

No. , 1929.

A BILL

To enable persons resident in the Federal Territory for the Seat of Government to obtain general auctioneers' licenses in New South Wales; to enable auctioneers to sell by auction thoroughbred horses after sunset in the Metropolitan Police District in yards or places illuminated by electric light; for these and certain other purposes to amend the Auctioneers Licensing Act, 1898, and certain other Acts; and for purposes connected therewith.

[MR. LEE ;—25 *March*, 1929.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

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Short title.

1. (1) This Act may be cited as the "Auctioneers Licensing (Amendment) Act, 1929," and shall be read with the Auctioneers Licensing Act, 1898, as amended by subsequent Acts.

(2) The Auctioneers Licensing Act, 1898, as amended by subsequent Acts, is in this Act referred to as "the Principal Act."

Amendment of Act No. 24, 1898, s. 6.

2. The Principal Act is amended by inserting at the end of section six the following new subsection :—

(Persons resident in Federal Territory.)

New subsection.

(3) The power to grant licenses to persons resident in a reciprocating State shall also extend to persons resident in the Federal Territory for the seat of Government.

For the purpose of giving effect to this provision the expressions "State of the Commonwealth of Australia (other than New South Wales)" in subsection one of this section and the expression "State of the Commonwealth of Australia" in section seven shall be deemed to include the said Territory, and any ordinance for the time being in force in the said Territory relating to the licensing of auctioneers shall be deemed to be an Act in force in the said Territory.

Further amendment of Act No. 24, 1898 Sec. 18.

(Sale of thoroughbreds after sunset.)

3. The Principal Act is further amended—

(a) by inserting in section eighteen after the words "sell after sunset" the letters and words—

(a) in the Metropolitan Police District in any yard or place specified in the permit which in the opinion of the court is sufficiently illuminated by electric light, thoroughbred horses ; or

(b)

(b)

5 (b) by omitting from section eighteen the words
“in the said area” and by inserting in lieu
thereof the words “in the yard or place
specified therein or in the said area as the case
may be.”

4. (1) The Principal Act is further amended by
omitting section two, and by inserting in lieu thereof
the following sections:—

Further
amendment
of Act No. 24
1898, s. 2.

10 2. In this Act, unless the context or subject-
matter otherwise indicates or requires,—

Definition.
cf. N.Z. Act,
1908, No. 10,
s. 2.

15 “Auction sale,” “sale by auction,” “sell by
way of auction,” and expressions of a
similar character mean the selling of any
estate, goods, or effects whatsoever by
outcry, by what is known as Dutch
20 auction, knocking-down of hammer,
candle, lot, parcel, instrument, machine,
or any other mode whereby the highest,
the lowest, or any bidder is the purchaser;
or whereby the first person who claims
the property submitted for sale at a
certain price named by the person acting
as auctioneer is the purchaser; or whereby
25 there is a competition for the purchase of
any estate, goods, or effects whatsoever
in any way commonly known and under-
stood to be by way of auction, and shall
be deemed to include the selling by
outcry in any public place or in any
30 room, or mart, or place to which the
public are admitted or have access,
whether or not the sale has been advertised
to take place.

Vict. Act,
No. 2,615,
1915, s. 3.

35 “Auctioneer” means any person who exercises
the trade or business of an auctioneer or
seller by commission at any auction sale
or who sells or attempts to sell or offer for
sale or resale any estate, goods or effects
by way of auction.

2A.

Act not to
apply to sale
at bazaar.

2A. This Act shall not apply to a sale by auction of any goods, wares, or merchandise at a bazaar or fancy fair held for raising funds in aid of any eleemosynary or charitable institution where the gross proceeds of the sale are to be devoted to such funds. 5

(2) This section shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.