 6	7 3 0
Extrusion press operator's assistant .. .. .	7 5 0	7 11 6	7 2 0
Other employees with not less than three months' experience in the metal trades industry .. .. .	6 12 0	6 18 6	6 9 0
All others .. .. .	6 6 0	6 12 6	6 3 0

\* When these employees are employed in foundries the rates herein prescribed shall be increased by 5s. per week (i.e., a further loading of 3s. and an additional margin of 2s.)

*Leading Hands.*

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees, 18s. per week extra; more than twenty employees, 27s. per week extra.

*Ship Repairing.*

Employees covered by this Determination who are engaged on ship repairs shall receive an additional margin of 3s. per week.

TRADESMEN IN LARGE POWER HOUSES.

Tradesmen and/or welders, and their assistants employed in large operating power houses (i.e., power houses developing more than 8,000 kilowatts), other than those not on the regular staff, engaged on new construction work, shall be paid 6s. per week extra, and other unapprenticed juniors 3s. per week extra; such amount shall be deemed to include all special rates prescribed in clause 4.

This allowance shall continue to be payable to tradesmen attached to the staffs of such power houses while carrying out repairs or maintenance in rotary convertor sub-stations which are in regular operation.

Provided that an employee detailed to act as leading hand in charge of two other adult employees working away from power station or workshop (one of whom is of the same classification as himself) shall be paid 6s. per week extra.



FEMALES AND UNAPPRENTICED MALE JUNIORS

3. (a) Subject to the exceptions hereinafter provided, the minimum rates of wage for adult and junior females employed in manufacturing and assembling of small parts of electrical and other machinery and appliances, and in core making, in which females were employed on the 15th May, 1935, and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination, shall be as follows:—

WAGES PER WEEK OF 40 HOURS.

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Additional Amount.	Total Wage Payable.		
					Within 20 miles of G.P.O., Melbourne, within 10 miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	Per Week.	Per Week.	Per Week.		£ s. d.	£ s. d.	£ s. d.
		s. d.	s. d.	s. d.			
<i>I.—Adult Females.</i>							
Under three months' experience .. .. .	65	3 0	..	6 0	4 5 0	4 9 6	4 3 0
All others .. .. .	75	3 0	..	7 0	4 17 6	5 2 6	4 15 6
<i>II.—Junior Females.</i>							
17 years of age and under	40	1 0	..	3 6	2 11 6	2 14 0	2 10 0
18 years of age ..	47½	1 3	..	4 0	3 1 0	3 4 0	2 19 6
19 years of age ..	55	1 6	..	4 6	3 10 6	3 14 0	3 8 -6
20 years of age ..	62½	2 0	..	5 0	4 0 0	4 4 0	3 18 0
<i>III.—Junior Males.</i>							
Under 16 years of age ..	25	0 6	..	2 0	1 11 6	1 13 6	1 11 0
16 years of age ..	35	0 9	..	3 0	2 4 6	2 7 0	2 3 6
17 years of age ..	47½	1 0	..	4 0	3 0 6	3 3 6	2 19 0
18 years of age ..	60	1 0	..	5 0	3 16 0	4 0 0	3 14 6
19 years of age ..	75	2 0	..	6 0	4 15 6	5 0 6	4 13 6
20 years of age ..	90	2 0	..	7 0	5 14 6	6 0 0	5 11 6
<i>IV.—Junior Males (Foundries).</i>							
Under 16 years of age ..	25	0 6	1 0	2 0	1 12 6	1 14 6	1 12 0
16 years of age ..	33	0 9	1 9	2 6	2 3 6	2 6 0	2 2 6
17 years of age ..	60	1 0	3 0	5 0	3 19 0	4 3 0	3 17 6
18 years of age ..	75	2 0	4 0	6 0	4 19 6	5 4 6	4 17 6
19 years of age and over	90	2 6	4 6	7 0	5 19 6	6 5 0	5 16 6

A junior employee of eighteen years or more shall be paid 3s. per week in addition to the rates prescribed herein while he is employed as a furnaceman or assistant to a furnaceman.

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s. The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(b) Except in the case of employees in foundries, the minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee:

Provided that this sub-clause shall not operate to reduce the rates paid to any female employee as from the beginning of the first pay period to commence in August, 1942.

(c) Junior employees employed on the following machines or operations shall be paid at not less than the appropriate adult minimum rates:—

- (i) Angle-iron cropping where the material weighs more than 3½ lb. per foot and is not clamped.
- (ii) Assisting steel furnace ladleman other than in daubing or repairing ladles.
- (iii) Assisting storeman racking and/or loading and/or unloading off vehicles of heavy steel plates, bars or sections.
- (iv) Breaking up pig iron.
- (v) Carrying material to or from cupola forge or electric steel furnace or using the slicer or hanging on to end of a bloom. This shall not apply in the case of junior moulders.
- (vi) Cutting out and punching rivets on plates.
- (vii) Cutting plates by means of hammer and cold set.
- (viii) Holding up rivets over ½ in. diameter.
- (ix) Passing hot rivets in confined spaces.
- (x) Plate edge planers in structural steel or shipbuilding yards where the operator travels on the machine.
- (xi) Punching machines handling plates weighing more than 84 lb.
- (xii) Shearing machines other than guillotine plate shearers, handling plates weighing more than 84 lb.

(d) Junior employees shall not be employed:—

- (i) if under the age of 16 years—  
on oil or gas burners or fires used for heating of small articles; or  
using electric arc or oxy-acetylene blow-pipe, or
- (ii) if under 18 years of age—  
as furnaceman or assistant to furnaceman; or  
as a roller, extrusion press operator, pipe trap machine operator, roller's assistant or as a melter.

Clauses, other than clauses 2 and 3, of the said Determination shall remain in force.





# VICTORIA GOVERNMENT GAZETTE.

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No. 240]

THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

### FROZEN GOODS BOARD.

Clause 2 of the Determination published in *Government Gazette* No. 76 of the 7th February, 1949, shall be replaced by the following clause:—

#### 2. WAGES.

Improvers and Juvenile Workers.					Other Employees.				
	Weekly Rate.	*War Loading.	Total Weekly Wage.	Per Hour.	Per Week.				
					Weekly Rate.	*War Loading.	Total Weekly Wage.	Per Hour.	
	£ s. d.	s. d.	£ s. d.	s. d.	£ s. d.	s. d.	£ s. d.	s. d.	
16 years of age and under 17	3 1 7	0 11	3 2 6	1 6½	Chamber hands	9 7 6	4 0	9 11 6	4 9 <sup>9</sup> / <sub>20</sub>
17 " " " 18	3 8 3	0 11	3 9 2	1 8½					
18 " " " 19	3 19 0	1 10	4 0 10	2 0½					
19 " " " 20	4 14 0	1 10	4 15 10	2 4½					
20 " " " 21	5 18 11	2 9	6 1 8	3 0½	All others	8 14 10	4 0	8 18 10	4 5 <sup>13</sup> / <sub>20</sub>

For definition of juvenile workers, see clause 11.

#### PROPORTION OF IMPROVERS.

One improver to every 25 or fraction of 25 workers receiving not less than the hourly rate herein prescribed for "all others".

Temporary workers shall be paid time and a half on the ordinary rates for work done during ordinary working hours. For work done outside those hours they shall receive ordinary overtime rates.

\* The War Loading shall not be taken into account in the calculation of overtime and holiday rates.

NOTE.—The Wages Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act 1934* that the trade is so unskilful that no person should be taken as an apprentice to the trade.

Clauses, other than clause 2, of the said Determination shall remain in force.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.



[1681]



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THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

## HOSPITAL PHARMACISTS BOARD.

Clause 2 of the Determination published in *Government Gazette* No. 75 of the 7th February, 1949, shall be replaced by the following clause:—

2.

Apprentices.				Other Employees.			
WAGES PER WEEK OF 40 HOURS.				WAGES PER WEEK OF 40 HOURS.			
			£. s. d.				£ s. d.
1st year's experience	..	..	1 11 9	Chief Pharmaceutical Chemist—			
2nd "	"	..	2 17 6	(i.e. A pharmaceutical chemist in charge of the			
3rd "	"	..	4 3 3	pharmacy department of a hospital.)			
4th "	"	..	5 7 9	(a) Where four or more full time pharmaceutical			
5th "	"	..	6 18 0	chemists are normally employed	..	14 3 0	
				(b) Where two or three full time pharmaceutical			
				chemists are normally employed	..	13 3 0	
				(c) Where he is the only pharmaceutical			
				chemist employed	..	12 13 0	
				Senior Pharmaceutical Chemist	..	11 8 0	
				Where three or more full time pharmaceutical			
				chemists are normally employed, one shall be a			
				Senior Pharmaceutical Chemist, and shall take			
				charge of the pharmacy department during the			
				absence of the Chief Pharmaceutical Chemist			
				Other Hospital Pharmaceutical Chemist			
				1st year's experience as such	..	10 13 0	
				2nd "	"	10 18 0	
				Thereafter	..	11 8 0	

Clauses, other than clause 2, of the said Determination shall remain in force.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

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THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

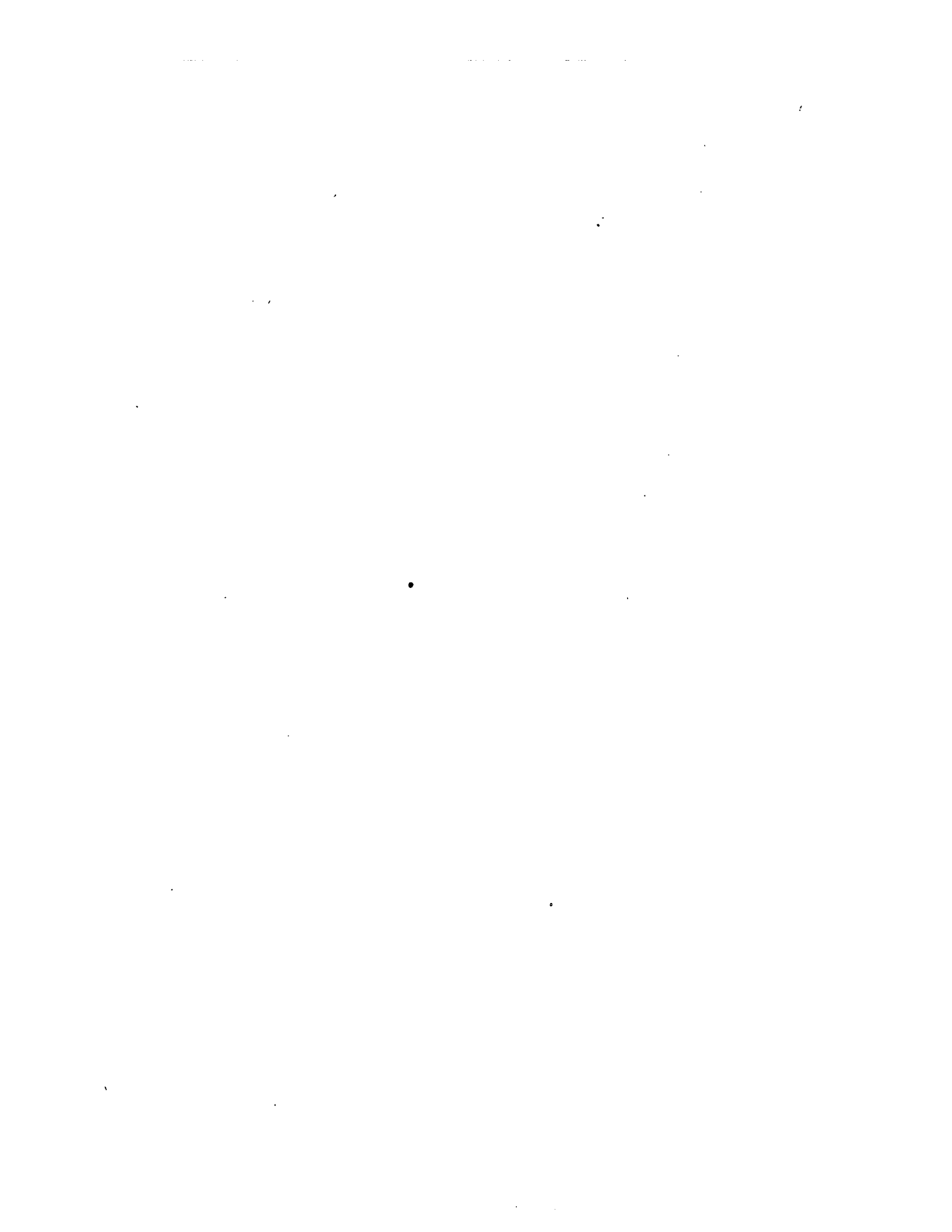
### SAUSAGE CASINGS BOARD.

Clause 2 of the Determination made on the 13th December, 1948, and, in force as from the beginning of the first pay period to commence on or after the 12th November, 1948, shall be replaced by the following clause:—

2.		WAGES.		
				Wages per Week of 40 Hours.
<i>Juvenile Workers.</i>				<i>s. d.</i>
14 years of age and under 17 years of age ..	..	..	..	63 3
17 " " " 18 " " " ..	..	..	..	81 3
18 " " " 19 " " " ..	..	..	..	99 0
19 " " " 20 " " " ..	..	..	..	115 9
20 " " " 21 " " " ..	..	..	..	148 0
				Per Week of 40 Hours.
				Weekly Rate.      War Loading (Non-adjustable).      Total Weekly Wage.
<i>Other Employees.</i>				<i>s. d.</i> <i>s. d.</i> <i>s. d.</i>
Persons employed at casing factories ..	..	..	..	179 0      4 0      183 0
				Wages per Day.
				Monday to Friday, Inclusive.
		Daily Rate.	War Loading (Non-Adjustable).	Total Daily Wage.
		<i>s. d.</i>	<i>d.</i>	<i>s. d.</i>
Fullers-off and strippers ..	..	35 9½	9½	36 7½

Clauses, other than clause 2 of the said Determination shall remain in force.

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[1949

Factories and Shops Acts.

**DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE  
FACTORIES AND SHOPS ACT 1934 (No. 4275).**

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

**FARRIERS BOARD.**

Clause 2 of the Determination published in *Government Gazette* No. 30 of the 11th January, 1949, shall be replaced by the following clause:—

2.

*Wages.*

Apprentices and Improvers.					Other Employees.	
	Percentage of Needs Basic Wage.	Constant Loading.	Special Loading.	Total Wage Per Week 40 Hours.		
		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		
1st year's experience	38·4	..	2 6	47 6	(a) Employed within the Metropolitan District as defined in the Factories and Shops Acts, and at Ballarat, Bendigo, Geelong, Warrnambool, Castlemaine, Yallourn, and Frankston, and within the Gippsland district:—	
2nd year's experience	41·9	..	2 6	51 0	All Employees ..	*172s. per week of 40 hours
3rd year's experience	50·0	1 6	1 6	61 6	(b) Employed outside the areas specified in paragraph (a):—	
4th year's experience	83·0	2 0	2 3	101 6	All Employees ..	*169s. per week of 40 hours
5th year's experience	100·0	2 0	3 0	128 0		
	plus 6s.					

PROPORTION (WITHIN ANY PLACE).  
One apprentice or one improver to every three or fraction of three workers receiving not less than the minimum wage.

\* Including a loading of 6s. per week.

Cluses, other than clause 2, of the said Determination shall remain in force.

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THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY H. BEERS,  
Secretary for Labour.

## SLATERS AND TILERS BOARD.

Clause 2 of the Determination published in *Government Gazette* No. 534 of the 18th May, 1948, shall be replaced by the following clause:—

2.

### WAGES.

Apprentices.			Improvers.			Other Employees.		
	Percentage of Adult Wage.	Per Week of 40 Hours.		Percentage of Adult Wage.	Per Week of 40 Hours.		Per Hour.	Per Week of 40 Hours.
		s. d.			s. d.		s. d.	s. d.
1st year ..	33½	66 6	1st year ..	33½	66 6	Slaters or Tilers ..	4 11 <sup>9</sup> / <sub>10</sub>	199 8
2nd " ..	40	79 9	2nd " ..	40	79 9			
3rd " ..	60	119 9	3rd " ..	60	119 9			
4th " ..	80	159 9	4th " ..	80	159 9			
<b>PROPORTION (by any employer).</b> Two apprentices to every five or fraction of five workers receiving at wages rates or piecework prices not less than 199s. 8d. per week. An amended indenture of apprenticeship has been prescribed by the Board.			<b>PROPORTION (by any employer).</b> One improver to the first twenty workers and thereafter one improver to every twenty or fraction of twenty workers receiving not less than the minimum wage of 199s. 8d. per week.			Persons employed stripping or repairing roofs or recovering with second-hand materials shall be paid 1s. per day or portion of a day in addition to the rates set out above.		

NOTE.—(a) No person under the age of 16 years shall be employed as an apprentice or improver.

(b) Notwithstanding anything contained in this Determination, any person who on the 1st August, 1946, has been employed for not less than three months in the industry, and whose engagement or continued employment as an improver is by this Determination forbidden, shall be entitled to be employed, and shall be paid under the scale of wages prescribed for an improver of like experience.

Clauses, other than clause 2, of the said Determination shall remain in force.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.





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THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

## SPORTS GROUND MAINTENANCE BOARD.

Clause 2 of the Determination published in *Government Gazette* No. 5 of the 7th January, 1949, shall be replaced by the following clause:—

2.

Apprentices or Improvers.										Wages per Week of 40 Hours.		
										s. d.		
15 years of age or under	..	..	..	..	..	..	..	..	..	..	35	3
16 years of age	..	..	..	..	..	..	..	..	..	..	39	3
17 years of age	..	..	..	..	..	..	..	..	..	..	44	3
18 years of age	..	..	..	..	..	..	..	..	..	..	62	3
19 years of age	..	..	..	..	..	..	..	..	..	..	74	9
20 years of age	..	..	..	..	..	..	..	..	..	..	89	0

### PROPORTION (WITHIN ANY PLACE).

One apprentice to every three or fraction of three workers receiving not less than the minimum wage.  
One improver to every three or fraction of three workers receiving not less than the minimum wage.

Other Employees.										Wages per Week of 40 Hours.			
										£ s. d.			
Racecourses—													
Foreman, i.e., a person who supervises the work of a leading hand and other employees	..	..	..	..	..	..	..	..	..	..	7	13	0
Leading hand, i.e., a person in charge of three or more employees	..	..	..	..	..	..	..	..	..	..	7	5	6
Maintenance employees	..	..	..	..	..	..	..	..	..	..	7	0	6
Golf Links, Bowling Greens, Croquet Greens and Grass Tennis Courts—													
Green-keeper	..	..	..	..	..	..	..	..	..	..	8	13	0
Assistant green-keeper	..	..	..	..	..	..	..	..	..	..	7	15	6
Groundsman	..	..	..	..	..	..	..	..	..	..	6	19	0
All others	..	..	..	..	..	..	..	..	..	..	6	18	0
Other Tennis Courts, Cricket Grounds, Football Grounds or other grounds or enclosures used in conducting outdoor entertainments, outdoor shows, outdoor sports or outdoor amusements of any kind—													
Curator, i.e., a person responsible for the care, alignment, maintenance and satisfactory condition of a playing area or areas and/or Turf Wickets	..	..	..	..	..	..	..	..	..	..	8	13	0
Assistant curator	..	..	..	..	..	..	..	..	..	..	7	15	6
Groundsman	..	..	..	..	..	..	..	..	..	..	6	19	0
All others	..	..	..	..	..	..	..	..	..	..	6	18	0
Provided that any adult employee on racecourses, golf links or tennis courts whose regular duty is to attend, maintain, adjust, and/or operate motor mowers shall receive an additional amount of 5s. per week.													

.. Clauses, other than clause 2, of the said Determination shall remain in force.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.



[1691]



# VICTORIA GOVERNMENT GAZETTE.

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No. 246]

THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

### DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
24th day of February, 1949.

RAY H. BEERS,  
Secretary for Labour.

### TANNERS (FURRED SKINS) BOARD.

Clauses 2 and 3 of the Determination published in *Government Gazette* No. 668 of the 22nd June, 1948, shall be replaced by the following clauses:—

2. ADULT MALES

	Wages Per Week.
Persons engaged shaving on upright knife and/or rotary shaving knife—	£ s. d.
1st year's experience	7 17 0
2nd year's experience	8 2 0
Thereafter	8 11 6
Persons engaged as fleshers on upright knife, beam fleshers and pullers on upright knife—	
1st year's experience	7 15 0
Thereafter	8 6 6
Machine flesher	7 14 0
Persons engaged as wet drum hands and/or paddle and/or vat hand and/or hydro extractor operators	7 6 0
Persons engaged as dry drum operators	7 6 0
Persons engaged in spraying stencilling or tipping by machine or by hand	7 9 0
Persons engaged as buffing machinists	7 12 6
Persons engaged as fluffing machinists	7 7 0
Persons engaged as fluffing machinists on suede wheel	7 11 0
Persons engaged as staking machine operators	7 7 0
Persons engaged as carding and/or combing machine operators (sheep skins)	7 7 0
Persons engaged as setting out and/or stretching machine operators	7 6 0
Persons engaged ripping by hand or by machine	7 5 0
Persons engaged as clipping and/or epilating machine operators	7 6 0
Table hands	7 5 0
Males not elsewhere included	6 9 0
Men employed at emptying sewers, settling pits and cleaning sewers shall be paid at the rate of 1s. per hour in addition to their ordinary or overtime rate whilst engaged on such work	

#### WET WORK.

The weekly wage of all adult employees engaged in the following classes of work, namely—

Shaving on upright and/or rotary shaving knife, fleshers on upright knife, beam fleshers, pullers on upright knife, machine fleshers, wet drum hands, and/or paddle and/or vat hand and/or hydro extractor operators and ripping by hand or by machine,

shall be increased by the sum of 3s. 6d. per week as wet workers.

**ADULT FEMALES.**

Females operating rotary shaving knife, beam fleshing, pulling and fleshing on upright knife shavers, shall be paid the rate which is prescribed for adult males.

All others .. .. .	£ s. d. 4 16 9
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Apprentices or Improvers.	Wages Per Week.
	<i>£ s. d.</i>
<i>Males.</i>	
Under 16 years of age .. .. .	1 17 0
16 and under 17 years of age .. .. .	2 9 3
17 and under 18 years of age .. .. .	3 1 6
18 and under 19 years of age .. .. .	3 13 9
19 and under 20 years of age .. .. .	4 18 6
20 and under 21 years of age .. .. .	6 3 0
<i>Females.</i>	
Under 16 years of age .. .. .	1 13 9
16 and under 17 years of age .. .. .	2 3 0
17 and under 18 years of age .. .. .	2 9 3
18 and under 19 years of age .. .. .	2 15 3
19 and under 20 years of age .. .. .	3 1 6
20 and under 21 years of age .. .. .	3 16 9

and thereafter the minimum wage prescribed for adult females for the class of work which they are doing, provided however, that a junior female after 4 years' experience in the industry covered by this Determination shall be paid the full adult rate prescribed in clause 2.

For the purposes of this clause "experience" shall mean any form of employment in this industry.  
 Juniors employed under this clause shall on dismissal receive from their employer a certificate of the period of employment completed. Employers who wilfully employ juniors without taking into account previous experience shall be guilty of a breach of this Determination.

The proportion of apprentices and male improvers shall be two apprentices or improvers to every three or fraction of three workers receiving not less than the minimum wage.

The proportion of female improvers shall be as follows :—

<i>Female Improvers.</i>	
One female to one .. .. .	}
Three female improvers to two .. .. .	
and thereafter, three additional female improvers to every two additional .. .. .	
Female workers receiving not less than the minimum wage.	

Clauses, other than clauses 2 and 3, of the said Determination shall remain in force.



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No. 247]

THURSDAY, MARCH 10.

[1949

Factories and Shops Acts.

## DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1949.

Dated at Melbourne, this  
2nd day of March, 1949.

RAY. H. BEERS,  
Secretary for Labour.

### NON-FERROUS METALS BOARD

Clauses 2 and 3 of the Determination published in *Government Gazette* No. 41 of the 20th January, 1949, shall be replaced by the following clauses:—

2.

Adults.	Wages per Week of 40 hours.		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
Furnaceman—electric .. .. .	7 19 0	8 5 8	7 16 0
Furnaceman—other .. .. .	7 12 0	7 18 6	7 9 0
Furnaceman's assistant .. .. .	7 6 0	7 12 6	7 3 0
Press operator .. .. .	7 11 0	7 17 6	7 8 0
Die attendant .. .. .	7 11 0	7 17 6	7 8 0
Hexagon straightener .. .. .	7 9 0	7 16 6	7 6 0
Draw bench operator .. .. .	7 5 0	7 11 6	7 2 0
Pickler .. .. .	7 5 0	7 11 6	7 2 0
Other machine operator .. .. .	7 5 0	7 11 6	7 2 0
Hand straightener .. .. .	7 3 0	7 9 6	7 0 0
Pointer .. .. .	7 2 0	7 8 6	6 19 0
Die striker .. .. .	7 1 0	7 7 6	6 18 0
Other employees with not less than three months' experience in this industry .. .. .	7 12 0	6 18 6	6 9 0
All others .. .. .	6 6 0	6 12 6	6 3 0

#### Leading Hands.

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees, 18s. per week extra; more than twenty employees, 27s. per week extra.

## JUNIOR LABOUR.

3. (a) Subject to the exceptions hereinafter provided, the minimum rates of wage for male juniors shall be as follows:—

## WAGES PER WEEK OF 40 HOURS.

	Percentage of Needs Basic Wage.	Constant Loading.	Special Loading.	Further Additional Loading.	Total Wage Payable.		
					Within 20 miles of G.P.O., Melbourne; within 10 miles of G.P.O., Geelong; at Warrnambool and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	Per Week.	Per Week. s. d.	Per Week. s. d. <i>Foundries</i>	s. d.	£ s. d.	£ s. d.	£ s. d.
Under 16 years of age ..	25	0 6	1 0	2 0	1 12 6	1 14 6	1 12 0
16 years of age ..	33	0 9	1 9	2 6	2 3 6	2 6 0	2 2 6
17 years of age ..	60	1 0	3 0	5 0	3 19 0	4 3 0	3 17 6
18 years of age ..	75	2 0	4 0	6 0	4 19 6	5 4 6	4 17 6
19 years of age and over ..	90	2 6	4 6	7 0	5 19 6	6 5 0	5 16 6
			<i>Elsewhere</i>				
Under 16 years of age ..	25	0 6	..	2 0	1 11 6	1 13 6	1 11 0
16 years of age ..	35	0 9	..	3 0	2 4 6	2 7 0	2 3 6
17 years of age ..	47½	1 0	..	4 0	3 0 6	3 3 6	2 19 0
18 years of age ..	60	1 0	..	5 0	3 16 0	4 0 0	3 14 6
19 years of age ..	75	2 0	..	6 0	4 15 6	5 0 6	4 13 6
20 years of age ..	90	2 0	..	7 0	5 14 6	6 0 0	5 11 6

A junior employee of eighteen years or more shall be paid 3s. per week in addition to the rates prescribed herein while he is employed as a furnaceman or assistant to a furnaceman.

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s.

The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(b) Except in the case of employees in foundries, the minimum rate payable to a junior male of eighteen years or more with less than six months' experience under this Determination shall, until he has had six months' experience, be 10 per cent less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his age and in addition thereto the constant loading prescribed for such an employee.

*Prohibited Occupations.*

(c) Junior employees shall not be employed—

- (i) if under the age of 16 years on oil or gas burners or fires used for heating of small articles; or
- (ii) if under 18 years as furnacemen or assistants to furnacemen; or
- (iii) if under 18 years as a roller or an extrusion press operator.

Clauses, other than clauses 2 and 3, of the said Determination shall remain in force.