VICTORIA

GOVERNMENT GAZETTE

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Health Acts.

DEPARTMENT OF HEALTH, VICTORIA.—COMMISSION OF PUBLIC HEALTH.

At the Executive Council Chamber, Melbourne, the twenty-second day of December, 1953.

PRESENT:

His Excellency the Administrator of the Government of the State of Victoria.

Mr. Cain	Mr. Galvin
Mr. Barry	Mr. Slater
Mr. Hayes	Mr. Fraser
Mr. Shepherd	Mr. Galbally
Mr. Smith	Mr. Scully.
Mr. Gladman	

REGULATIONS RELATING TO PLUMBERS AND GASFITTERS.

UNDER the powers conferred by the Health Acts and all other powers enabling him in that behalf, His Excellency the Administrator of the Government of the State of Victoria, with the advice of the Executive Council of the said State, doth hereby make the Regulations following (that is to say):—

1. These Regulations may be cited as the " Plumbers and Gasfitters Regulations 1953 ", shall apply to all cities and towns, and to all areas and districts under the control of any sewerage authority, and to any other part of Victoria to which the provisions of section 2 of the *Health Act* 1935 are extended by Order of the Governor in Council

published in the *Government Gazette*, shall come into operation on publication thereof in the *Government Gazette*, and are divided into Parts as follows:—

PART I.—Introductory	Regulation 2
PART II.—Interpretation	Regulation 3
PART III.—Constitution of Board and appointment and duties of the Registrar	Regulations 4 to 6
PART IV.—Training	Regulation 7
PART V.—Examination	Regulation 8
PART VI.—Registration	Regulations 9 to 16
PART VII.—Fees	Regulations 17 and 18
PART VIII.—Appeals	Regulation 19
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PART X.—Penalties	Regulation 23
PART XI.—Schedules	

PART I.—INTRODUCTORY.

2. All Regulations heretofore made relating to matters herein provided are hereby repealed, but such repeal shall not affect any liability incurred, or any right accrued, or any matter or thing done under the said repealed Regulations.

Any registration granted pursuant to the Plumbers and Gasfitters Regulations 1936 and current at the date of coming into operation of these regulations shall continue as though it had been granted under these regulations and shall be subject thereto.

PART II.—INTERPRETATION.

3. In these Regulations, unless inconsistent with the context or subject matter—

"Apprentice" means any person bound by indenture of apprenticeship under the provisions of the *Apprenticeship Act* 1928 or the *Factories and Shops Act* 1928, or any amendment thereof, to an employer carrying on the trade or occupation of plumber and/or gasfitter.

"Apprenticeship Commission of Victoria" means the Apprenticeship Commission of Victoria as defined in the *Apprenticeship Act* 1928.

"Board" means the Plumbers and Gasfitters Board constituted under the provisions of section 2 of the *Health Act* 1935.

"Commission" means the Commission of Public Health constituted under the *Health Act* 1928.

"Employer" means any person, company, corporation, council, water supply authority, sewerage authority, or gas supply authority, who or which engages labor to perform any class of plumbing and/or gasfitting work referred to in these regulations.

"Improver" means any person who was not an apprentice, but who was employed as an improver in the trade or occupation of plumbing and/or gasfitting, in accordance with the provisions of the *Apprenticeship Act* 1928 or the *Factories and Shops Act* 1928, or any amendment thereof.

"Minister" means the Minister of Health.

"National Gas Association" means the National Gas Association of Australia (Victorian Branch) previously known as the Gas Companies Association of Australia (Victorian Section).

"Plumber" means a person engaging in or undertaking plumbing work.

"Plumber, Class I." means a person competent to perform gasfitting and all classes of plumbing work.

"Plumber, Class II." means a person competent to perform plumbing, Class II.

"Plumber, Class III." means a person competent to perform plumbing, Class III.

"Plumbing Work" means plumbing work of any prescribed class or classes.

"Plumbing, Class I." means all classes of plumbing work, including installation, alteration, renewal and maintenance, and gasfitting work.

"Plumbing, Class II." means that class of plumbing work carried out under the by-laws and regulations of any sewerage authority, and in connexion with any septic tank or similar system, and includes installation, alteration, renewal and maintenance work.

"Plumbing, Class III." means that class of plumbing work in connexion with the provision of water supply, the covering of roofs, the fixing of roof gutters, of flashing and of rainwater piping, and all classes of hot water supply and the heating and ventilation of buildings, and includes installation, alteration, renewal and maintenance work.

"Sewerage Authority" means any sewerage authority within the meaning of the *Sewerage Districts Act* 1928, the Melbourne and Metropolitan Board of Works, and the Geelong Waterworks and Sewerage Trust.

"Sanitary Plumbers Examination Board of Victoria" means the examining board established by agreement between the Melbourne and Metropolitan Board of Works, the Geelong Waterworks and Sewerage Trust, and the several sewerage authorities constituted under the *Sewerage Districts Act* 1928.

"Water Supply Authority" has the like meaning as the expression "Waterworks Authority" has in section 3 of the *Sewerage Districts Act* 1928 and (subject to the provisions of the Melbourne and Metropolitan Board of Works Act) includes the Melbourne and Metropolitan Board of Works.

PART III.—CONSTITUTION OF THE BOARD AND APPOINTMENT AND DUTIES OF THE REGISTRAR.

4. (1) The Plumbers and Gasfitters Board, provided for by section 2 (1) (*d*) of the *Health Act* 1935, shall be appointed by the Minister.

(2) The members of the Board shall be nominated as hereunder prescribed:—

(*a*) The members representing the bodies respectively known as the Master Plumbers Association, the Plumbers Union, and the National Gas Association shall be elected for nomination by the respective bodies in such manner as each body deems fit.

(*b*) Of the two members appointed as representing sewerage authorities one shall be nominated by the Melbourne and Metropolitan Board of Works, and one shall be elected for nomination by the Geelong Waterworks and Sewerage Trust and the several sewerage authorities constituted under the *Sewerage Districts Act* 1928 in such manner as may be agreed upon by a majority of these bodies.

(*c*) The member representing the Department of Health shall be nominated by the Chief Health Officer.

(*d*) The member representing the Technical Schools shall be nominated by the Director of Education.

(3) (*a*) The names of the persons nominated shall be forwarded by the nominating bodies or persons concerned to the Minister for appointment and publication in the *Government Gazette*.

(*b*) If any of the bodies or group of bodies or persons aforesaid does not within one month after receipt of a request in writing from the Minister nominate a person or persons (as the case may require) the Minister may without such nomination make the necessary appointments.

(4) No person shall be appointed a member of the Board for more than three years, but any person appointed a member of the Board shall upon expiration of the period for which he is so appointed, be eligible for re-appointment.

5. (1) The Board at the first meeting in each year shall elect one of their number to be chairman of the Board.

(2) The Chairman so elected shall hold office until the first meeting in the following year, but shall be eligible for re-election.

(3) At any meeting of the Board the Chairman, or in his absence any member elected by the members present to act as Chairman at such meeting, shall preside, and in case of equality of votes shall have a second or casting vote.

(4) If at any election of a Chairman there is equality of votes it shall be decided by lot which of the members obtaining an equal number of votes shall be elected.

(5) If any member of the Board is absent without permission of the Board from four consecutive meetings his seat shall become vacant.

(6) On the occurrence of any vacancy in the Board the Minister may appoint a person nominated in the same way as the original member was nominated to fill the vacancy, and any person appointed to fill such vacancy shall hold office only for the remainder of the term for which his predecessor was appointed.

(7) The Board shall meet at such times and places as the Board decides and all meetings shall be convened by the Registrar by giving to each member at least seven clear days' notice, in writing, of the time and place of meeting.

(8) The powers and duties of the Board may be exercised and performed by a quorum of not less than five members.

(9) The proceedings of the Board shall be regulated by the provisions of Part XI. of Fifteenth Schedule of the *Local Government Act* 1946 in so far as such provisions are applicable.

6. (1) The Minister may appoint an officer of the Department of Health to be the Registrar.

(2) The duties of the Registrar shall be—

(*a*) to act as Secretary to the Board and to carry out the directions of the Board and all such duties as pertain to that office;

(*b*) to receive all moneys due to the Board, and bank same in accordance with the Board's directions; to make disbursements from the Board's funds as directed by the Board (subject to the provisions of Regulation 18) and to submit to the Board half-yearly statements of accounts;

(*c*) to register such persons as have been approved by the Board for registration and have paid the prescribed fees, and to keep a register in the form set out in Schedule "A" hereto;

(*d*) to remove (subject to the provisions of Regulation 16) names from and restore names to the register at the direction of the Board;

(*e*) to issue certificates of registration for the appropriate class or classes of plumbing work and/or gasfitting as plumbers and/or gasfitters.

PART IV.—TRAINING.

7. Every applicant for registration shall submit proof satisfactory to the Board either—

(*a*) that he has served as an apprentice or has been employed as an improver for not less than five years in learning the handicraft of plumbing and/or gasfitting from a competent plumber and/or gasfitter; or

(*b*) that he has been employed for not less than five years in learning the handicraft of plumbing and/or gasfitting from a competent plumber and/or gasfitter, and that in addition he has secured from the Education Department of Victoria the final certificate that he has completed the prescribed course of plumbing and gasfitting at a Technical School; or

(*c*) has had other training considered by the Board to be equivalent thereto.

PART V.—EXAMINATION.

8. For the purpose of satisfying itself as to the suitability of any applicant for registration the Board may—

(*a*) arrange for the conducting of theoretical and/or practical examinations in any class or classes of plumbing and/or gasfitting;

(*b*) appoint examiners to conduct any such examinations;

(*c*) terminate the appointment of any examiner or examiners by giving one month's notice, in writing, under the hand of the Registrar of the Board;

(*d*) require any applicant to submit himself for any such examination.

Provided however that any applicant shall be eligible for registration for the appropriate class or classes of plumbing and/or gasfitting (as the case may require) without examination—

(i) who was registered as a plumber and/or gasfitter under the Principal Act or any corresponding previous enactment or as a plumber under regulations made pursuant to the *Health Act* 1931;

(ii) who was at the commencement of the *Health Act* 1935 licensed as a plumber by any sewerage authority or by any water supply authority;

(iii) who shall provide proof of having passed the final examination of the Apprenticeship Commission of Victoria; or

(iv) who shall provide proof of having passed the theoretical and practical examination of the Sanitary Plumbers Examination Board of Victoria;

(v) who is the holder of a certificate of competency as a plumber and/or water plumber or a licence as a plumber and/or water plumber issued by a subscribing Authority to and recognized by the signatories to the "Agreement on Interstate Reciprocity of Plumbers', Water-Plumbers' and Drainers' Certificates", signed on the 12th day of August, 1952;

(vi) who holds any oversea certificates acceptable to the Board; or

(vii) who holds the certificates of a body that is acceptable to the signatories of the "Agreement on Interstate Reciprocity of Plumbers', Water Plumbers' and Drainers' Certificates".

PART VI.—REGISTRATION.

9. (1) The Board shall approve for registration as plumbers for the appropriate class or classes of plumbing work and/or as gasfitters such applicants as in its opinion are competent to engage in or undertake the particular class or classes of plumbing work and/or gasfitting, and persons so approved shall, on payment of the prescribed fee within 28 days of notification of approval by the Registrar, be duly registered.

(2) Every application for registration shall be made in the form of Part I. of Schedule B hereto, and shall be accompanied by the prescribed fee and, in cases where the applicant had not served an apprenticeship, by a statutory declaration in the form of Part II. of the said schedule.

(3) Every application for renewal of registration shall be made in the form of Schedule C hereto, and shall be accompanied by the prescribed fee.

10. The following persons only shall be entitled to registration as:—

(*a*) Plumbers, Class I.—

(i) Persons who hold the final certificate issued by the Apprenticeship Commission of Victoria, and who also hold the qualifications set out for Plumbers, Class II.

(ii) Persons who are approved by the Board as being competent to engage in or undertake gasfitting and all classes of plumbing work and who hold the qualifications set out for Plumbers, Class II.

(iii) Persons who hold the following Interstate certificates:—

Queensland:—"Licence as Plumber" issued by the Plumbers, Drainers and Gasfitters Examination and Licensing Board.

New South Wales:—"Certificate of Competency as Plumber" issued by the New South Wales Examining Board for Plumbers and Gasfitters and Drainers.

Western Australia:—"Certificate of Competency as Plumber" issued by the Board of Examiners, Metropolitan Water Supply, Sewerage and Drainage Department.

(iv) Persons who hold the following Oversea Certificates:—

England:—"Certificate for Plumbing", 1st Class, issued by the City and Guilds of London Institute.

"Certificate as Plumber" (by Examination) issued by the Worshipful Company of Plumbers, London.

Scotland:—"Certificate for Plumbing", ordinary or higher grade, issued by the Herriott-Watt College, Edinburgh.

"Certificates for Plumbing, Practical, Theoretical and Drawing", either 1st or 2nd Class, issued by the Stow College, Education Authority, Glasgow.

New Zealand:—"Certificate of Competency as Plumber", issued by the Plumbers Board of New Zealand.

(v) Persons who hold certificates of any Authority that may from time to time be recognized for this purpose under the "Agreement on Interstate Reciprocity of Plumbers', Water Plumbers' and Drainers' Certificates", signed on the 12th day of August, 1952.

(*b*) Plumbers, Class II.—

(i) Persons who hold the certificate of competency issued by the Sanitary Plumbers Examination Board of Victoria.

(ii) Persons who have passed the practical examination of the Sanitary Plumbers Examination Board of Victoria and have been licensed by any subscribing authority to the Sanitary Plumbers Examination Board.

(iii) Persons who before the 30th June, 1931, were licensed as second-class plumbers by the Melbourne and Metropolitan Board of Works.

(*c*) Plumbers, Class III.—

(i) Persons who are approved by the Board as being competent to engage in or to undertake Plumbing, Class III.

(ii) Persons who hold the following Interstate certificates:—

Queensland:—"Licence as Water Plumber" issued by the Plumbers, Drainers and Gasfitters Examination and Licensing Board.

New South Wales:—"Certificate of Competency as Water Plumber" issued by the New South Wales Examining Board for Plumbers and Gasfitters and Drainers.

Western Australia:—"Certificate of Competency" issued by the Board of Examiners. Metropolitan Water Supply, Sewerage and Drainage Department.

Australian Capital Territory:—"Water Supply Licence" issued by the Commonwealth Department of the Interior.

(iii) Persons who hold certificates of any Authority that may from time to time be recognized under the "Agreement on Interstate Reciprocity of Plumbers', Water Plumbers', and Drainers' Certificates", signed on the 12th day of August, 1952.

(*d*) Gasfitters.—Persons who are approved by the Board as being competent to perform gasfitting work.

Provided, however, that—

(*a*) any person registered as a plumber or a gasfitter under the Principal Act or any corresponding previous enactment, or as a plumber or as a gasfitter under the Regulations made pursuant to the *Health Act* 1931; or

(*b*) any person who at the commencement of the *Health Act* 1935 was licensed as a plumber by any sewerage authority or by any water supply authority—

shall on payment of the prescribed fees be registered as a plumber in respect of the appropriate class or classes of plumbing work, or as a gasfitter, as the case may be.

11. On receipt of the prescribed fee, a certificate of registration in the form of Schedule D hereto shall be issued to every person eligible for registration under the provisions of these Regulations, and every such certificate shall specify the class or classes of plumbing and/or gasfitting for which registration has been approved.

12. (*a*) Every registration shall expire on the 31st day of December in each year, but may be renewed subject to the provisions of sub-regulations (*b*) and (*c*) hereof.

(*b*) Every application for renewal of registration shall be accompanied by the prescribed fee and the certificate of registration for endorsement.

(*c*) Notwithstanding the provisions of regulation 16, the Board may at any time after the 31st day of January in any year direct the removal from the register (after giving fourteen days' notice) of the name of any person who has not applied for renewal of his registration, and when any name has been so removed it shall not be restored to the register until a new application for registration has been made to the Board and the Board has approved such application.

13. Every registered plumber and/or gasfitter shall, on notification of a change in his classification, return his certificate to the Registrar, who will cancel same and issue a new certificate.

14. Every registered plumber and/or gasfitter shall notify the Registrar of any change of address.

15. The Board may, subject to the provisions of regulation 16 hereof, cancel the registration of a plumber and/or gasfitter.

16. (1) If, after inquiry, investigation, or other appropriate procedure, the Board is of the opinion that the name of any registered plumber and/or gasfitter should be removed from the register, it shall give to such registered plumber and/or gasfitter at least fourteen days' notice in writing of its opinion, and shall afford such plumber and/or gasfitter all reasonable opportunity of showing cause why his name should not be so removed. If, after considering such representations, at least five members of the Board agree by resolution that the name of such plumber and/or gasfitter should be removed from the register, the name shall forthwith be removed, and such person shall cease to be a registered plumber and/or gasfitter, and on notification thereof by registered letter by the Registrar shall forthwith return his certificate of registration.

(2) The Board may, if it think fit, restore to the register any name so removed.

PART VII.—FEES.

17. Fees as set out hereunder shall be paid to the Registrar, who shall issue an official receipt therefor:—

(*a*) For lodging an application by an applicant for registration —Five shillings, to be paid at time of lodging the application.

(*b*) For examination—Thirty shillings, to be paid at the time of entering for the examination.

(*c*) For registration—Ten shillings, to be paid prior to the issue of a certificate.

(*d*) For the annual renewal of registration—Ten shillings, which shall be lodged with the application for renewal: Provided that if such renewal is not applied for within one month after the previous registration has expired an additional fee of Ten shillings shall be payable.

18. (1) All fees collected shall be applied to the payment of expenses connected with examinations and to the expenses of the Board.

(2) The account shall be operated under the joint signatures of the Registrar and any one of two members appointed by the Board for the purpose.

PART VIII.—APPEALS.

19. (1) Notice of appeal against any decision of the Board under sub-section 2 of section 2 of the *Health Act* 1935 shall be in the form of Schedule E hereto, and shall be in duplicate. One copy shall be lodged with the Registrar, and the other copy with the stipendiary magistrate to whom the notice of appeal is addressed, not more than twenty-eight (28) days after the notification of the decision appealed against.

(2) Upon receipt of a notice of appeal, the stipendiary magistrate shall inform the appellant and the Registrar of the time when and the place where the appeal shall be heard.

PART IX.—PROHIBITIONS.

20. (1) Any plumber or gasfitter who carries out, or any employer who permits to be carried out, any work which—

(*a*) is defective in material or workmanship; or

(*b*) does not comply with the requirements of the Health Acts or of the regulations or by-laws thereunder or of any by-laws or regulations of a sewerage authority or gas supply authority or water supply authority—

shall be guilty of an offence against the Principal Act.

21. No person other than an apprentice shall engage in or undertake plumbing work of any class and/or gasfitting in any area to which these regulations apply, unless he is registered as a plumber of the appropriate class and/or as a gasfitter (as the case may require) under the provisions of the Health Acts and these regulations.

22. An apprentice shall not engage in or undertake any plumbing or gasfitting work except under the continuous supervision and control of a person registered as a plumber in respect of the appropriate class or (as the case may be) as a gasfitter.

PART X.—PENALTIES.

23. Any person doing any act forbidden to be done, or failing to do any act directed to be done, by these Regulations, shall be liable for any such offence to a penalty of not more than Twenty pounds, and in the case of a continuing offence to a further daily penalty of not more than Five pounds, but so that the total of such penalties shall not exceed One hundred pounds.

PART XI.—SCHEDULES.

SCHEDULE "A".

THE REGISTER.

The register shall be kept in the following form:—

No.	Name.	Address.	Classes of Plumbing and/or Gasfitting in which Person is Registered as being Competent.	Date of Registration.

DEPARTMENT OF HEALTH, VICTORIA.

COMMISSION OF PUBLIC HEALTH.

Plumbers and Gasfitters Regulations 1935.

SCHEDULE B—PART I.

APPLICATION FOR REGISTRATION AS A PLUMBER AND/OR GASFITTER.

I hereby apply to be registered as a Plumber and/or Gasfitter under the provisions of the Health Acts.

Name

(in full—underline surname—Block Letters)

Address

Age (last birthday) years.

A—Details of Training Period.

(*a*) I served my term as an Apprentice* or Improver* with

Name(s) and address(es) of employer(s).

for a total of years, from , 19 , to ,19 , in verification of which I attach my Indenture of Apprenticeship or (if not apprenticed) the prescribed statutory declaration by the aforesaid employer(s).

(*b*) I have studied Plumbing and Gasfitting at the

Technical School(s) during the years 19 to 19 and passed the final examinations in the Grades set out below—

B—Practical Experience Additional to Time Served as an Apprentice or Improver.

I have had years' experience in the various branches of the trade as detailed below.

Class 2.—Plumbing work carried out under the by-laws and regulations of any sewerage authority—

Fill in employers' names and addresses and give period of service with each.

* Strike out whichever is inapplicable.

* Improvership was illegal in Melbourne from 22.8.'28, in Ballarat and Geelong from 22.12.'37, and in the whole of the State of Victoria from 1.8.'47.

Class 3.—Plumbing work in connexion with the provision of water supply, the covering of roofs, the fixing of roof gutters, of flashing and of rainwater piping and of all classes of hot water supply and of heating and ventilation of buildings—

Fill in employers' names and addresses and give period of service with each.

Gasfitter.—All work in connexion with the installation of pipes, fittings, or apparatus in or on premises for lighting, cooking, domestic hot water supply, heating, industrial uses, or motive power, by means of town gas supply—

Fill in employers' names and addresses and give period of service with each.

C.—Particulars of Present Occupation.

(Give name and address of employer and class of work.)

D.—Particulars of Additional Plumbing Certificates.

In addition to the certificates mentioned above I hold the following certificates or licences or other equivalent qualifications:—

E.—Statutory Declaration.

I, , of ,

the person making this application, hereby declare that the information set out herein is to the best of my knowledge true and correct in every particular. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of Parliament of the State of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

SCHEDULE B—PART I.—*continued.*

Declared at
in the State of
this
of , 19 .

.....
Justice of the Peace
or
Commissioner for taking Declarations and Affidavits under the Evidence Act.

Date / / .

(The prescribed fee of 5s. must accompany this Application.)

The Registrar, Plumbers and Gasfitters Board, 295 Queen-street, Melbourne, C.1.

PART II.

SCHEDULE "B" (Back of Form).

STATUTORY DECLARATION BY EMPLOYER.

I, , being a Registered Plumber, Class , No. , do solemnly declare that of was employed by me as for years, from , 19 , to , 19 , and is a competent tradesman in the following classes of work:—

Dates.

I make this declaration knowing that the Plumbers and Gasfitters Board will, under the powers conferred on it by the Health Acts, hold me responsible for this person whom I sponsor.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of Parliament of the State of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at
in the State of
this
of , 19 .

.....
Justice of the Peace
or
Commissioner for taking Declarations and Affidavits under the *Evidence Act* 1928.

SCHEDULE "C".

HEALTH ACTS.

PLUMBERS AND GASFITTERS REGULATIONS 1953.

APPLICATION FOR RENEWAL OF REGISTRATION.

I, , of holding a Certificate of Registration (No.), under the Health Acts, hereby apply to have my registration renewed for the year 19 , and herewith tender my current certificate and the sum of Ten shillings for such renewal.

STATE OF VICTORIA.

DEPARTMENT OF HEALTH.

SCHEDULE "D".

HEALTH ACTS.

Plumbers and Gasfitters Regulations.

Certificate of Registration.

Registered Number .

This is to certify that was on the day of , 19 , registered as a and is considered by the Plumbers and Gasfitters Board as being a person competent to perform the classes of work set out below, those classes which are inapplicable being struck out:—

Plumbing, Class 1—All classes of plumbing work and gasfitting.
Plumbing, Class 2—Sanitary plumbing.
Plumbing, Class 3—Plumbing work in connexion with roofing, water supply, hot water supply, heating and ventilation of buildings.
Gasfitting.

, Registrar,
Plumbers and Gasfitters Board.

Signature of holder Date .

SCHEDULE "E".

Health Act 1935.

NOTICE OF APPEAL TO A POLICE MAGISTRATE PURSUANT TO SUB-SECTION 2 OF SECTION 2 OF THE *Health Act* 1935.

To:

The Registrar, Plumbers and Gasfitters Board,

And to:

one of Her Majesty's Stipendiary Magistrates for the State of Victoria.

Take notice that I, , intend to appeal to the said , at a time and place to be fixed by the said magistrate, against the decision of the Plumbers and Gasfitters Board in—

* Refusing to register me as a Plumber, Classes I., II., III., or Gasfitter.
* Refusing to renew my registration as a Plumber, Classes I., II., III., or Gasfitter.
* Refusing to restore my name to the register as a Plumber, Classes I., II., III., or Gasfitter.

* Strike out ground not appropriate.

Signature .

Address .

Date .

And the Honorable William Peter Barry, Her Majesty's Minister of Health for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,

Clerk of the Executive Council.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.

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GOVERNMENT GAZETTE.

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No. 12] TUESDAY, JANUARY 19. [1954

Prices Regulation Acts.

PRICES REGULATION ORDER No. 607.

CARTAGE RATES—FRESH FRUIT AND TOMATOES.

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

Citation.

1. This Order may be cited as Prices Regulation Order No. 607.

Application.

2. This Order shall apply to the road transport by motor vehicle of fresh fruit and tomatoes in cases, and the return of such cases when empty, from place to place in Victoria as specified in the Schedules to this Order.

Maximum Rates.

3. Subject to the provisions of this Order, I fix and declare the maximum rate which may be charged for transporting cased fresh fruit and tomatoes, and empty fruit or tomato cases to be as follows:—

(*a*) For cartage from any place within a distance of 5 miles from the principal post office of any city or town specified in the First Schedule to this Order to any place within 10 miles of the General Post Office, Melbourne, to be the rate appropriate to each such city or town set out in that Schedule;

(*b*) For cartage from any place within a distance of 5 miles from the principal post office of any town specified in the Second Schedule to this Order to the destination therein specified, to be the rates set out in that Schedule opposite each such journey;

(*c*) For cartage to any local cannery or railway station in Victoria where either of the distances specified in the Third Schedule to this Order applies, to be the rates set out in that Schedule opposite each such distance;

(*d*) For cartage from grower's orchard to cool stores or packing sheds at Harcourt, Victoria, where one of the distances specified in the Fourth Schedule to this Order applies, to be the rates set out in the Schedule opposite each such distance;

(*e*) For cartage from cool stores or packing sheds at Harcourt, Victoria, to the Harcourt Railway Station and also stacking at the said rail siding, to be the rates specified in the Fifth Schedule to this Order.

Records to be Kept.

4. Every person supplying the service of transporting by motor vehicle cased fresh fruit and tomatoes, and/or such cases when empty, the maximum rates for which are fixed under this Order, shall maintain a record of each cartage service showing—

(*a*) Name and address of customer;

(*b*) Date of supplying service;

(*c*) Loading and delivery points in respect of each trip;

(*d*) Number of full cases carted on each trip;

(*e*) Number of empty cases carted on each trip.

Fixation of Maximum Rates by Notice.

5. Notwithstanding the foregoing provisions of this Order, I declare the maximum rate at which the service of transporting by motor vehicle fresh fruit and tomatoes specified in a notice given in pursuance of this clause may be supplied by any person in Victoria to whom such notice is given, to be such rate as is fixed by the Commissioner by notice in writing to that person.

FIRST SCHEDULE.

Maximum Rates.

From any place within a distance of 5 miles from the principal post office of any city or town specified herein to any place within 10 miles of the General Post Office, Melbourne.

	Full Case. (Each)		Empty Case Returned. (Each)	
	s.	*d.*	*s.*	*d.*
Ardmona	1	8	0	4½
Bendigo	1	7	0	4½
Cobram	2	0	0	5
Dhurringile	1	7	0	4½
Echuca area	1	10½	0	4½
Harcourt	1	5	0	4½
Haven area	2	4	0	4½
Horsham	2	3	0	4½
Kyabram	1	9½	0	4½
Merrigum	1	9½	0	4½
Mildura	3	1	0	8
Mooroopna	1	8	0	4½
Murchison	1	5	0	4½
Myrtleford	2	2	0	4½
Riverside	2	4	0	4½
Robinvale	2	10	0	7½
Shepparton	1	8	0	4½
Swan Hill	2	4	0	6
Tatura	1	7	0	4½
Toolamba	1	7	0	4½
Wangaratta	1	11	0	5
Werribee	0	9	0	3½

SECOND SCHEDULE.

Maximum Rates.

From any place within a distance of 5 miles from the principal post office of any town specified to the destination specified herein.

	Full Case. (Each)	Empty Case Returned. (Each)
	s. d.	s. d.
Ardmona to Seville	1 11	0 5
Bamawm to Kyabram	0 11	0 3½
Cobram to Shepparton	1 0	0 3½
Cobram to Bendigo	1 9½	0 4½
Echuca to Bendigo	1 1	0 4
Horsham to Bendigo	1 10½	0 4½
Katunga to Shepparton	0 10	0 3½
Kyabram to Ballarat	1 10½	0 4½
Kyabram to Red Hill	2 2	0 4½
Lockington to Kyabram	0 11	0 3½
Markwood to Wangaratta	0 9	0 3½
Merrigum to Wodonga	1 8	0 4½
Murchison to Bendigo	1 1	0 4
Shepparton to Bendigo	1 3	0 4
Shepparton to Echuca	1 0	0 3½
Shepparton to Wodonga	1 5	0 4½
Swan Hill to Bendigo	1 8	0 4½
Tatura to Bendigo	1 2	0 4
Tatura to Shepparton	0 9	0 3½
Wangaratta to Shepparton	1 2	0 4

THIRD SCHEDULE.

Maximum Rates.

For cartage from the grower's orchard to any local cannery and/or railway station in Victoria where the applicable distance involved is that specified herein.

Distance.	Full Case. (Each)	Empty Case Returned. (Each)
	s. d.	s. d.
Up to 6 miles	0 6	0 1½
Over 6 miles and up to 12 miles	0 7	0 1½

FOURTH SCHEDULE.

Maximum Rates.

From grower's orchard to cool stores or packing sheds at Harcourt, Victoria, where the applicable distance involved is that specified herein.

Distance.	Full Case. (Each)	Empty Case Returned. (Each)
	s. d.	s. d.
Up to 3 miles	0 3	0 2
Over 3 miles and up to 5 miles	0 4	0 2
Over 5 miles and up to 10 miles	0 6	0 2
Over 10 miles and up to 20 miles	0 8	0 2
Over 20 miles and up to 30 miles	0 9	0 2
Over 30 miles and up to 40 miles	0 10	0 2

FIFTH SCHEDULE.

Maximum Rates.

For cartage from cool stores or packing sheds at Harcourt, Victoria, to the Harcourt Railway Station, and also stacking at the said rail siding.

	Full Case. (Each)
	s. d.
Carting only	0 2
Carting and stacking	0 3

Dated this 11th day of January, 1954.

J. F. WALDRON
Prices Commissioner.

Prices Regulation Acts.

PRICES REGULATION ORDER No. 608.

COPPER.

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

Citation.

1. This Order may be cited as Prices Regulation Order No. 608.

Revocation.

2. Prices Regulation Order No. 45 is hereby revoked.

Definitions.

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

"Copper" means fire refined or electrolytic copper in the form of bars, blocks, ingots, pigs, cakes or billets.

"Scrap copper" means second-hand or used copper in fabricated form and includes used copper which has been remelted after use into normal copper shapes.

"Prevailing margin" means in relation to copper bars, blocks, ingots, pigs, cakes or billets the margin for any particular quality, quantity or shape or in respect of any particular term or condition of sale that existed between the price of £140 per ton and the particular vendor's selling price on 31st December, 1948, of copper bars, blocks, ingots, pigs, cakes or billets of that particular quality, quantity, or shape or sold under that particular term or condition of sale.

Maximum Price—Fire Refined or Electrolytic Copper Bars, Blocks, Ingots, Pigs, Cakes or Billets.

4. I fix and declare the maximum price at which fire refined or electrolytic copper bars, blocks, ingots, pigs, cakes or billets may be sold by any person to be £300 per ton plus the prevailing margin where that person's selling price on 31st December, 1948, was greater than £140 per ton or minus the prevailing margin where that person's selling price on the aforesaid date was less than £140 per ton as the case may be.

Maximum Price—Scrap Copper.

5. I fix and declare the maximum price at which scrap copper may be sold to be 2s. 3d. per lb.

Fixation of Maximum Prices by Notice.

6. Notwithstanding the foregoing provisions of this Order, I declare the maximum price at which copper specified in a notice given in pursuance of this clause may be sold by any person to whom such notice is given to be such price as is fixed by the Commissioner by notice in writing to that person.

Dated this 11th day of January, 1954.

J. F. WALDRON,
Prices Commissioner.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.

VICTORIA

GOVERNMENT GAZETTE.

Published by Authority.

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

No. 13] **TUESDAY, JANUARY 19.** **[1954**

Factories and Shops Acts.

DETERMINATION OF THE CEMETERY EMPLOYEES BOARD.

NOTE.—1. This Determination applies to the whole of the State of Victoria.

2. On the 25th September, 1946, the powers of the Cemetery Employees Board were varied to enable it to "determine the lowest prices or rates which may be paid to any person employed in or about a crematorium".

IN accordance with the provisions of the Factories and Shops Acts, and the Orders in Council thereunder, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person employed :—

(*a*) in or about a cemetery as a grave digger, grave decorator, gatekeeper, labourer, or gardener;

(*b*) in or about a crematorium"

has made the following Determination, namely :—

1. That as from the 1st December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

Apprentices or Improvers.

	Percentage of Basic Wage.	s. d.
1st year	27	64 0
2nd year	31	73 6
3rd year	36	85 6
4th year	43	102 0
5th year	53	125 6

PROPORTION (WITHIN ANY PLACE).

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

Other Employees.

	Wages.			
	Within the Metropolitan District.		All Other Parts of Victoria.	
	Per Hour.	Per Week.	Per Hour.	Per Week.
(*a*) In or about a cemetery—	s. d.	s. d.	s. d.	s. d.
Grave diggers ..	6 $8^{11}/_{20}$	268 6	6 $7^{13}/_{20}$	265 [illegible]
All others	6 $5^{7}/_{10}$	259 0	6 $4\frac{1}{2}$	256 0

	THROUGHOUT THE STATE.	
	Per Hour.	Per Week.
(*b*) In or about a crematorium—	s. d.	s. d.
* Operator in charge ..	7 $0^{6}/_{10}$	282 0
Other operator ..	6 $8^{11}/_{20}$	268 6
All others	6 $5^{7}/_{10}$	259 0

* Any employee required to act as an Operator in Charge for a period of one week or over shall be entitled to be paid the rate prescribed of an Operator in Charge whilst he is so required to act.

No. 13.—11954/53.—PRICE 6D.

ALLOWANCES.

3. (a) Any employee who is required to set and/or fire explosives shall be paid 5s. extra per day for each day or part of a day on which he performs such operations, and any person who has been directed by the management to assist such an employee shall be paid 2s. 6d. extra per day for each day or part of a day on which he is so required to assist.

(b) Any employee who is engaged in boring holes in stone by hand or machine for any period in excess of two hours on any day shall be paid 2s. 6d. per day extra for each day on which he is so required to work.

EXHUMATIONS.

4. (a) Any workman employed in the opening and/or entering of a grave for the purposes of an exhumation or exhumations shall be paid for the first body removed the sum of 30s., and for each additional body removed from the same grave a further 15s.;

(b) Any workman required to assist, but not to open and/or enter a grave, in connection with an exhumation or exhumations from the same grave shall be paid an allowance of 7s. 6d.

TIME OF BEGINNING AND ENDING WORK.

5. The ordinary times of beginning and ending work shall be between the following hours :—

8 a.m. to 5.15 p.m. Monday to Friday inclusive.

A meal interval of not less than 45 minutes shall be allowed each employee between noon and 1.30 p.m. each day.

WEEK-END BURIAL OR CREMATION.

6. Within a radius of 25 miles from the Post Office situated at the corner of Bourke and Elizabeth-streets, Melbourne, no employee shall be required to participate in the conduct of any burial or cremation on a Saturday or Sunday, subject to the following exceptions—

(a) unless such burial or cremation is by direction of the District Officer of Health ;

(b) the deceased person died prior to midnight on the preceding Thursday ; or

(c) where any of the holidays prescribed in clause 8 of this Determination occurs on the following Monday, save and except when the preceding Saturday is also prescribed as a holiday in the said clause 8.

OVERTIME.

7. All work done outside the hours specified as the times of beginning and ending work, or any work done within such hours in excess of 40 hours in any week, shall be paid for at the rate of 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.

HOLIDAYS.

8. (a) Employees shall, as far as practicable, be entitled to the following holidays without deduction of pay :—New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day, and Boxing Day, and,

(i) within the Metropolitan District as defined in the Factories and Shops Acts—Melbourne Cup Day and Show Day ;

(ii) outside the said Metropolitan District—Melbourne Cup Day and Show Day or in lieu of such days, holidays to be mutually agreed upon between any Cemetery Trust and a majority of its employees ;

but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays this condition shall only apply for the day so substituted, or should any such holiday occur on a Saturday or a Sunday and a day is not so substituted employees whether called upon to work on such day or not shall be entitled to a holiday in lieu of same on a day to be arranged between the employees and the Trust concerned.

Provided that should an employee be required to work on any day specified in this sub-clause such work shall not nclude the digging of stock graves, but may include :—

(i) any necessary maintenance work ;

(ii) the filling in of a grave ;

(iii) the preparation of an ordered grave.

(b) Any employee who having been instructed to report for work on any holiday mentioned in sub-clause (a) hereof shall if he so reports be entitled to payment as follows :—

(i) An allowance of 5s. if not given a start at work;

(ii) for work done with a minimum payment as for four hours.

The allowance or wage provided for in (i) and (ii) hereof is in addition to the payment of a day's pay to which an employee is entitled under sub-clause (a).

8A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed in clause 8 hereof.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

SUNDAYS.

9. All work done on Sundays shall be paid for at double time. Provided that any employee who is required to be on duty solely for the purpose of acting as a patrolman or as a supervising attendant shall receive a minimum payment of 20s., and any employee called on duty to do any other work shall receive a minimum payment of 30s. for each Sunday he is so required to work.

SATURDAYS.

10. Subject to the provisions of clause 8 hereof time and a half with a minimum payment of 20s. shall be paid for all work done on a Saturday.

EMPLOYEE OPENING OR CLOSING A CEMETERY ON A SATURDAY, SUNDAY, OR A PUBLIC HOLIDAY.

11. Notwithstanding anything contained in clauses 8, 9, or 10 hereof any employee who is required only to open and/or close the gates of a cemetery on a Saturday, Sunday, or a Public Holiday specified in clause 8, shall be paid at the appropriate rate specified for work done on any such day with a minimum payment of 15s. for any such work.

NOTICE OF WORK ON A SUNDAY OR HOLIDAY.

12. If at all possible, 24 hours' notice that his services will be required on such day, shall be given to an employee required to work on a Sunday or a holiday specified in clause 8.

PICNIC DAY.

13. The 3rd Wednesday in February in each year shall be observed as a holiday within a radius of 20 miles of the General Post Office, Melbourne, and at Ballarat, Bendigo, and Geelong. Employees (except those required to carry out essential services) shall be entitled to such holiday without deduction of pay.

Employees required to carry out essential services may receive ordinary rates of pay only for work done on such day, but shall within one month receive another day off in lieu of such picnic holiday or have one day added to the annual leave provided for in clause 16.

FARE ALLOWANCE.

14. Any employee residing outside a radius of five miles from his place of employment shall in addition to any other amounts to which he may be entitled under this Determination receive the sum of five shillings per week as a fare allowance.

TERMS OF ENGAGEMENT.

15. Any employee (other than a casual employee) willing and available to work shall, in respect of each week of his employment, be paid the full weekly wage fixed by this Determination.

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.

PAYMENT OF WAGES.

17. Wages shall be paid not later than Thursday in each week.

SICK LEAVE.

18. (*a*) Any employee (other than a casual employee) who has not less than twelve months' service with the same employer shall be entitled to leave of absence on account of ill health or accident, provided he has submitted within 24 hours of the commencement of such absence satisfactory evidence that same is not the result of his own misconduct. If the conditions hereinbefore stated have been complied with, the employee shall also be entitled during such absence in any year to payment as follows :—

(i) For the first two weeks, full pay.
(ii) For the next two weeks, half pay.

(*b*) Notwithstanding anything contained in sub-clause (*a*) hereof, if the full period of sick leave, as prescribed above is not taken during the employee's fourth, or any subsequent year of continuous service, such portion as is not taken in such fourth or any subsequent year of service, shall be cumulative from year to year up to a period not exceeding eight weeks on full pay, and a further eight weeks on half pay, provided that for each two weeks of any such sick leave, a medical certificate, or other satisfactory evidence of injury or illness shall be furnished by the employee if so required.

(*c*) Notwithstanding anything contained in sub-clauses (*a*) or (*b*) hereof, for absence on account of ill-health or injury for any period not exceeding two consecutive working days, and not exceeding in the aggregate four working days in any one year, the production of a medical certificate shall not be necessary.

(*d*) 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 as is prescribed by sub-sections (*a*) and (*b*) hereof than is sufficient with such compensation to make up the full or half pay as the case may be.

CLOTHING, ETC.

19. Employees required to work in wet places shall be provided with leather or rubber knee boots.

An employee whilst engaged at grave digging shall be supplied with overall trousers, which shall be replaced from time to time where necessary.

Suitable and adequate overhead covering shall be provided for all employees engaged in grave digging.

An employee engaged in filling in a grave in rain shall be provided with suitable protective clothing.

An employee required to attend at a grave during a funeral shall be provided with a suitable dustcoat to cover his working clothes during such period.

PROTECTION FROM FALLING EARTH OR MASONRY.

20. Where an employee is working in sand or loose earth at a depth of 5 ft. 6 in. or greater, or in any earth at a depth below 7 feet, he shall be assisted by another employee, or given protection by means of timbering or other adequate protection to obviate danger from falling earth or masonry. Where a grave is dug or re-opened in sand or loose earth, planking must be provided by the Cemetery Trust, and used by the grave digger for the safe conduct of the funeral for which preparation is being made.

DEFINITION.

21. A casual employee is a person who is not required to report for duty on each of every ordinary working day, but who is called upon to do certain specified work at irregular intervals.

DINING ACCOMMODATION, ETC.

22. Where four or more men are ordinarily employed in a cemetery suitable dining accommodation with a fireplace, or other means of providing boiling water, and with adequate tables and forms shall be provided for the use of employees when having meals. This accommodation shall be kept clean and used for no other purpose.

Suitable drying accomodation with heating facilities when necessary shall also be provided in each such cemetery.

TERMINATION OF EMPLOYMENT.

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

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates for adult males set out in clause 2 are based upon the following basic wage 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 25.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

25. (*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 February, 1954, the amount of the basic wage shall be as prescribed in clause 24.

(*c*) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the 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 ·103 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.

(*d*) The wages of apprentices or improvers shall be the appropriate percentages as set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 26th November, 1953.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.