



VICTORIA  
GOVERNMENT GAZETTE.

Published by Authority.

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

No. 589]

THURSDAY, JULY 14.

[1949

## ESSENTIAL SERVICES ACT 1948.

At South Yarra, the fourteenth day of July, 1949.

PRESENT:

His Excellency the Lieutenant-Governor of Victoria.

Mr. Hollway	Col. Kent Hughes
Lieut.-Col. Dennett	Mr. Kennedy
Lieut.-Col. Leggatt	Mr. Guthrie
Mr. Bolte	Mr. Gartside.
Mr. McDonald	

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WHEREAS it is enacted by section 2 of the *Essential Services Act 1948* that "Essential Service" means any of the services therein enumerated (including *inter alia* transport) provided to the public by the persons or bodies mentioned in the said section or any other person or body specified (whether generally or specially) by Order in Council published in the *Government Gazette* in relation to such service: And whereas it is expedient to specify for the purposes of such definition the persons and bodies hereunder mentioned: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, in pursuance of the hereinbefore recited powers and of all other powers him thereunto enabling, doth by this Order specify in relation to the service of transport for the purposes of section 2 of the *Essential Services Act 1948* the following persons or bodies providing such service to the public of Victoria, viz., any person or body who or which provides the service of transporting coal from ship's side in the Port of Melbourne to any place within Victoria.

And the Honorable Thomas Tuke Hollway, His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,  
Clerk of the Executive Council.

No. 589.—6986/49.

WHEREAS it is enacted by section 2 of the *Essential Services Act 1948* that "Essential Service" means any of the services therein enumerated, including *inter alia*—

- (a) transport, and
- (g) any service specified from time to time by order of the Governor in Council published in the *Government Gazette*—

provided to the public by the persons or bodies mentioned in the said section or any other person or body specified (whether generally or specially) by Order in Council published in the *Government Gazette* in relation to such service: And whereas it is expedient to specify for the purpose of such definition the service and the persons and bodies hereunder mentioned: Now therefore His Excellency the Lieutenant-Governor of the State of Victoria in the Commonwealth of Australia by and with the advice of the Executive Council of the said State in pursuance of the hereinbefore recited powers and of all other powers him thereunto enabling, doth by this Order—

- (a) specify under paragraph (g) of the definition of "Essential Service" in section 2 of the *Essential Services Act 1948* the service of stevedoring; and

(b) specify in relation to the services of transport and stevedoring for the purposes of section 2 aforesaid, the following persons and bodies providing such services to the public of Victoria, viz., any person or body who or which provides, within the Port of Melbourne, for the purposes of or in relation to the service of carrying goods by sea or by any other form of water transport, the services or any of them comprised in the definition of stevedoring herein-after set out.

For the purpose of this Order—

"Stevedoring" means—

- (a) the loading or unloading of cargo into or from ships;
- (b) the loading or unloading, into or from ships, of ships' stores, coal, or fuel oil (whether for bunkers or not), passengers' luggage or mails;
- (c) the handling or storage of cargo or other goods at or adjacent to a wharf;
- (d) the driving or operation of mechanical appliances used in connexion with the loading or unloading of ships or with the handling or storage of cargo or other goods at or adjacent to a wharf;

- (e) the haulage or trucking from ship to shed or shed to ship;
- (f) the removal or replacing of beams or hatches;
- (g) the handling of dunnage or ballast;
- (h) the preparing or cleaning of holds; or
- (i) the preparation of gear for use in connexion with loading or unloading of ships—

where those services—

- (i) are provided in relation to or for the purpose of an operation of intra-State transport within Victoria, or
- (ii) are provided in Victoria, in relation to or for the purpose of an operation of transport.

"Wharf" includes pier and jetty, and a shed adjacent to a wharf.

—  
And the Honorable Thomas Tuke Hollway, His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,  
Clerk of the Executive Council.