



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 866]

TUESDAY, OCTOBER 11.

[1949

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 13 (FUEL AND FODDER—COUNTRY).

NOTE.—This Determination applies to the whole of the State **outside and excepting** the following parts of Victoria, namely:—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 which since 24th December, 1940, has had the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed in the business of a hay, corn, or chaff dealer;
- (b) employed carting, cutting, or otherwise preparing firewood for sale or for use in some process, trade, business, or occupation;
- (c) employed in connexion with the sale or distribution of wood, coal, or coke;
- (d) employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal"—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 25th August, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

Part 1.—Persons **OTHER THAN** those employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.

2.

IMPROVERS.	OTHER EMPLOYEES.
Wages per Week of 40 Hours.	Wages per Week of 40 Hours.
	<i>Firewood Saw-mills, Mallee Roots, &c.</i> <i>s. d.</i>
	Benchmen at self-acting benches where not more than two persons are employed, viz., benchman and stacker 152 0
	Other benchmen 147 0
	Lumpers 147 0
	Trolley-men 147 0
	Skip loaders 147 0
	Truck loaders of wood 4 feet or over 147 0
	Wagon or dray loaders 147 0
	Block stackers 141 0
	Wood cutters using axe, power crosscut, circular saw, or other method .. 152 0
	Carters driving one, two, or three horses 152 0
	And 6s. extra per week for every additional horse in excess of three.
	Drivers of motor vehicles having a carrying capacity—
	(a) not exceeding 25 cwt. 145 0
	(b) exceeding 25 cwt. but not exceeding 3 tons 151 0
	(c) exceeding 3 tons 157 0
	And if a trailer is attached to the vehicle—1s. 6d. per day extra.
	Persons engaged in raising, digging out, cleaning, trimming, or loading mallee roots on to vehicles 157 0
	All others 139 0
	Foreman—If any person employed in any of the above capacities has under his control five or more other workers he shall be regarded as a foreman, and paid 1s. per day above the ordinary rate.
	<i>Gas Producer Units</i>
	The following provisions shall apply to drivers of vehicles fitted with Gas Producer Units:—
	(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.
	(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.
<p>Under 17 years of age <i>s. d.</i> 84 9</p> <p>17 years of age 98 6</p> <p>18 " " 112 0</p> <p>19 " " or over—the appropriate rate proscribed under the heading "other employees."</p> <p style="text-align: center;">PROPORTION (BY ANY EMPLOYER).</p> <p>One improver to the first three workers, receiving not less than 139s. per week of 40 hours, and thereafter one additional improver to every ten additional such workers.</p> <p>NOTE.—The Board determines that no person shall be employed as an apprentice.</p>	

IMPROVERS	OTHER EMPLOYERS—(continued).	
Wages per Week of 40 Hours.	Wages per Week of 40 Hours.	
	<i>Hay, Corn, or Chaff Stores.</i>	
		<i>s. d.</i>
	Storeman in charge	150 0
	Carters driving one horse	145 0
	Carters driving two horses	148 0
	And 3s. extra per week for every additional horse.	
	Drivers of motor vehicles having a carrying capacity—	
	(a) not exceeding 25 cwt.	146 0
	(b) exceeding 25 cwt., but not exceeding 3 tons	152 0
	(c) exceeding 3 tons	158 0
	And if a trailer is attached to a vehicle—1s. 6d. per day extra	
	All others	144 0
	<i>Wood, Coal, or Coke Yards.</i>	
	Carters driving one horse	145 0
	Carters driving two horses	148 0
	And 3s. extra per week for every additional horse.	
	Drivers of motor vehicles having a carrying capacity—	
	(a) not exceeding 25 cwt.	146 0
	(b) exceeding 25 cwt., but not exceeding 3 tons	152 0
	(c) exceeding 3 tons	158 0
	And if a trailer is attached to a vehicle—1s. 6d. per day extra.	
	All others	143 0
	<i>Gas Producer Units.</i>	
	The following provisions shall apply to drivers of vehicles fitted with gas producer units:—	
	(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.	
	(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.	

CONDITIONS OF EMPLOYMENT.

3. (i) Except as in this Determination otherwise provided, the ordinary weekly total of hours shall be 40 in number, all to be worked on days other than Sunday.
- (ii) Such ordinary weekly total, at the option of the employer, may be spread over five or six days and shall be worked in one period occurring between 7.30 a.m. and 12.30 p.m. on Saturday and between 7.30 a.m. and 5.15 p.m. on other days, subject to the recognized meal hours or intervals and smoke-oh of ten minutes each morning and afternoon, but no other breaks imposed by the employer.
- (iii) If a five-day week is worked the ordinary daily total of working hours shall be not more than 8, and if a six-day week is worked such total shall be not more than four on Saturday and not more than eight on any other day.
- (iv) Smoke-ohs shall be counted as part of time worked.

OVERTIME, ETC.

4. (a) Except as in this Determination otherwise provided, all time worked in excess of the ordinary weekly or daily hours of work shall be paid at one and a half times the ordinary prescribed rate for the first four hours, and at double the ordinary prescribed rate for the time thereafter.
 - (b) Horse drivers who, in excess of such weekly or daily total hours of work, are required to spend time in taking charge of teams at the yard, camp, or stable, or in returning teams thereto, shall be paid for such time at the ordinary rate.
 - (c) If an employee is required by his employer to be for any time anywhere only for the purposes of the employer in respect of the business in which the employee is employed, the employee shall be deemed to be on duty for the employer during such time and shall be paid at the appropriate prescribed rate (if any) for so much of such time as is spent in work, and at the ordinary minimum rate for so much of such time as is not so spent.
- Provided that this clause shall not apply to any time spent by an employee in the course of going to or coming from any yard, camp, stable, depot or picking-up place of the employer, or in the course of going to a place of the employer, or in the course of going to a place of work for the purpose of starting work, or in the course of coming therefrom after ceasing work.
- (d) Employees recalled to work after the expiration of their customary working time for the day, and after they have left work for the day, shall be paid at the least as for working two hours at one and a half times the prescribed rate.

TERMS OF ENGAGEMENT.

5. (a) Subject to exceptions and limitations hereinafter contained any employer shall have the option of engaging any employee either by the week or casually.
 - (b) (i) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminable on either side by a week's notice which may be made to expire at any time during a week of the employment. Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled in respect of wages for the then current week's employment only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.
 - (ii) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.
- Employees on casual engagement shall be paid at the rate of time and a quarter.
- (iii) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.
 - (iv) No deduction shall be made from the wages of any employee, other than a pieceworker, unavoidably absent through illness for not more than 40 working hours in each year, i.e., 10 hours for each three months' service, commencing 1st December, 1942, provided he has submitted, within 48 hours of the commencement of such absence, satisfactory evidence to the employer or his representative that same was not the result of his own misconduct.
- Provided that where, under any scheme of insurance or an accident relief or provident fund to secure the benefit of which the employer has paid the necessary premium, or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient, with such compensation, to make up the full pay for any such days.
- (c) Notwithstanding the provisions of sub-clause (b) (iv) hereof if the full period of sick leave as prescribed 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 80 working hours, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.
- For the purposes of this sub-clause service prior to 6th April, 1946, shall be disregarded.

TIME WAGES.

6. Any person employed in a factory or shop on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to one-half the number of hours fixed, at the ordinary wages rate with an addition of thirty-three and a 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.

CONTRACT WORK.

7. No person shall contract or enter into an agreement with any other person or persons to perform any work connected with the preparation of firewood for sale or for use in any trade or business at a lower rate or price than the appropriate wages rate or piecework price prescribed by this Determination.

SUNDAYS AND HOLIDAYS.

8. (a) Except as herein provided otherwise, if an employee is required to work on a holiday or on a Sunday, he shall be paid at double the ordinary prescribed rate.

(b) If a casual employee desires to work on a holiday and with the consent of the employer does so work, he shall be paid therefor at the ordinary prescribed rate.

(c) In the case of any other employee, other than a pieceworker, engaged by the week no deduction shall be made from his wages for the week because of his not working on a holiday.

(d) The expression "holiday" means any of the following days:—Australia Day, New Year's Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, and Boxing Day.

ANNUAL HOLIDAY.

9. 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.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 9d., plus postage.)

ALLOWANCES.

10. (a) An employee shall have the right to elect whether he shall travel each day to and from the job, or camp at such job. Having so elected, he shall be entitled to the special allowance where applicable, as provided in sub-clauses (b) and (c) hereof.

(b) Employees who, in order to be available for their work, have to live in a camp established either by the employer or employees for the purpose of enabling employees to be so available by living therein, shall be paid a camping allowance of 1s. for each day on which they are required to hold themselves, and do hold themselves available in the camp throughout the said day to serve the employer's purpose on that or any other day, whether or not work is done on the said day, but this clause shall not apply to any Sunday, unless the employee is required to work on that Sunday.

(c) An employee who finds it necessary to travel five miles or over to his place of employment shall, unless transport is provided by the employer free of cost to the employee, be paid a travelling allowance of 1s. per day.

TIME RECORD.

11. (a) The employer shall keep a record of the names of the employees of such employer, and in respect of each such employee, a record from week to week of the periods, times, and class of work done, and the rates of wage and amounts of wages paid, and shall obtain from week to week the signature of each employee to such record.

(b) The secretary or duly accredited representative of the Federated Fodder and Fuel Trades' Industrial Union authorized in writing to that effect by such secretary shall be allowed, on any day coming two days after a pay day between 10 a.m. and noon, or at such other times as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information therefrom relating to any member or members of the said union.

WET WEATHER PROVISIONS.

12. (i) (a) In the event of rain being sufficiently heavy to justify a temporary cessation of work, such work shall cease forthwith and during the cessation of work employees shall hold themselves in readiness for work during ordinary working hours, and shall be paid for the actual time of waiting at ordinary time wages rates of pay.

(b) When weather conditions are suitable employees shall resume work immediately.

(ii) If the employer's representative considers the weather justifying the cessation of work is likely to continue for a lengthy period the payment, as set forth in sub-clause (i), may be discontinued, and employees shall not be bound to hold themselves in readiness for a resumption of work.

Provided that, for any day on which an employee is ready and willing to commence work, he shall be entitled to payment as though he had worked for a minimum of four hours.

(iii) The employer shall provide adequate and suitable shelter from the rain for the employee.

(iv) The employer shall provide adequate facilities for the employee to dry off his wet clothes.

SPECIAL TREATMENT OF INJURED.

13. The employer, as soon as reasonably possible, shall supply means free of charge to convey to the nearest hospital or doctor any employee so seriously injured that it is not reasonably possible for such employee to travel independently of such conveyance.

FIRST-AID AND MEDICAL OUTFIT.

14. The employer shall provide at every main place of employment a first-aid outfit. Such outfit shall consist of at least the following:—Boric acid, iodine, picric acid (bottle solution), 1-in. bandages, lint, cotton, triangle bandages, lysol, permanganate of potash, snake-bite scarifier, splints capable of being used in 12-in. lengths, and one pair of scissors.

ACCOMPANYING SICK OR INJURED EMPLOYEES.

15. No employee suffering from illness or injury sustained on the job shall be permitted to leave the job unless accompanied or assisted by a sufficient number of employees, except in the case of his removal by ambulance, to his home or nearest hospital. All expenses incurred in such patient's removal shall be paid by the employer, and no employee assisting or accompanying an injured or sick person shall lose any wages by so doing.

PIECE-WORK.

16. A schedule of piece-work prices (as shown hereunder) to be paid to any person for doing certain kinds of work has been fixed by the Board, and in addition to these prices, when required to do so, pieceworkers shall be paid three pence per ton extra to stack tops, or four pence per ton extra to stack and burn tops.

PIECEWORK PRICES.

Firewood Saw-mills, Mallee Roots, &c.

CUTTING AND STACKING OR CUTTING AND LOADING ON TO VEHICLES—

	By Ton Measurement of 50 Cubic Feet.	Per Standard I.B. Truck Loaded to Water Level i.e., 8 Tons Measurement or 400 Cubic Feet.
6-ft. rate i.e., 6-ft. or over—		
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	s. d. 7 9	s. d. 80 8
Red Box, Iron Bark or Red Gum	7 1	56 10
Ti-tree	9 11	..
Common Wood, i.e., all other than those specified above	6 1	47 6
5-ft. rate i.e., 5-ft. and up to, but not including 6-ft.—		
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	s. d. 8 3	s. d. 107 11
Red Box, Iron Bark or Red Gum	8 3	107 11
Ti-tree	10 2	..
Common Wood, i.e., all other than those specified above	6 10	89 2
4-ft. rate i.e., 4-ft. and up to, but not including 5-ft.—		
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	s. d. 8 6	s. d. 111 8
Red Box, Iron Bark or Red Gum	8 6	111 8
Ti-tree	9 11	..
Common Wood, i.e., all other than those specified above	7 1	92 11
3-ft. rate i.e., 3-ft. and up to, but not including 4-ft.—		
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	s. d. 9 11	s. d. 79 0
Red Box, Iron Bark or Red Gum	9 11	79 0
Ti-tree	9 11	..
Common Wood, i.e., all other than those specified above	8 10	70 9
2-ft. rate i.e., 2-ft. and up to, but not including 3-ft.—		
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	s. d. 11 6	s. d. 92 3
Red Box, Iron Bark or Red Gum	11 6	92 3
Ti-tree	9 11	..
Common Wood, i.e., all other than those specified above	9 11	79 0

Notes.—(i) When the cutter is engaged it shall be mutually agreed where the wood is to be stacked for measurement, i.e., at the stump, on the vehicle, or at the place of delivery.

(ii) When wood is cut and not stacked is. per ton less than the above rates.

(iii) Stackers (other than wood cutters) stacking wood in not less than 15 ton lots shall be paid 2s. per ton.

LOADING VEHICLES 9s. 7d. per truck (Standard I.B.).

LOADING AND STACKING BLOCKS—

If taken off ground within 15 feet of rails and placed in Standard I.B. truck.. 10s. 9d. per truck (Standard I.B.).

TROLLEYING FROM STACK TO BENCH 8s. 3d. per truck (Standard I.B.).

TRUCK LOADING—

Wood, 4 feet to 6 feet inclusive 10s. 9d. per truck (Standard I.B.) loaded to 5 feet.

STACKING WOOD 6 FEET OR OVER ON END—

Taken from vehicles 4s. 11d. per truck (Standard I.B.).

MILLING (OTHER THAN BY SELF-ACTING BENCH)—

The rate for milling (other than by self-acting bench) shall be 27s. 5d. per truck for 1-ft. wood and 33s. per truck for 9-inch wood which may be divided as follows:—

Where four men are employed—

	Cutting 1-ft. wood.	Cutting 9-in. wood.
Benching	7s. 2d. per truck (Standard I.B.).	9s. per truck (Standard I.B.).
Lumping	6s. 9d. " "	8s. " "
Handing up	6s. 9d. " "	8s. " "
Stacking	6s. 9d. " "	8s. " "

Benchman to sharpen saws also.
Lumper, hander-up, and stacker to clean up also.

Where three men are employed—

Benching and handing up	9s. 7d. per truck (Standard I.B.).	11s. 4d. per truck (Standard I.B.).
Lumping and handing up	8s. 11d. " "	10s. 10d. " "
Stacking	8s. 11d. " "	10s. 10d. " "

Benchman to sharpen saws also.
Lumper and stacker to clean up also.

Where two men are employed .. each

13s. 8½d. " "	16s. 6d. " "
---------------	--------------

These men also to sharpen saws and clean up.

MILLING BY SELF-ACTING BENCH—

The rate for milling by self acting bench shall be 24s. 8d. per truck for 1-foot wood and 29s. 8d. per truck for 9-inch wood which may be divided as follows:—

Where three men are employed—

	Cutting 1-ft. wood.	Cutting 9-in. wood.
Benching	8s. 8d. per truck (Standard I.B.).	10s. 4d. per truck (Standard I.B.).
Lumping	8s. " "	9s. 8d. " "
Stacking	8s. " "	9s. 8d. " "

Benchman to sharpen saws also.
Lumper and stacker also to clean up.

Where two men are employed—

Benching and lumping	13s. 2d. " "	16s. 3d. " "
Stacking	11s. 6d. " "	13s. 5d. " "

Benchman to sharpen saws also.
Stacker to clean up also.

Where one man is employed

24s. 8d. " "	29s. 8d. " "
--------------	--------------

This man also to sharpen saws and clean up.

MALLEE ROOTS—

	By Weight.		By Measurement.	
	per ton.		per ton.	
	s.	d.	s.	d.
(a) Raising or digging out	7	9	5	10
(b) Cleaning or trimming	7	9	5	10
(c) Loading on to vehicles	4	5	3	4

Part 2.—Persons employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.

17. IMPROVERS.	OTHER EMPLOYEES.
Wages per Week of 40 Hours.	Wages per Week of 40 Hours.
	<i>s. d.</i>
	Wood cutters, using axe, power crosscut, circular saw, or other method .. 152 0
	Carters driving one, two, or three horses .. 152 0
	And 6s. extra per week for every additional horse in excess of three.
	Drivers of motor vehicles having a carrying capacity—
	(a) not exceeding 25 cwt. .. 145 0
	(b) exceeding 25 cwt. but not exceeding 3 tons .. 151 0
	(c) exceeding 3 tons but not exceeding 8 tons .. 157 0
	(d) Further tonnage—for each complete ton over 5, an extra 1s. per week.
	And if a trailer is attached to the vehicle—1s. 6d. per day extra.
	<i>Gas Producer Units.</i>
	The following provision shall apply to drivers of vehicles fitted with gas producer units—
	(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.
	(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.
	Charcoal burning by retorts, metal or brick kilns, or pits—
	(a) Operator in charge of plant .. 167 0
	(b) All other employees, including persons employed in emptying, bagging, sewing, stacking, or loading .. 157 0
	Grinding or grading charcoal—
	(a) Attendant in charge of plant—
	(i) With four or more persons under his supervision .. 177 0
	(ii) With three or fewer persons under his supervision .. 173 0
	(b) All other persons, including those engaged in grinding, grading, or bagging charcoal or sewing bags .. 167 0

PROPORTION (BY ANY EMPLOYER).
One improver to the first three workers, receiving not less than 152s. per week of 40 hours and thereafter one additional improver to every ten additional such workers.
NOTE.—The Board determines that no person shall be employed as an apprentice.

CONDITIONS OF EMPLOYMENT.

18. (i) Except as in this Determination otherwise provided, the ordinary weekly total of hours shall be 40 in number, all to be worked on days other than Sunday.

(ii) (a) Such ordinary weekly total, at the option of the employer, may be spread over five or six days and, except on shift work, shall be worked in one period occurring between 7.30 a.m. and 12.30 p.m. on Saturday and between 7.30 a.m. and 5.15 p.m. on other days, subject to the recognized meal hours or intervals and smoke-oh of ten minutes each morning and afternoon, but no other breaks imposed by the employer.

(b) If a five-day week is worked the ordinary daily total of working hours shall be not more than 8, and if a six-day week is worked such total shall be not more than four on Saturday and not more than eight on any other day.

(iii) The employer may require employees to work such ordinary weekly total on a shift or relay, being one of either two or three shifts or relays worked in the 24 hours, but subject only to the following conditions:—

(a) Each shift shall be worked in one period with no break except for recognized meal intervals and smoke-oh.

(b) In each shift during which the employee does not receive the same amount of time for a meal interval or smoke-oh as that which day workers receive under this Determination he shall be paid at ordinary rates for twenty minutes' crib time and two smoke-ohs of ten minutes each.

(c) Where a shift comprises within its period any time between 7 p.m. and 6 a.m. the whole of the time worked during the shift shall be paid for at ordinary rate plus 7½ per cent.

(d) Where practicable, shifts shall be changed in rotation each week.

(iv) Smoke-ohs shall be counted as part of time worked.

OVERTIME, ETC.

19. (a) Except as in this Determination otherwise provided, all time worked in excess of the ordinary weekly or daily hours of work shall be paid at one and a half times the ordinary prescribed rate for the first four hours, and at double the ordinary prescribed rate for the time thereafter.

(b) Horse drivers who, in excess of such weekly or daily total hours of work, are required to spend time in taking charge of teams at the yard, camp, or stable, or in returning teams thereto, shall be paid for such time at the ordinary rate.

(c) If an employee is required by his employer to be for any time anywhere only for the purposes of the employer in respect of the business in which the employee is employed, the employee shall be deemed to be on duty for the employer during such time, and shall be paid at the appropriate prescribed rate (if any) for so much of such time as is spent in work, and at the ordinary minimum rate for so much of such time as is not so spent.

Provided that this clause shall not apply to any time spent by an employee in the course of going to or coming from any yard, camp, stable, depot or picking-up place of the employer, or in the course of going to a place of the employer, or in the course of going to a place of work for the purpose of starting work, or in the course of coming therefrom after ceasing work.

(d) Employees recalled to work after the expiration of their customary working time for the day, and after they have left work for the day, shall be paid at the least as for working two hours at one and a half times the prescribed rate.

TERMS OF ENGAGEMENT.

20. (a) Subject to exceptions and limitations hereinafter contained any employer shall have the option of engaging any employee either by the week or casually.

(b) (i) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminable on either side by a week's notice which may be made to expire at any time during a week of the employment. Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled in respect of wages for the then current week's employment, only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.

(ii) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.

Employees on casual engagement shall be paid at the rate of time and a quarter.

(iii) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

(iv) No deduction shall be made from the wages of any employee unavoidably absent through illness for not more than 40 working hours in each year, i.e., 10 hours for each three months' service, commencing 1st December, 1941, provided he has submitted, within 48 hours of the commencement of such absence, satisfactory evidence to the employer or his representative that same was not the result of his own misconduct.

Provided that where, under any scheme of insurance or an accident relief or provident fund to secure the benefit of which the employer has paid the necessary premium, or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient, with such compensation, to make up the full pay for any such days.

(c) Notwithstanding the provisions of sub-clause (b) (iv) hereof if the full period of sick leave as prescribed 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 80 working hours which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause service prior to 6th April, 1946, shall be disregarded.

SUNDAYS AND HOLIDAYS.

21. (a) Except as herein provided otherwise, if an employee is required to work on a holiday or on a Sunday, he shall be paid at double the ordinary prescribed rate.

(b) If a casual employee desires to work on a holiday and with the consent of the employer does so work, he shall be paid therefor at the ordinary prescribed rate.

(c) In the case of any other employee engaged by the week no deduction shall be made from his wages for the week because of his not working on a holiday.

(d) The expression "holiday" means any of the following days:—Australia Day, New Year's Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day and Boxing Day.

ANNUAL HOLIDAY.

22. 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.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 9d., plus postage.)

ALLOWANCES.

23. Employees who, in order to be available for their work, have to live in a camp established either by the employer or employees for the purpose of enabling employees to be so available by living therein, shall be paid a camping allowance of 1s. for each day on which they are required to hold themselves, and do hold themselves available in the camp throughout the said day to serve the employer's purpose on that or any other day, whether or not work is done on the said day, but this clause shall not apply to any Sunday, unless the employee is required to work on that Sunday.

WASHING FACILITIES.

24. Each employer shall provide for all the employees suitable washing troughs or other conveniences, which shall be approved by the Secretary for Labour or his Inspector.

TIME RECORD.

25. (a) The employer shall keep a record of the names of the employees of such employer, and in respect of each such employee, a record from week to week of the periods, times and class of work done, and the rates of wage and amounts of wages paid, and shall obtain from week to week the signature of each employee to such record.

(b) The secretary or duly accredited representative of the Federated Fodder and Fuel Trades' Industrial Union authorized in writing to that effect by such secretary shall be allowed, on any day coming two days after a pay day between 10 a.m. and noon, or at such other times as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information therefrom relating to any member or members of the said union.

WET WEATHER PROVISIONS.

26. (i) (a) In the event of rain being sufficiently heavy to justify a temporary cessation of work, such work shall cease forthwith and during the cessation of work employees shall hold themselves in readiness for work during ordinary working hours, and shall be paid for the actual time of waiting at ordinary time wages rates of pay.

(b) When weather conditions are suitable employees shall resume work immediately.

(ii) If the employer's representative considers the weather justifying the cessation of work is likely to continue for a lengthy period the payment, as set forth in sub-clause (i), may be discontinued, and employees shall not be bound to hold themselves in readiness for a resumption of work.

Provided that, for any day on which an employee is ready and willing to commence work, he shall be entitled to payment as though he had worked for a minimum of four hours.

(iii) The employer shall provide adequate and suitable shelter from the rain for the employee.

(iv) The employer shall provide adequate facilities for the employee to dry off his wet clothes.

SPECIAL TREATMENT OF INJURED.

27. The employer, as soon as reasonably possible, shall supply means free of charge to convey to the nearest hospital or doctor any employee so seriously injured that it is not reasonably possible for such employee to travel independently of such conveyance.

FIRST-AID AND MEDICAL OUTFIT.

28. The employer shall provide at every main place of employment a first-aid outfit. Such outfit shall consist of at least the following:—Boracic acid, iodine picric acid (bottle solution), 1-in. bandages, lint, cotton, triangle bandages, lysol, permanganate of potash, snake-bite scarifier, splints capable of being used in 12-in. lengths, and one pair of scissors.

SHELTER.

29. The employer shall provide adequate and suitable shelter, with seating accommodation for employees.

SANITATION.

30. In every camp where the pan system is not in use, the employer shall instal sanitary conveniences, and provide attention hereto. Where no camp is established, practicable and reasonable temporary provision shall be made by the employer.

ACCOMPANYING SICK OR INJURED EMPLOYEES.

31. No employee suffering from illness or injury sustained on the job shall be permitted to leave the job unless accompanied or assisted by a sufficient number of employees, except in the case of his removal by ambulance, to his home or nearest hospital. All expenses incurred in such patient's removal shall be paid by the employer, and no employee assisting or accompanying an injured or sick person shall lose any wages by so doing.

CHARCOAL BURNING.

32. (i) The lowest prices to be paid to any person employed burning charcoal from wood which has to be transported not more than half a mile to the retort or kiln in which it is to be burned shall be those prescribed in the following schedule, viz. :—

	Price per Ton of Charcoal.	
	(a) Where more than 50 per cent. of the wood used has to be felled.	(b) In circumstances other than (a).
	s. d.	s. d.
Grey box, red box, red gum, or ironbark	68 8	62 8
Any other variety of wood	74 2	65 7

The above prices shall include all necessary cutting, cartage to the retort or kiln, filling and sewing of bags, and the adequate provision by the employer of food for any horse which is being used in connexion with the work.

(ii) If the wood to be burned is situated more than half a mile from the retort or kiln, 2s. 6d. extra per ton of charcoal shall be paid for each extra half mile or portion thereof.

(iii) The employer shall supply, free of charge, all tools, vehicles, and equipment necessary.

Part 3.—All persons to whom this Determination applies.**PERIODICAL ADJUSTMENT OF WAGES.**

33. The wages rates set out in clauses 2 and 17 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 and the weekly earnings of pieceworkers shall be automatically adjusted as prescribed by clause 34, provided that the rates for 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.

Provided that, where a pieceworker works less than 40 hours in any week, the sum to be added to or subtracted from his earnings shall be varied proportionately.

Basic Wage.

Place.	Needs Basic Wage Adjustable.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	6 2 0	6 0	6 8 0	Melbourne

ADJUSTMENT OF BASIC WAGE

34. (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 November, 1949, the amounts of the Basic Wage shall be as prescribed in clause 33.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, 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.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 11th August, 1949.

[5727]



VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

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

No. 867]

TUESDAY, OCTOBER 11.

[1949

Factories and Shops Acts.

DETERMINATION OF THE NURSERYMEN'S BOARD.

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

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

1. That as from the beginning of the first pay period to commence on or after the 1st October, 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.		Wages.	Per Week of 40 Hours.
	Males.	Females.		
	s. d.	s. d.		s. d.
15 years of age or under ..	28 0	27 9	Propagators in charge of one or more employees working under glass	164 0
16 years of age ..	35 9	30 0	General nursery hands, i.e., persons engaged at budding, grafting, planting, potting, or ploughing	153 6
17 years of age ..	50 0	43 2	Females engaged at pricking off seedlings or preparing them for transit, picking flowers, picking seeds, staking plants in pots, cleaning cuttings, or weeding	92 9
18 years of age ..	68 9	59 3	Nursery labourers	137 0
19 years of age ..	82 0	74 0		
20 years of age ..	112 3	86 3		
PROPORTION.				
<i>Apprentices.</i>				
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.				
<i>Improvers.</i>				
One improver to every three or fraction of three workers receiving not less than 137s. per week of 40 hours.				

ADDITIONAL PAYMENT.

3. An employee appointed to take charge of 3 or more employees of the same classification as himself shall receive an additional 8d. per day or part thereof.

TERMS OF ENGAGEMENT.

4. Employees who work less than 40 hours in any week may be paid *pro rata* according to the number of hours worked.

TIME OF BEGINNING AND ENDING WORK.

5. The time of beginning and ending work shall be the times mutually agreed upon between the employer and the employee.

OVERTIME.

6. The following rates shall be paid for overtime :—

For all work done in any week in excess of the number of hours fixed as a week's work, or in excess of 8½ hours in any one day—Time and a half.

An employer may require any employee to work reasonable overtime at overtime rates, and such employee shall work overtime in accordance with such requirement.

SPECIAL RATES.

7. Time and a half shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Melbourne Cup Day, Christmas 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.

Provided that, by agreement, King's Birthday may be substituted for Melbourne Cup Day.

PAYMENT FOR HOLIDAYS.

8. All employees shall be entitled to the holidays prescribed in clause 7 without deduction of pay.

ANNUAL HOLIDAY.

9. 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.

SICK LEAVE.

10. (a) Subject to satisfactory evidence being furnished to the employer, an employee in continuous employment shall be entitled, without deduction of pay, to absent himself on account of sickness arising out of his employment for 10 hours of working time for each three months' service but not exceeding 40 hours of working time in any year.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed 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 80 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

For the purpose of this sub-clause service prior to 1st November, 1947, shall be disregarded.

RIGHT TO INTERVIEW EMPLOYEES.

11. During the meal interval, and not more than once a month, a duly accredited official of the Australian Workers Union, authorized in writing by the President and Secretary of the Victorian Branch of such organization, shall have the right to interview any person covered by this Determination at his or her place of employment on legitimate union business.

FIRST-AID OUTFIT.

12. Employers shall provide and continuously maintain at a place reasonably accessible to all employees an efficient first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

13. The wages rates for males 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 as prescribed by clause 14. Provided that the wages of apprentices, improvers, and females shall be adjusted from time to time by increasing or decreasing the said rates in the same proportion as the amount of increase or decrease of the male basic wage bears to the basic wage current immediately prior to the adjustment. Such adjustments shall be calculated to the nearest threepence, half or less than half of threepence to be disregarded.

Basic Wage.

Place.	Needs Basic Wage Adjustable.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	6 2 0	6 0	6 8 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

14. (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 November, 1949, the amounts of the Basic Wage shall be as prescribed in clause 13.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, 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.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 13th September, 1949.



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 868]

TUESDAY, OCTOBER 11.

[1949

Prices Regulation Acts.

PRICES REGULATION ORDER No. 112.

PIECEGOODS AND DRAPERY—SALES BY WHOLESALE MERCHANTS.

I N pursuance of the powers conferred upon me by the Prices Regulation Acts, I, John Francis Waldron, Prices Decontrol Commissioner, hereby make the following Order:—

Citation.

1. This Order may be cited as Prices Regulation Order No. 112.

Revocation.

2. Prices Regulation Order No. 1620 as amended by Prices Regulation Order No. 2870, Prices Regulation Order No. 2522 as amended by Prices Regulation Order No. 2648, Prices Regulation Orders Nos. 2750, 3101, 3103, and 3113, made under the Commonwealth National Security (Prices) Regulations, are hereby revoked.

Application.

3. Nothing in this Order shall apply to—
 - (i) woollen and worsted piecegoods,
 - (ii) hessian and Liverpool twill cloth.

Definitions.

4. In this Order, unless the contrary intention appears—

“cost into warehouse” means in relation to the sale of specified goods by wholesale merchants—

 - (a) where such goods are purchased from a source outside the Commonwealth of Australia, the aggregate of—
 - (i) the purchase price paid or payable after deduction of trade discount but before deduction of cash discount;
 - (ii) inland carriage charges;
 - (iii) outside packing charges;
 - (iv) overseas office or forwarding agents' commission actually incurred (but not in excess of 3½ per centum of the gross invoice price of the goods after deduction of trade discount but before deduction of cash discount);

- (v) bill of lading and shipping charges;
- (vi) insurance and freight paid (but not in excess of current standard sea freight rates);
- (vii) exchange calculated at telegraphic transfer rate at the date of import (without addition of bank fees, bank commission or interest charges);
- (viii) duty and primage paid;
- (ix) wharfage and stacking charges paid;
- (x) harbour dues and Stevedoring Industry Commission levy paid;
- (xi) Customs entry and Customs agent's charges paid (but not including any charge for costing or any percentage surcharge on cost or any charges for cartage from wharf, bond store or free store) and,
- (xii) sales tax, where paid.

(b) where such goods are purchased from a person in the Commonwealth of Australia, being the manufacturer of those goods, the sum of—

- (i) the price paid or payable for the goods;
- (ii) the cost (if any) actually incurred in transporting such goods from the point of delivery to the purchaser's premises and properly attributable to such goods. Provided that no such cost of transport shall be added in the case of such goods manufactured in the metropolitan area.

"Manufacturer" means a person who by his own labour or that of his employees manufactures or causes to be manufactured any specified goods.

"Metropolitan area" means all that area comprised within a radius of 50 miles from the General Post Office, Melbourne.

"Point of delivery" means, in relation to the sale of any specified goods purchased from a person in the Commonwealth of Australia being the manufacturer of those goods, the place at which liability for payment of transport charges in conveying those goods passed to the wholesale merchant from the manufacturer.

"Specified goods" means the goods specified in the Schedule to this Order.

"Wholesale merchant" means a person who purchases specified goods from—

- (a) a source outside the Commonwealth of Australia, or
- (b) a person in the Commonwealth of Australia, being manufacturer of such goods—

and sells those goods by wholesale.

Maximum Prices—Sales by Wholesale Merchants.

5. I fix and declare the maximum price at which specified goods may be sold by wholesale merchants to be the cost into warehouse plus the percentage margin of such cost as specified in the second column of the Schedule to this Order.

Discounts.

6. (1) Notwithstanding anything contained in this Order, where a wholesale merchant of any specified goods has customarily allowed in relation to sales any difference in price—

- (a) to any person or to any person included in any class of persons,
- (b) in respect of sales of certain quantities of such goods, or
- (c) in respect of sales under special conditions of sale, or upon certain terms of payment—

the maximum prices fixed by or under this Order in respect of those goods shall, in the case of sales to any such person or persons, or of such quantities, or under such conditions or upon such terms of payment, be reduced by the allowance of such difference.

(2) In every case, whether any such difference in price has been customarily allowed or not, where payment for any specified goods is made within 30 days from date of delivery, such a deduction shall be made and shall not be less than 2½ per centum of the purchase price.

Records to be Kept.

7. Any person being a wholesale merchant who sells or has for sale specified goods shall keep in addition to those required to be kept by law or for his own purpose a book containing the following information:—

- (i) a full description of those goods;
- (ii) the date of delivery of those goods into store;
- (iii) the name and address of the suppliers from whom the goods were purchased;
- (iv) the purchase price paid or payable for those goods.

Invoice or Docket to be Delivered.

8. Any person being a wholesale merchant who sells any specified goods shall issue to the purchaser of such goods at the time of sale an invoice or docket specifying the following particulars:—

- (i) The seller's name and address;
- (ii) the date on which the sale was made;
- (iii) a description as to quality and type of the goods sold;
- (iv) the quantity sold and the price charged therefor.

Fixation of Maximum Prices by Notices.

9. Notwithstanding the foregoing provisions of this Order, I declare—

- (i) That the maximum price at which any specified goods may be sold by any person to whom a notice in pursuance of this paragraph is given to be such price as is fixed by the Prices Decontrol Commissioner by notice in writing to that person;
- (ii) that all notices in writing issued prior to this Order which operate to fix a lower maximum price for the sale by any person, being a wholesale merchant, of any specified goods than the maximum price fixed by the foregoing provisions of this Order and which are in force at the date of the coming into operation of this Order shall be deemed to have been given under this Order; and
- (iii) that all notices in writing relating to the sale of specified goods by wholesale merchants issued prior to this Order and which operated to fix a higher maximum price for the sale of such goods by such persons than are fixed by or under the provisions of this Order are hereby revoked.

THE SCHEDULE.

Description of Goods.	Where purchased from a source outside the Commonwealth of Australia or from a Manufacturer. Maximum Wholesale Margins.
Column 1.	Column 2.
	Per centum.
1. Woven or knitted piecegoods manufactured from rayon yarn or mixtures of rayon and cotton yarns or rayon and wool yarns	15
2. Woven or knitted piecegoods manufactured from nylon, real silk, or containing 25 per centum of real silk	15
3. Woven or knitted piecegoods manufactured from cotton yarn or mixture of cotton and wool; linen or mixtures of cotton and linen	12½
4. Woven or knitted piecegoods not otherwise specified, but including waterproofed or rubberized fabrics	12½
5. Terry towels, terry bath mats, huckaback towels, and all other face and bath towels and face cloths; nursery squares, tea towels, glass cloths, sponge cloths, honey comb cloths and sweat rags; bed sheets, pillowslips, mattress cases, bed spreads, quilts and counterpanes, bungalow cloths, table cloths, serviettes and mosquito nets	12½
6. Blankets, bunny rugs, travelling rugs and bush rugs	10

Dated this 5th day of October, 1949.

J. F. WALDRON,
Prices Decontrol Commissioner.

Prices Regulation Acts.

PRICES REGULATION ORDER No. 113.

WOOLLEN AND WORSTED PIECEGOODS—SALES BY WHOLESALE MERCHANTS.

IN pursuance of the powers conferred upon me by the Prices Regulation Acts, I, John Francis Waldron, Prices Decontrol Commissioner, hereby make the following Order:—

Citation.

1. This Order may be cited as Prices Regulation Order No. 113.

Revocation.

2. Prices Regulation Order No. 1152, as amended by Prices Regulation Orders Nos. 1665 and 1760, made under Commonwealth National Security (Prices) Regulations, is hereby revoked.

Application.

3. This Order shall apply to sales by wholesale merchants of woollen and worsted piecegoods.

Definitions.

4. In this Order, unless the contrary intention appears—
 - “ Wholesale merchant or wholesaler ” means a person who purchases woollen and worsted piecegoods—
 - (a) from a source outside the Commonwealth of Australia, or
 - (b) from a person in the Commonwealth of Australia, being a manufacturer of such goods;
 and sells those goods by wholesale.
 - “ Men's piecegoods ” means woollen or worsted cloths of types which are customarily made up into wearing apparel for men and boys only or which are customarily made up into wearing apparel both for men and boys and for women and girls, and in respect of such goods—
 - (a) “ piece ” shall mean a length of cloth greater than forty yards;
 - (b) “ half piece ” shall mean a length of cloth greater than twenty yards but not greater than forty yards;
 - (c) “ cut length ” shall mean a length of cloth not greater than twenty yards.
 - “ Women's dress goods ” means woollen or worsted cloths of types which are customarily made up into wearing apparel for women and girls only and in respect of such goods—
 - (a) “ piece ” shall mean a length of cloth greater than thirty yards;
 - (b) “ cut length ” shall mean a length of cloth not greater than thirty yards.
 - “ Cost into warehouse ” means in respect of woollen and worsted piecegoods—
 - (a) where such goods are purchased from a source outside the Commonwealth of Australia, the aggregate of—
 - (i) the purchase price paid or payable after deduction of trade discount but before deduction of cash discount;
 - (ii) inland carriage charges;
 - (iii) outside packing charges;
 - (iv) overseas office or forwarding agents' commission actually incurred (but not in excess of 3½ per centum of the gross invoice price of the goods after deduction of trade discount but before deduction of cash discount);
 - (v) bill of lading and shipping charges;
 - (vi) insurance and freight paid (but not in excess of current standard sea freight rates);
 - (vii) exchange calculated at telegraphic transfer rate at date of import (without addition of bank fees, bank commission or interest charges);

- (viii) duty and primage paid;
- (ix) wharfage and stacking charges paid;
- (x) harbour dues and Stevedoring Industry Commission levy paid;
- (xi) Customs entry and Customs agents' charges paid (but not including any charges for costing or any percentage surcharge on cost or any charges for cartage from wharf, bond store or free store); and
- (xii) sales tax where paid.

(b) where such goods are purchased from a person in the Commonwealth of Australia, being the manufacturer of those goods, the sum of—

- (i) the price paid or payable for the goods;
- (ii) the cost (if any) actually incurred in transporting such goods from the point of delivery to the purchaser's premises and properly attributable to such goods. Provided that no such cost of transport shall be added in the case of piecegoods manufactured in the metropolitan area.

"Metropolitan area" means all that area comprised within a radius of 50 miles from the General Post Office, Melbourne.

"Point of delivery" means, in relation to the sale of any woollen or worsted piecegoods purchased from a person in the Commonwealth of Australia being a manufacturer of those goods, the place at which liability for payment of transport charges in conveying those goods to his premises passed to the wholesaler from the manufacturer.

Maximum Prices—Sales by Wholesale Merchants.

5. I fix and declare the maximum price at which woollen and worsted piecegoods may be sold by a wholesale merchant to be the cost into warehouse plus—

- (a) in the case of men's piecegoods—
 - (i) for pieces—seven and one-half per centum of such cost into warehouse;
 - (ii) for half pieces—ten per centum of such cost into warehouse;
 - (iii) for cut lengths—seventeen and one-half per centum of such cost into warehouse.
- (b) in the case of women's dress goods—
 - (i) for pieces—ten per centum of such cost into warehouse;
 - (ii) for cut lengths—seventeen and one-half per centum of such cost into warehouse.

Discounts.

6. (1) Notwithstanding anything contained in this Order where a wholesale merchant of any woollen or worsted piecegoods has customarily allowed in relation to sales any difference in price—

- (a) to any person or to any person included in any class of persons,
- (b) in respect of sales of certain quantities of such goods, or
- (c) in respect of sales under special conditions of sale, or upon certain terms of payment—

the maximum prices fixed by or under this Order in respect of those goods shall, in the case of sales to any such person or persons, or of such quantities, or under such conditions or upon such terms of payment, be reduced by the allowance of such difference.

(2) In every case, whether any such difference in price has been customarily allowed or not, where payment for any woollen or worsted piecegoods is made within 30 days from date of delivery, such a reduction shall be made and shall not be less than 2½ per centum of the purchase price.

Records to be Kept.

7. Any person being a wholesale merchant who sells or has for sale woollen or worsted piecegoods shall keep in addition to records required to be kept by law or for his own purpose a book containing the following information:—

- (a) A full description of those goods;
- (b) the date of delivery of those goods into store;
- (c) the name and address of the supplier from whom the goods were purchased;
- (d) the purchase price paid or payable for those goods.

Invoice or Docket to be Delivered.

8. Any person being a wholesale merchant who sells any woollen or worsted piecegoods shall issue to the purchaser of such goods at the time of the sale an invoice or docket specifying the following particulars:—

- (a) The seller's name and address;
- (b) the date on which the sale was made;
- (c) a description as to quality and type of the goods sold;
- (d) the quantity sold and the price charged therefor.

Fixation of Maximum Prices by Notice.

9. Notwithstanding the foregoing provisions of this Order, I declare—

- (a) that the maximum price at which any woollen or worsted piecegoods may be sold by any person to whom a notice in writing in pursuance of this paragraph is given to be such price as is fixed by the Prices Decontrol Commissioner by notice in writing to that person;
- (b) that all notices in writing issued prior to this Order which operate to fix a lower maximum price for the sale by any person, being a wholesale merchant, of any woollen or worsted piecegoods than the maximum price fixed by the foregoing provisions of this Order and which are in force at the date of the coming into operation of this Order shall be deemed to have been given under this Order; and
- (c) that all notices in writing relating to the sale of woollen or worsted piecegoods by wholesale merchants issued prior to this Order and which operated to fix a higher maximum price for the sale of such goods by such persons than are fixed by or under the provisions of this Order are hereby revoked.

Dated this 5th day of October, 1949.

J. F. WALDRON,
Prices Decontrol Commissioner.