New South Wales.



GEORGII VI REGIS.

ANNO SEPTIMO

Act No. 39, 1943.

An Act to amend the Disorderly Houses Act, 1943, in certain respects; and for purposes connected therewith. [Assented to, 15th December, 1943.]

B 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 :—

1. (1) This Act may be cited as the "Disorderly Short title Houses (Amendment) Act, 1943."

(2) The Disorderly Houses Act, 1943, as amended by this Act, may be cited as the Disorderly Houses Acts, 1943.

Disorderly Houses (Amendment).

Amendment of Act No. 6, 1943. New sec. 13A.

Forfeiture or disposal of liquor, drug, etc., seized in disorderly houses and suspected premises. 2. The Disorderly Houses Act, 1943, is amended by inserting next after section thirteen the following new section:—

13A. (1) Any liquor, drug, drinking glass, vessel, container or device seized either before or after the commencement of the Disorderly Houses (Amendment) Act, 1943, in any disorderly house by a member of the Police Force in pursuance of powers conferred on him by section ten of this Act shall be forfeited to His Majesty.

(2) Any person claiming to be the owner of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thirteen of this Act may—

- (a) if such seizure was made before the commencement of the Disorderly Houses (Amendment) Act, 1943, within twenty-one days after such commencement; or
- (b) if such seizure was made after such commencement, within twenty-one days of such seizure,

make application to a Stipendiary or Police Magistrate for the return to him of such liquor, drug, drinking glass, vessel, container or device.

Such Magistrate shall inquire into the matter and if it appears to him that at the time of the seizure any of the conditions mentioned in section three of this Act obtained on the premises where the seizure was made, he shall order the forfeiture of such liquor, drug, drinking glass, vessel, container or device, to His Majesty.

If it appears to such Magistrate that at the time of the seizure any of the conditions mentioned in section three of this Act did not obtain on such premises, he may order that the liquor, drug, drinking glass, vessel, container or device so seized be handed over to the owner or occupier of such premises or to such other person as may appear to him to be the rightful owner.

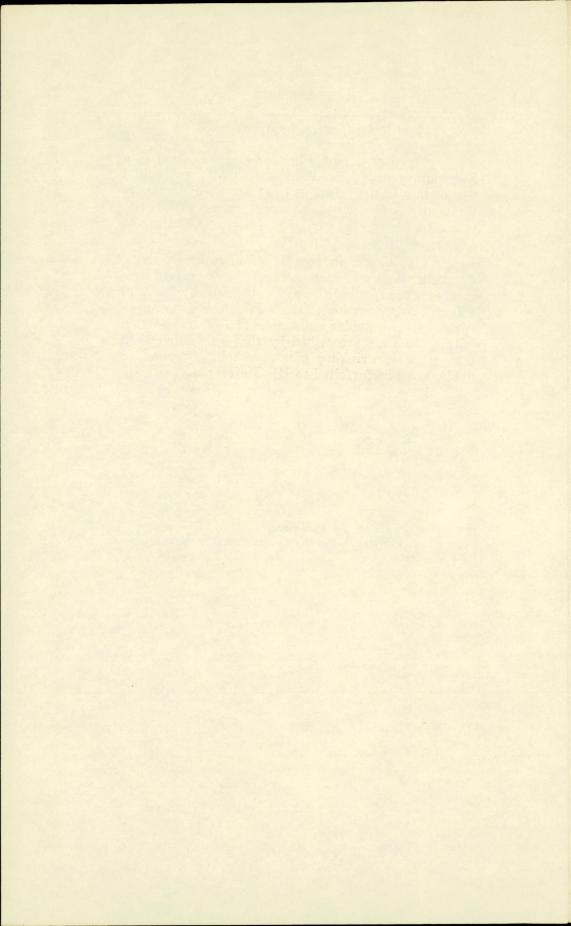
Disorderly Houses (Amendment).

(3) Any person who makes application to a Stipendiary or Police Magistrate under subsection two of this section shall, at least seven days prior to the hearing of such application, serve on a Superintendent or Inspector of Police a notice in writing of such application.

(4) Where, in respect of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thirteen of this Act, no application is made under subsection two of this section within the time prescribed by that subsection such liquor, drug, drinking glass, vessel, container or device shall be forfeited to His Majesty.

By Authority:

ALFRED HENRY PETTIFER, Acting Government Printer, Sydney, 1943. [3d.]



I certify that this PUBLIC BILL, which originated in the LEGIS-LATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT, Clerk of the Legislative Assembly. Legislative Assembly Chamber, Sydney, 9 December, 1943.





GEORGII VI REGIS.

Act No. 39, 1943.

An Act to amend the Disorderly Houses Act, 1943, in certain respects; and for purposes connected therewith. [Assented to, 15th December, 1943.]

B^E 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 :—

1. (1) This Act may be cited as the "Disorderly short title Houses (Amendment) Act, 1943."

(2) The Disorderly Houses Act, 1943, as amended by this Act, may be cited as the Disorderly Houses Acts, 1943.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

> G. BOOTH, Chairman of Committees of the Legislative Assembly.

Disorderly Houses (Amendment).

Amendment of Act No. 6, 1943. New sec. 13A.

Forfeiture or disposal of liquor, drug, etc., seized in disorderly houses and suspected premises. 2. The Disorderly Houses Act, 1943, is amended by inserting next after section thirteen the following new section:—

13A. (1) Any liquor, drug, drinking glass, vessel, container or device seized either before or after the commencement of the Disorderly Houses (Amendment) Act, 1943, in any disorderly house by a member of the Police Force in pursuance of powers conferred on him by section ten of this Act shall be forfeited to His Majesty.

(2) Any person claiming to be the owner of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thirteen of this Act may—

- (a) if such seizure was made before the commencement of the Disorderly Houses (Amendment) Act, 1943, within twenty-one days after such commencement; or
- (b) if such seizure was made after such commencement, within twenty-one days of such seizure,

make application to a Stipendiary or Police Magistrate for the return to him of such liquor, drug, drinking glass, vessel, container or device.

Such Magistrate shall inquire into the matter and if it appears to him that at the time of the seizure any of the conditions mentioned in section three of this Act obtained on the premises where the seizure was made, he shall order the forfeiture of such liquor, drug, drinking glass, vessel, container or device, to His Majesty.

If it appears to such Magistrate that at the time of the seizure any of the conditions mentioned in section three of this Act did not obtain on such premises, he may order that the liquor, drug, drinking glass, vessel, container or device so seized be handed over to the owner or occupier of such premises or to such other person as may appear to him to be the rightful owner.

Disorderly Houses (Amendment).

(3) Any person who makes application to a Stipendiary or Police Magistrate under subsection two of this section shall, at least seven days prior to the hearing of such application, serve on a Superintendent or Inspector of Police a notice in writing of such application.

(4) Where, in respect of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thirteen of this Act, no application is made under subsection two of this section within the time prescribed by that subsection such liquor, drug, drinking glass, vessel, container or device shall be forfeited to His Majesty.

In the name and on behalf of His Majesty I assent to this Act.

WAKEHURST, Governor.

Government House, Sydney, 15th December, 1943.

Act the set of to/

Approximation and a second of any light in the second of any light in the second of any light in the second of a s

Anderson (L. 1997) and Mark in the first and an ended former the state of the Mark means in the state of the new state is a first in The State of the first in the

Governingent Touse
Survey 15th December, 1943, ...

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT, Clerk of the Legislative Assembly. Legislative Assembly Chamber, Sydney, 1 December, 1943.

New South Wales.



ANNO SEPTIMO

GEORGII VI REGIS. * * * * * * * * * * * *

* * *

Act No. , 1943.

An Act to amend the Disorderly Houses Act, 1943, in certain respects; and for purposes connected therewith.

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 5 the same, as follows :---

1. (1) This Act may be cited as the "Disorderly short title and Houses (Amendment) Act, 1943."

citation.

(2) The Disorderly Houses Act, 1943, as amended by this Act, may be cited as the Disorderly Houses Acts, 10 1943.

> 37949 36

2.

2. The Disorderly Houses Act, 1943, is amended Amendment by inserting next after section thirteen the following new 6, 1943. New sec. 13A. section :---

5

10

13A. (1) Any liquor, drug, drinking glass, vessel, Forfeiture or container or device seized either before or after the liquor, drug, commencement of the Disorderly Houses (Amend- in disorderly ment) Act, 1943, in any disorderly house by a suspected member of the Police Force in pursuance of powers premises conferred on him by section ten of this Act shall be forfeited to His Majesty.

(2) Any person claiming to be the owner of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thir-

- 15 teen of this Act may-
 - (a) if such seizure was made before the commencement of the Disorderly Houses (Amendment) Act, 1943, within twenty-one days after such commencement; or
 - (b) if such seizure was made after such commencement, within twenty-one days of such seizure,

make application to a Stipendiary or Police Magistrate for the return to him of such liquor, drug, drinking glass, vessel, container or device.

Such Magistrate shall inquire into the matter and if it appears to him that at the time of the seizure any of the conditions mentioned in section three of this Act obtained on the premises where the seizure was made, he shall order the forfeiture of such liquor, drug, drinking glass, vessel, container or device, to His Majesty.

If it appears to such Magistrate that at the time of the seizure any of the conditions mentioned in section three of this Act did not obtain on such premises, he may order that the liquor, drug, drinking glass, vessel, container or device so seized be handed over to the owner or occupier of such premises or to such other person as may appear to him to be the rightful owner.

20

25

30

35

40

(3)

(3) Any person who makes application to a Stipendiary or Police Magistrate under subsection two of this section shall, at least seven days prior to the hearing of such application, serve on a Superintendent or Inspector of Police a notice in writing of such application.

(4) Where, in respect of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thirteen of this Act, no application is made under subsection two of this section within the time prescribed by that subsection such liquor, drug, drinking glass, vessel, container or device shall be forfeited to His Majesty.

Sydney: Alfred Henry Pettifer, Acting Government Printer-1943

14d.1

5

10

.

No. , 1943.

A BILL

To amend the Disorderly Houses Act, 1943, in certain respects; and for purposes connected therewith.

[MR. McKell;-30 November, 1943.]

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 5 Wales in Parliament assembled, and by the authority of the same, as follows :---

1. (1) This Act may be cited as the "Disorderly Short title Houses (Amendment) Act, 1943."

L. L. C. Sale I

(2) The Disorderly Houses Act, 1943, as amended by this Act, may be cited as the Disorderly Houses Acts, 10 1943.

37949 36-

2. The Disorderly Houses Act, 1943, is amended Amendment by inserting next after section thirteen the following new 6, 1948. New sec. 13A. section :--

5

10

13A. (1) Any liquor, drug, drinking glass, vessel, Forfeiture or container or device seized either before or after the liquor, drug, commencement of the Disorderly Houses (Amend- in disorderly ment) Act, 1943, in any disorderly house by a suspected member of the Police Force in pursuance of powers conferred on him by section ten of this Act shall be forfeited to His Majesty.

(2) Any person claiming to be the owner of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thir-

- 15 teen of this Act may-
 - (a) if such seizure was made before the commencement of the Disorderly Houses (Amendment) Act, 1943, within twenty-one days after such commencement; or
 - (b) if such seizure was made after such commencement, within twenty-one days of such seizure,

make application to a Stipendiary or Police Magistrate for the return to him of such liquor, drug, drinking glass, vessel, container or device.

Such Magistrate shall inquire into the matter and if it appears to him that at the time of the seizure any of the conditions mentioned in section three of this Act obtained on the premises where the seizure was made, he shall order the forfeiture of such liquor, drug, drinking glass, vessel, container or device, to His Majesty.

If it appears to such Magistrate that at the time of the seizure any of the conditions mentioned in section three of this Act did not obtain on such premises, he may order that the liquor, drug, drinking glass, vessel, container or device so seized be handed over to the owner or occupier of such premises or to such other person as may appear to him to be the rightful owner.

premises.

20

25

30

35

40

(3)

(3) Any person who makes application to a Stipendiary or Police Magistrate under subsection two of this section shall, at least seven days prior to the hearing of such application, serve on a Superintendent or Inspector of Police a notice in writing of

such application.

(4) Where, in respect of any liquor, drug, drinking glass, vessel, container or device seized by a member of the Police Force so authorised by a special warrant under section thirteen of this Act, no application is made under subsection two of this section within the time prescribed by that subsection such liquor, drug, drinking glass, vessel, container or device shall be forfeited to His Majesty.

Sydney: Alfred Henry Pettifer, Acting Government Printer-1943

[4d.]

10

Add No. 1913

.