

VICTORIA

GOVERNMENT GAZETTE.

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No. 551

TUESDAY, FEBRUARY 16.

[1954

Factories and Shops Acts.

DETERMINATION OF THE BREAD TRADE BOARD.

Notes (i).—This Determination applies to the whole of the State of Victoria as follows:—

- (a) Clauses 1 to 17, inclusive, apply to the Metropolitan District as defined in the Factories and Shops Acts, and the Orders in Council thereunder, and such portion of the Shires of Doncaster and Templestowe (other than the township of Warrandyte) as is not included within the said District; the cities of Ballarat, Bendigo, Chelsea, Geelong, Geelong West, Mildura, Mordialloc, Warrnambool, and of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; the township of Allansford; the township of Merbein; the township of Kangaroo Flat in the Shires of Marong and of Strathfieldsaye; the township of Spring Gully, in the Shire of Strahfieldsaye; such portion of the Shire of Broadmeadows as is south of Somerton-road; the Shire of Dandenong; the Doutta Galla Riding of the Shire of Keilor, and such portion of the Maribyrnong Riding of the said Shire as is within 3 miles of the St. Alban's Post Office; the Shire of Mulgrave; such portions of the Shire of South Barwon and of the Moorpanyal Riding of the Shire of Corio as are within a radius of 5 miles of the Geelong Post Office; and portions of the Shire of Werribee as are within a radius of 3 miles of the Altona Post Office; and such portions of the Shire of Mildura as are within a radius of 1 mile of the Red Cliffs Post Office and the Irymple Post Office, respectively.
- (b) Clause 1 and clauses 18 to 32, inclusive, apply to the whole of the State outside and excepting those parts enumerated in the preceding paragraph.
- (ii) On 31st May, 1938, the Bread Board, the Country Bread Board, and the Provincial Bread Board were deprived of the power to "determine the lowest prices or rates of payment for bread making or baking", and such power was conferred exclusively on the Bread Trade Board.
 - (iii) The Board has prescribed a form of apprenticeship indenture.
- (iv) Breadmaking and baking were proclaimed on 12th December, 1938, as Apprenticeship Trades under the Apprenticeship Act 1928 for the Metropolitan District.

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

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

1. That as from the beginning of the first pay period to commence in November, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

No. 55.-12319/53.-PRICE 6D.

2.				Wages.		
· A	pprenti	ces.		* Improvers.	Other	Employees.
st Year—			Per Wee of 40 Hours	Per Week of 40 Hours. £ s. d.	Doughmakers	Per Hour. s. d. 7 9
lst six months 2nd ,, nd Year— lst six months 2nd ,, rd Year— lst six months 2nd			76 11 84 7 92 4 99 11 115 5 130 10	2nd		Ordinary Double Days. Ordinary Double Days. Per Hour.
znd ,, th Year— let six months 2nd ,, th Year— let six months 2nd ,,			153 10 176 11 208 0 238 6	and thereafter the minimum wage. Proportion (within any factory or place).	Foremen or single hands	s. d. 7 10½
PROFORTION (within any factory or place). One apprentice to every three or fraction of three workers receiving not less than 304s. 2d. per week of 40 hours.					All others engaged in the making and/or baking of bread	7 7½

[•] Except those subject to the jurisdiction of the Apprenticeship Commission.

Note.—The rates shown in clause 2 herein include 14d, per hour for "foremen or single hands" and "all others engaged in the making and/or baking of bread" required to work the hours and times prescribed in clause 17. Pro-rate of this amount has been included in the rates of apprentices and improvers.

Hours of Work. (See clause 17. Limitation of Hours of Employment.)

3. That the number of hours to be worked on each day (including the time spent at the doughmaking necessary for such day's work) shall be :-

				Apprentices.	Other Employees.
Ordinary days				7 hours	7 hours
Double days				9 "	10 "
Treble days	• •	••]	9 "	10 "

OVERTIME.

- 4. (a) That any employee (other than an apprentice) who works either---
 - (i) for any time in excess of the number of hours fixed in clause 3; or alternatively
 - (ii) during any week for any time in excess of 40 hours;

shall be paid for such extra time at the wages rate of double time.

(b) Any apprentice who works for any time in excess of seven hours on an ordinary night or nine hours on any other night shall be paid by the employer for such extra time at the rate of time and a half, calculated on the same rate of pay as the employer may for the time being be obliged to pay to journeymen employed by him in the same trade. Provided, however, that any apprentice during the last year of his apprenticeship may be required to work up to ten hours on a night other than an ordinary night at ordinary rate of pay.

WEEKLY HOURS.

5. That the number of hours to constitute an ordinary week's work shall be 40.

TIME RATE.

6. (a) That any person employed 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 20 hours, at the ordinary wages rate with an addition of 33 per centum.

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

(b) In addition to any other rate to which he is entitled, any person employed for not more than 20 hours in any one week shall be paid, in respect of each night he is employed, fares from the Trades Hall, Melbourne, to his place of employment and return to the Trades Hall, Melbourne, by the cheapest means of regular rail, tram, or bus service available to him at the times of beginning or ending work as the case may be.

This shall include the fare charged by any available all-night service to employees travelling outside the times of ordinary services.

Provided that this sub-clause shall apply only to work done within the Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder.

SPECIAL RATES FOR PUBLIC HOLIDAYS.

- 7. (a) That payment for all work done on New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day, or Boxing Day, shall be at the rate of double time; but, if by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.
- (b) When two or more holidays as provided for in sub-clause (a) hereof occur in any one week, an employee shall be paid a full week's wages in addition to any penalty rates to which he may be entitled in such week; provided that any employee covered by this sub-clause who loses time during such week without the approval of his employer, shall be paid pro-rata for the work performed by him in such week.
- 7A. 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 7 hereof.

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

Union Representative.

8. That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

DEFINITIONS.

- 9. (a) "Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.
- (b) "Double day" shall mean a day on which bread is baked to supply all the employer's customers for two days so as to obviate the necessity for any work being done on the following day.
- (c) "Treble day" shall mean a day on which bread is baked to supply all the employer's customers for three or more days so as to obviate the necessity for any work being done on the following two days.
 - (d) The making of bread shall be deemed to mean each of the following acts:-
 - (i) The dividing of bread dough;
 - (ii) The weighing of bread dough;
 - (iii) The kneading or moulding of bread dough;
 - (iv) The placing of bread dough in boxes or tins or on trays.
 - (e) The baking of bread shall be deemed to mean-
 - (i) the setting of dough in the oven;
 - (ii) the withdrawal of bread from the oven.

ANNUAL HOLIDAY.

- 10. (a) The annual holiday shall be as prescribed by the provisions of the Factories and Shops (Annual Holidays) Act 1946 and any amendments which may be made thereto from time to time.
- (b) Where a public holiday mentioned in clause 7 occurs during any period of an annual holiday taken by an employee, the period of the holiday shall be increased by one day in respect of that public holiday.

SICK LEAVE.

- 11. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill-health or accident shall be entitled to sick pay as follows:—
 - (i) During the first year—3½ hours' ordinary pay for each complete month of service.
 - (ii) During any subsequent year of service-40 hours' ordinary pay.

Provided that, in either case, such employee produces or forwards, within 48 hours of the commencement of such absence, evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such

(b) If the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause, service prior to the 1st June, 1949, shall be disregarded.

REST PERIODS.

12. That, on double and treble days, employees shall be allowed two rest periods of ten minutes each which shall be counted as part of time worked. One of such rest periods shall be taken before the meal interval, and the other rest period shall be taken after the meal interval.

MEAL INTERVAL.

13. That a meal interval of not more than thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

CONTINUITY OF WORK.

14. The work of each employee (except a doughmaker) on each day or shift, shall be continuous with the customary break

LAUNDERING AND/OR MAINTENANCE OF WORKING CLOTHES.

15. An employee who works for more than 20 hours in any week for the same employer shall be paid an allowance of 4s. per week towards the cost of laundering and/or maintenance of working clothes; provided an employee who works for less than 20 hours in any week shall be paid 9d. for each night he is employed, with a maximum of 4s. per week.

CHANGING ROOMS, LOCKERS, AND WASHING FACILITIES.

16. Suitable changing rooms, lockers, and washing facilities, including hot and cold showers, shall be provided by the employer where there are more than two employees.

LIMITATION OF HOURS OF EMPLOYMENT.

17. No person shall be employed at breadmaking or baking, as defined in clause 9 hereof, outside the hours specified hereunder, viz.:—

Type of Week.	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Ordinary week, i.e., a week in which no public holi- day occurs during that week or on the following Monday	•••	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	
2. The week previous to a week in which Monday is a public holiday		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	4 a.m. to 4 p.m., 10 p.m. to Midnight	Midnight Friday to noon Saturday
3. Week in which Monday is a public holiday			4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	
4. Week in which Tuesday is a single public holiday		Midnight Sunday to noon Monday		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	
5. Week in which Wednesday is a single public holiday		4 a.m. to 4 p.m.	Midnight Monday to noon Tuesday		4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	
6. Week in which Thursday is a single public holiday		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	Midnight Tuesday to noon Wednesday		Midnight Thursday to 2 p.m. Friday	•••
7. Week in which Friday is a single public holiday and is not followed by a Monday public holiday		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Wednesday to noon Thursday	••	Midnight Friday to noon Saturday
8. Week in which Good Friday occurs	••	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Wednesday to noon Thursday	10 p.m. to midnight	Midnight Friday to noon Saturday
9. Week which follows Easter week-end	••		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	
 Week in which Saturday is a public holiday 		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	4 s.m. to 4 p.m., 10 p.m. to midnight	Midnight Thursday to noon Friday	
1. The week previous to a week in which Monday and Tuesday are public holi- days		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	4 a.m. to 4 p.m., 10 p.m. to midnight	Midnight Friday to noon Saturday
Week in which Monday and Tuesday are public holi- days	••			4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	• •
3. Week in which Tuesday and Wednesday are public holidays	10 p.m. to midnight	Midnight Sunday to noon Monday		••	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	••
4. Week in which Wednesday and Thursday are public holidays	••	4 a.m. to 4 p.m., 10 p.m. to midnight	Midnight Monday to noon Tuesday	,.		Midnight Thursday to 2 p.m. Friday	• •
5. Week in which Thursday and Friday are public holidays		4 a.m. to 4 p.m.	5 a.m. to 5 p.m., 10 p.m. to midnight	Midnight Tuesday to noon Wednesday			Midnight Friday to noon Saturday
6. Week in which Friday and Saturday are public holidays		4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m., 10 p.m. to midnight	Midnight Wednesday to noon Thursday		
7. Week in which Saturday and the Monday in the following week are public holidays		4 s.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m., 10 p.m. to Midnight	Midnight Thursday to noon Friday	••

17a. Notwithstanding the provisions of clause 17 hereof for the period 23rd December, 1953, to 4th January, 1954, the following shall apply.

Wednesday,	Thursday.	Friday.	Saturday,	Sunday,	Monday,	Tuesday,
23rd December,	24th December,	25th December,	26th December,	27th December,	28th December,	29th December,
1953,	1953.	1953.	1953.	1953.	1953.	1953.
5 a.m. to 5 p.m., 10 p.m. to Mid- night	Midnight Wed- nesday to noon Thursday				4 a.m. to 4 p.m.	5 a.m. to 5 p.m
Wednesday,	Thursday,	Friday,	Saturday,	Sunday,	Monday,	
30th December,	31st December,	1st January,	2nd January,	3rd January,	4th January,	
1953.	1953.	1954.	1954,	1954.	1954.	
5 a.m. to 5 p.m., 10 p.m. to Mid- night	Midnight Wed- nesday to noon Thursday				4 a.m. to 4 p.m.	••

18.

WITHIN THE AREA SET OUT IN NOTE (i) (b).

' '	Other Employees.
1st six months	Foremen or single hands 7s. 7½d. per hour, or 305s. 0d. per week of 40 hours Doughmakers 7s. 5½d. per hour, or 297s. 6d. per week of 40 hours Makers or bakers of rye bread, Vienna bread, or rolls Persons not provided for elsewhere in this Determination 7s. 4½d. per hour, or 294s. 2d. per week of 40 hours

OVERTIME.

- 19. (a) That any employee (other than an apprentice) who works in any week for any time in excess of 40 hours shall be paid for such extra time at the rate of time and a half.
- (b) That any apprentice who works in any week for any time in excess of 40 hours shall be paid for such extra time at the rate of time and a half for the first four hours, and thereafter at the rate of double time.

WEEKLY HOURS.

20. That the number of hours to constitute an ordinary week's work shall be 40.

TIME RATE.

21. That any person employed 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 20 hours, at the ordinary wages rate with an addition of 33 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.

Union Representative.

22. That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

SUNDAY WORK.

23. The Board determines, pursuant to the provisions of section 9, Act 4461, that, where a public holiday occurs upon a Tuesday, bread may be made or baked on the preceding Sunday after the hour of 8 p.m.

SPECIAL RATES FOR PUBLIC HOLIDAYS.

- 24. (a) That double time shall be the rate payable for all work done on New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day, or Boxing Day; but, if by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.
- (b) When two or more holidays as provided for in sub-clause (a) hereof occur in any one week, an employee shall be paid a full week's wages in addition to any penalty rates to which he may be entitled in such week; provided that any employee covered by this sub-clause who loses time during such week without the approval of his employer, shall be paid pro rata for the work performed by him in such week.
- 24A. In connexion with the visit to Australia of Hcr 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 24 hereof.

Provided that an employee who fails to attend for work on the working day 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.

ANNUAL HOLIDAY.

- 25. (a) The annual holiday shall be as prescribed by the provisions of the Factories and Shops (Annual Holidays) Act 1946 and any amendment which may be made thereto from time to time.
- (b) Where a public holiday mentioned in clause 24 occurs during any period of an annual holiday taken by an employee, the period of the holiday shall be increased by one day in respect of that public holiday.

SICK LEAVE.

- 26. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill-health or accident, shall be entitled to sick pay as follows:—
 - (i) During the first year-31 hours' ordinary pay for each complete month of service.
 - (ii) During any subsequent year of service-40 hours' ordinary pay.

Provided that, in either case, such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause, service prior to the 1st June, 1949, shall be disregarded.

LIMITATION OF HOURS.

- 27. (a) No bread of any kind shall be made or baked for trade or sale whether in the form of loaves, rolls, or any other form in any area to which Parts 2 and 3 of the Determination of the Bread Carters Board apply between the hour of twelve noon on the day immediately preceding every Wednesday other than any such Wednesday which occurs in any week in which any public holiday occurs on some other day or days and six o'clock in the evening of such Wednesday.
- (b) No bread of any kind shall be made or baked for trade or sale, whether in the form of loaves, rolls, or any other form in any area to which Parts 2 and 3 of the Determination of the Bread Carters Board apply, between the hour of twelve noon on the day immediately preceding any Saturday being a holiday prescribed by the said Determination and the hour of eleven o'clock in the evening of the following Sunday.
- (c) No bread of any kind shall be made or baked for trade or sale, whether in the form of loaves, rolls, or any other form in any area to which Parts I, 2, 3, and 4 of the Determination of the Bread Carters Board apply between the hour of twelve noon on the day immediately preceding any holiday prescribed by section 212 of the Factories and Shops Act and the hour of six o'clock in the evening on such holiday.

MEAL INTERVAL.

28. That a meal interval of not more than thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

CONTINUITY OF WORK.

29. The work of each employee (except a doughmaker) on each day or shift, shall be continuous with the customary break for a meal.

LAUNDERING AND/OR MAINTENANCE OF WORKING CLOTHES.

30. An employee who works for more than 20 hours in any week for the same employer, shall be paid an allowance of 4s. per week towards the cost of laundering and/or maintenance of working clothes, provided an employee who works for less than 20 hours in any week shall be paid 9d. for each night he is employed, with a maximum of 4s. per week.

CHANGING ROOMS, LOCKERS, AND WASHING FACILITIES.

31. Suitable changing rooms, lockers, and washing facilities, including hot and cold showers, shall be provided by the employer where there are more than two employees.

DEFINITION.

32. "Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.

33. The wages set out in Clauses 2 and 18 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 as prescribed by Clause 34. Basic Wage.

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e.				

£ s. d. Throughout the State			Place.			Basic Wage. (Adjustable).	Index Number Set Assigned.	
throughout the court of the cou			·, · -				£ s. d.	
	Throughout the State			••	 	 	11 17 0	

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 February, 1954, the amount 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 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 for "Other Employees" in clauses 2 and 18 shall be adjusted in accordance with the following table:—

Index Number Divisions.									Amount of Adjustment Per Hour.	
									,	d.
	(2229-2237								 	14
	2238-2247								 	1 <u>1</u> 1 <u>1</u>
ecreases	₹ 2248-2257								 	1
	2258-2266								 	į į
•	2267-2276								 	Į
o Change	2277-2286								 	NĪI
Ū	(2287-2296								 	1
	2297-2305							• •	 	i i
	2306-2315								 • •	1
	2316-2325								 	11
creases	₹ 2326–2334			••					 	11
	2335-2344								 	11 11 2
	2345-2354								 	2
	2355-2364								 	2
	2365-2373						••		 	21 23 3
	2374-2383								 	3 -

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

(e) Apprentices and Improvers.—Apprentices within the area set out in Note (i) (a) shall be adjusted proportionately to the increase or decrease in the "All others rate" Apprentices within the area set out in Note (i) (b) and all improvers shall be adjusted proportionately to the increase or decrease in the basic wage. Such adjustments shall be calculated to the nearest 1d. half or less than half of one penny to be disregarded.

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

J. V. WILLOX, Secretary.

Melbourne, 11th December, 1953.

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