

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

F. B. LANGLEY,  
*Clerk Assistant*  
*for Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 19 December, 1946.*

## New South Wales.



ANNO UNDECIMO

GEORGII VI REGIS.

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Act No. 54, 1946.

An Act to make provision for the preservation of economic stability; to provide for the continuation of certain war-time provisions; to amend the Hire-purchase Agreements Act, 1941, the Money-lenders and Infants Loans Act, 1941, the Careless Use of Fire Act, 1912, the Gaming and Betting Act, 1912, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 27th December, 1946.]

BE

*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.*



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*Economic Stability and War-time Provisions Continuance.*

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**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 :—

PART I.—PRELIMINARY.

Short  
title, and  
division  
into Parts.

**1.** (1) This Act may be cited as the "Economic Stability and War-time Provisions Continuance Act, 1946."

(2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—ECONOMIC STABILITY.

PART III.—HIRE-PURCHASE AGREEMENTS AND  
MONEY-LENDERS.

PART IV.—PROFESSIONAL REGISTERS.

PART V.—ELECTORAL SIGNS.

PART VI.—BUSH FIRES.

PART VII.—RACING.

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PART II.—ECONOMIC STABILITY.

Interpre-  
tation.

**2.** (1) In this Part of this Act unless inconsistent with the context or subject-matter—

"Commonwealth Regulations" means—

The National Security (Prices) Regulations;

The National Security (Landlord and Tenant) Regulations;

The National Security (Capital Issues) Regulations, and

The National Security (Economic Organization) Regulations (other than regulation 4 and Part V)

in the form in which those regulations exist immediately prior to the commencing day; and a reference to the Commonwealth Regulations shall be read as including a reference to any part of those Regulations;

"the



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“the commencing day” in relation to any Commonwealth Regulations means the day fixed by the Governor under section three of this Act in relation to those Regulations.

(2) In this Part of this Act and in any regulations or instruments in operation by virtue of this Part of this Act, unless the contrary intention appears—

- (a) any reference to a Minister shall be read as a reference to a Minister of State of the Commonwealth;
- (b) any reference to the Gazette shall be read as a reference to the Commonwealth Gazette;
- (c) any reference to the Public Service Board shall be read as a reference to the Commonwealth Public Service Board of Commissioners; and
- (d) any reference to any officer shall be read as a reference to that officer of the Commonwealth.

**3.** (1) The Governor may, by proclamation published in the New South Wales Government Gazette, fix a commencing day in respect of all or any of the Commonwealth Regulations. Operation of certain regulations.

(2) Any day fixed in pursuance of subsection one of this section may be a day either before or after the date of the proclamation fixing that day.

(3) On and after the commencing day so proclaimed in relation to any such Regulations, those Regulations, in the form in which they existed immediately prior to that day, shall, subject to this Part of this Act, be and be deemed to have been in operation as if they were regulations made under this Part of this Act.

**4.** Each authority and officer continued in existence, constituted, appointed or holding office under any Commonwealth Regulations in operation by virtue of section three of this Act shall, subject to this Part of this Act, continue to be in existence, constituted or appointed or to hold office for the purposes of those Regulations as in operation by virtue of this Part of this Act. Continuance of officers, authorities, etc.

**5.**



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Continuance  
of orders,  
etc.

**5.** All orders, declarations, determinations, delegations, authorities, applications, notifications, rules, consents, agreements, requirements, valuations, certificates, reports, notices or directions which were made, given or entered into under any Commonwealth Regulations in operation by virtue of section three of this Act and which were in force or subsisting immediately prior to the commencing day fixed under this Part of this Act in respect of those Regulations shall, subject to this Part of this Act, be in force or effective so far as they operated or purported to operate in or in relation to the State but may be revoked or varied under any regulations in operation by virtue of this Part of this Act.

Offences.

**6.** (1) Any person who contravenes or fails to comply with—

- (a) any provision of any regulation in operation by virtue of this Part of this Act; or
- (b) any order, rule or other instrument in operation by virtue of this Part of this Act or made in pursuance of any regulation in operation under this Part of this Act,

shall be guilty of an offence against this Part of this Act.

(2) An offence against this Part of this Act may be prosecuted either summarily or upon indictment.

(3) The punishment for an offence against this Part of this Act shall be—

- (a) if the offence is prosecuted summarily—a fine not exceeding one hundred pounds or imprisonment for a term not exceeding six months; or
- (b) if the offence is prosecuted upon indictment—a fine not exceeding five hundred pounds or imprisonment for a term not exceeding two years.

(4) In addition to any other punishment, a court may, if it thinks fit, order the forfeiture of any money or goods in respect of which an offence against this Part of this Act has been committed.

**7.**



*Economic Stability and War-time Provisions Continuance.*

7. Where a person convicted of an offence against this Part of this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed to be guilty of the offence, unless he proves that the offence was committed without his knowledge, or that he used all due diligence to prevent the commission of the offence.

Offences by corporations.

8. (1) Where any person is convicted of an offence against this Part of this Act, the court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognizances with or without sureties to comply with the provisions of the regulations, orders, rules or other instruments in relation to which the offence was committed.

Power to order recognizances.

(2) If any person fails to comply with an order of the court requiring him to enter into recognizances, the court may order him to be imprisoned for any term not exceeding six months.

9. (1) Any Minister having any powers or functions under any regulation in operation by virtue of this Part of this Act may, in relation to any matters or class of matters, by writing under his hand, delegate all or any of his powers and functions under that regulation (except this power of delegation) so that the delegated powers or functions may be exercised by the delegate with respect to the matters or class of matters specified in the instrument of delegation.

Delegation of powers under regulations.

(2) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister.

(3) Where in any regulation in operation by virtue of this Part of this Act the exercise of any power or function by a Minister, or the operation of any provision of that regulation, is dependent upon the opinion, belief or state of mind of a Minister in relation to any matter, that power or function may be exercised by the person to whom that power or function has been delegated by

the



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the Minister or that provision may operate, as the case may be, upon the opinion, belief or state of mind of that person in relation to that matter.

(4) Any delegation which was made by a Minister in respect of any of his powers and functions under any Commonwealth Regulations in operation by virtue of section three of this Act and which was in force immediately prior to the commencing day shall continue in force as if made under this Part of this Act.

**Regulations.**

**10.** (1) The Governor may, after consultation has taken place between the Premier of the State and the Prime Minister of the Commonwealth, make regulations—

- (a) for or in respect of any matters or class of matters dealt with in any Commonwealth Regulations in operation by virtue of section three of this Act;
- (b) repealing or amending any regulations in operation by virtue of this Part of this Act but so that any such amendment shall be in respect of a matter dealt with by those regulations.

(2) The regulations made under this section may provide for empowering such persons or classes of persons as are prescribed and thereto authorised in pursuance of the regulations, to make orders, rules or other instruments for any of the purposes for which regulations are, by this Part of this Act, authorised to be made.

(3) The regulations made under this section shall—

- (a) be published in the New South Wales Government Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

**If**



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If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

**11.** (1) This Part of this Act and any regulations in operation by virtue of this Part of this Act and any orders, rules or other instruments in operation by virtue of such Part or regulations shall terminate on the thirty-first day of December, one thousand nine hundred and forty-eight, or on such earlier day as may be appointed by the Governor and notified by proclamation published in the New South Wales Government Gazette.

Duration  
of Part.

(2) The provisions of section eight of the Interpretation Act of 1897 shall apply in relation to the termination of this Part of this Act and of any such regulations, orders, rules or other instruments as if that termination were a repeal and any such regulation, order, rule or other instrument were an Act.

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PART III.

HIRE-PURCHASE AGREEMENTS AND MONEY-LENDERS.

**12.** (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven.

Commence-  
ment and  
citation.

(2) (a) The Hire-purchase Agreements Act, 1941, as amended by this Part of this Act, may be cited as the Hire-purchase Agreements Act, 1941-1946.

(b) The Money-lenders and Infants Loans Act, 1941, as amended by this Part of this Act, may be cited as the Money-lenders and Infants Loans Act, 1941-1946.

**13.**



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Amendment of  
Act No. 56,  
1941.

Sec. 8.  
(Provisions  
as to  
guarantors.)

**13.** The Hire-purchase Agreements Act, 1941, is amended—

(a) by inserting at the end of subsection three of section eight the following words:—

Provided that any such agreement executed on or after the first day of January, one thousand nine hundred and forty-seven, binding the guarantor—

- (a) to pay to the vendor a larger aggregate sum than that which the purchaser is liable to pay under the hire-purchase agreement in respect of which the guarantee is given; or
- (b) to perform any obligation in respect of goods other than the goods comprised in the hire-purchase agreement in respect of which the guarantee is given

shall be null and void unless such agreement is executed by the guarantor in the presence of a chamber magistrate, clerk of petty sessions, or a solicitor instructed and employed independently of the vendor and is certified by such magistrate, clerk of petty sessions or solicitor as hereinafter provided.

The magistrate, clerk of petty sessions or solicitor—

- (i) shall read over and explain, or cause to be read over and explained in his presence, to the guarantor the agreement; and
- (ii) shall examine the guarantor touching his knowledge of the agreement; and
- (iii) if he thinks fit may so examine him separately and apart from any other person; and
- (iv) if he is satisfied that the guarantor understands the true purport and effect thereof and freely and voluntarily executes the same, shall certify in writing upon the agreement that the agreement has been so read over and explained,



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explained, and that he has examined the guarantor and is satisfied as hereinbefore required, and that the guarantor has executed the agreement in his presence.

Provided further that any such agreement executed before the first day of January, one thousand nine hundred and forty-seven, binding the guarantor as provided in paragraph (a) or paragraph (b) of the preceding proviso shall, to the extent to which it relates to goods delivered to the purchaser on or after the said first day of January, be null and void, unless the guarantor has in the manner prescribed by the preceding proviso for the execution of an agreement to which such preceding proviso relates, confirmed such agreement.

- (b) by inserting next after section fourteen the following new section:— New sec.  
14A.

14A. Where by virtue of a hire-purchase agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven), a purchaser is under a duty to keep the goods comprised in the agreement in his possession or control at any particular address or not to remove such goods from any particular address a court of petty sessions exercising jurisdiction in the petty sessions district within which the purchaser resides or to which the purchaser desires to remove the goods may on application of the purchaser order that the purchaser shall be entitled to remove such goods in accordance with the provisions of such order. Removal  
of goods.

The removal of any goods in accordance with the provisions of any such order relating to such goods shall not be deemed to be a breach of any covenant or condition in the hire-purchase agreement.

(c)



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New sec.  
16A.

Restrictions  
on payments  
to owners of  
goods by  
financiers.

(c) by inserting next after section sixteen the following new section:—

16A. (1) If in connection with the sale of any goods the person by whom or on whose behalf the sale is negotiated (hereinafter called the "owner") arranges that some other person (hereinafter called the "lender") shall:—

- (a) enter into a hire-purchase agreement in relation to those goods with a purchaser; or
- (b) accept any assignment of the owner's property in the goods comprised in, or of the owner's rights under, a hire-purchase agreement; or
- (c) advance or pay money to the owner or to some person on his behalf in respect of a hire-purchase agreement in relation to such goods,

such owner shall not seek, accept, demand or receive from the lender, and such lender shall not pay, offer or grant to the owner, directly or indirectly, any money or other valuable consideration which, together with the money (if any) paid or payable by or on behalf of the purchaser to the owner and the value of any other consideration (if any) furnished or to be furnished by or on behalf of the purchaser to the owner, would exceed the price at which the goods might have been purchased from the owner by the purchaser for cash.

In the absence of proof as to the price at which the goods might have been purchased from the owner by the purchaser for cash such price shall be deemed to be the price specified in the hire-purchase agreement pursuant to the provisions of paragraph (a) of subsection two of section twenty-three of this Act.

(2) Any person guilty of an offence against this section shall be liable on summary conviction—

- (a) if a company—to a penalty not exceeding two hundred pounds;                      (b)



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(b) if any other person—to a penalty not exceeding one hundred pounds, or to imprisonment not exceeding three months, or to both such penalty and imprisonment.

14. The Hire-purchase Agreements Act, 1941, is further amended—

Further amendment of Act No. 56, 1941.

(a) by inserting at the end of subsection two of section one the following matter:—

Sec. 1.  
(Division into Parts.)

PART IV.—MINIMUM DEPOSITS.

(b) by inserting next after section twenty-nine the following new Part:—

New Part IV.

PART IV.—MINIMUM DEPOSITS.

30. In this Part “hire-purchase agreement” does not include any agreement or arrangement which is entered into solely for the purpose of giving effect to an assignment or transfer of the rights and liabilities under an existing hire-purchase agreement from the purchaser to another person.

Definition.

31. (1) A person shall not enter into any hire-purchase agreement unless the agreement provides for payment of a deposit as follows:—

Minimum deposits.

(a) where the goods the subject of the agreement consist of:—

- (i) an agricultural implement;
- (ii) machinery to be used for manufacturing or industrial purposes;
- (iii) a motor tractor;
- (iv) electrical appliances, machinery or equipment for use wholly or partly in or for the purposes of primary production;
- (v) any appliance operated by gas or electricity; or

(vi)



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- (vi) any appliance for household use operated by oil, coal, coke, or other fuel;  
 a deposit of not less than one-tenth of the purchase price;
- (b) in any other case, a deposit of not less than one-fifth of the purchase price;
- (c) where the goods the subject of the agreement consist of goods in respect of which different minimum deposits are required by this section, a deposit of not less than the deposit which would be payable if all the goods were of that class of goods subject to the agreement in respect of which the greatest minimum deposit is required.

(2) The deposit required by subsection one of this section may include the value of any goods provided or required to be provided by the purchaser to purchase the goods under the hire-purchase agreement.

32. A hire-purchase agreement entered into in contravention of this Part shall be void except insofar as the rights of the purchaser thereunder or arising thereout are concerned.

**15.** The Money-lenders and Infants Loans Act, 1941, is amended—

- (a) by inserting in subsection three of section one after the words and figures "PART IV.—MISCELLANEOUS" the following matter:—

PART V.—CASH ORDERS.

- (b) by inserting next after section fifty-one the following new Part:—

PART V.—CASH ORDERS.

52. (1) In this Part of this Act unless the context or subject-matter otherwise indicates or requires:—

"Cash loan" means a loan of money made or to be made by a cash order trader.

"Cash

Hire-purchase agreements in contravention of this Part.

Amendment of Act No. 67, 1941.

Sec. 1.  
(Division into Parts.)

New Part V.

Definitions and application.



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“Cash order” includes any document which is issued for the purpose of enabling a person to receive goods, services or other valuable consideration in exchange therefor and in consideration of, or in association with, an agreement by that person to pay to the person issuing the order the amount thereof at a fixed or determinable future time, or by instalments, but does not include a bill of exchange.

“Cash order trader” means a licensed money-lender who carries on the business of issuing cash orders, whether alone or in conjunction with any other business.

(2) This Part of this Act shall apply to and in respect of cash orders issued after the commencement of the National Security (Cash Orders and Hire Purchase Agreements) Regulations under the National Security Act 1939-1943 of the Parliament of the Commonwealth and subsisting upon the first day of January, one thousand nine hundred and forty-seven, as well as to cash orders issued after the said first day of January.

53. (1) Subject to subsection two of this section, a cash order trader shall not issue a cash order—

- (a) at any place other than his authorised address; and
- (b) unless the applicant for the cash order receives it in person at such address.

(2) Nothing in subsection one of this section shall prevent a cash order trader from issuing a cash order otherwise than in person to the applicant therefor if an application in writing for the issue of the cash order has been received otherwise than through an employee or agent of the cash order trader.

Cash orders to be issued only at authorised address and to be received in person.



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(3) An employee or agent of a cash order trader shall not—

- (a) prepare or complete an application for the issue of a cash order; or
- (b) accept or receive an application for the issue of a cash order for transmission through the post or otherwise to a cash order trader.

Control of  
cash orders.

54. (1) A cash order trader shall not make any agreement or arrangement for the charging or receipt of, or, subject to subsection three of this section, charge or receive in respect of any cash order issued by him any sum greater than the amount of the cash order and an amount calculated at the rate of nine pence for each one pound of the amount of the cash order.

(2) A person who accepts a cash order in exchange for any goods, services or other valuable consideration shall present it for redemption within one month after he so accepts it, but failure to comply with the provisions of this subsection shall not invalidate any cash order or affect the rights or obligations of any person arising under, or in connection with, any cash order.

(3) A person who redeems a cash order shall pay to the person who presents the cash order for redemption the full amount thereof less—

- (a) where payment is made not later than fourteen days after—
    - (i) the end of the month during which the cash order is presented for redemption; or
    - (ii) the date on which the goods for which the cash order was exchanged were delivered, or the date on which the services or other valuable consideration for which the cash order was exchanged were received,
- whichever



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whichever is the later—an amount not exceeding ten per centum of the amount of the cash order; or

- (b) in any other case—an amount not exceeding five per centum of the amount of the cash order.

(4) A cash order trader shall not issue a cash order unless it is repayable in full within not more than twenty weeks after the date of issue thereof.

55. (1) A cash order trader shall not issue to any person any cash order for an amount exceeding twenty pounds.

Cash orders  
in excess  
of £20  
not to be  
issued.

(2) A cash order trader shall not issue a cash order to any person unless that person certifies in writing to the cash order trader—

- (a) that a cash order has not at any time previously been issued to him or her, or to his or her spouse, as the case may be; or
- (b) that the amount unpaid under all cash orders previously issued to him or her, together with the amount (if any) unpaid under any cash orders previously issued to his or her spouse, as the case may be, together with the amount of the cash order then issued, does not exceed twenty pounds;

and the cash order trader has no reason to doubt the truth of the certificate.

Provided that where an applicant for a cash order being married is living separate and apart from his or her spouse, as the case may be, or being married, his or her spouse, as the case may be, is outside New South Wales, such applicant shall not be required to certify in accordance with paragraph (a) or paragraph (b) of this subsection in respect of any cash order issued to any such spouse.

(3)



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(3) Any person who makes any false or misleading statement in any certificate given for the purposes of subsection two of this section shall be guilty of an offence against this Act and shall be liable to the penalty provided by section fifty-nine of this Act.

(4) Every cash order trader shall preserve at his authorised address all certificates given to him under subsection two of this section for a period of not less than one year after the completion of the transaction to which the certificate relates.

Cash loan  
not to be  
made in  
certain  
cases.

56. A cash order trader shall not make a cash loan to any person where any amount remains unpaid under any cash order previously issued by that cash order trader to that person, or to his wife or her husband, as the case may be.

Amounts  
not  
expended  
to be  
credited  
or paid.

57. Where portion of the amount of a cash order is not expended, the cash order trader shall, on demand by the person to whom the cash order was issued, credit him with, or, where the cash order has been repaid in full, pay to him, the amount unexpended.

Limitation  
of volume  
of business  
of cash  
order  
traders.

58. (1) In this section—

“quarter” means a period of three months commencing on the first day of January, the first day of April, the first day of July, or the first day of October;

“volume of business”, in relation to any cash order trader, means the total amount of all cash orders issued by that cash order trader during a quarter.

(2) The Minister may, by notification in the Gazette, determine from time to time the volume of business of any cash order trader in respect of any quarter or quarters commencing after the date of publication of such notification.

(3)



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(3) A cash order trader to whom any determination under subsection two of this section applies shall not, as from the commencement of any quarter in respect of which such determination has been made, issue any cash order so that his volume of business in respect of that quarter exceeds the volume of business determined as aforesaid in respect of that quarter.

(4) (a) Where the Treasurer of the Commonwealth of Australia has, pursuant to the provisions of regulation seventeen of the National Security (Cash Orders and Hire Purchase Agreements) Regulations, determined the volume of business of any cash order trader in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six, that cash order trader shall not issue any cash order so that his volume of business in respect of any quarter exceeds the volume of business determined by the Treasurer in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

(b) Where a determination has been made under subsection two of this section in respect of a cash order trader to whom this subsection applies this subsection shall in relation to that cash order trader cease to have effect in respect of any quarter as to which such determination is made.

(5) Every cash order trader shall, during the months of January, April, July and October of each year furnish to the Minister full particulars of his volume of business for the quarter immediately preceding that month.



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Invalidation  
of trans-  
actions in  
contraven-  
tion of  
Part and  
penalties.

59. (1) Any agreement or arrangement entered into or made, cash order issued, or cash loan made in contravention of this Part of this Act shall be void, but nothing in this section shall affect the right of any person who receives a cash order in exchange for goods, services or other valuable consideration to obtain redemption of the cash order.

(2) Any person who contravenes or fails to comply with any of the provisions of this Part of this Act shall be guilty of an offence against this Act and liable—

(a) if a company—to a penalty of not less than fifty pounds and not exceeding five hundred pounds;

(b) if any other person—to a penalty of not less than ten pounds and not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such penalty and imprisonment.

Sec. 23.  
(Regulation  
of loans to  
and  
guarantees  
by married  
persons.)

(c) by inserting at the end of subsection five of section twenty-three the words:—

“In this subsection ‘money-lending transaction’ does not include a cash order within the meaning of Part V of this Act.”

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PART



*Economic Stability and War-time Provisions Continuance.*

## PART IV.

## PROFESSIONAL REGISTERS.

**16.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven. Commence-  
ment of  
Part.

**17.** (1) The Medical Practitioners Act, 1938-1945, is amended— Amendment  
of Act No.  
37, 1938.

(a) by omitting from subsection one of section thirty-one the words “and shall, by him, be published in the Gazette” and by inserting in lieu thereof the words “who shall thereupon cause the same to be printed and published by the Government Printer”; Sec. 31.  
(Publication  
of copy  
of register.)

(b) by omitting from subsection two of the same section the words “appearing in the Gazette” and by inserting in lieu thereof the words “purporting to be printed by the Government Printer.”

(2) The Medical Practitioners Act, 1938, as amended by subsequent Acts and by this section, may be cited as the Medical Practitioners Act, 1938-1946.

**18.** (1) The Dentists Act, 1934-1945, is amended— Amendment  
of Act No. 10,  
1934.

(a) by omitting from subsection two of section six the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”; Sec. 6.  
(Particulars  
in register.)

(b) by omitting from paragraph (b) of subsection one of section twenty the words “a copy of the Gazette containing the latest published copy of the register” and by inserting in lieu thereof the words “a copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed.” Sec. 20,  
(Evidence of  
entry in  
register.)

(2) The Dentists Act, 1934, as amended by subsequent Acts and by this section, may be cited as the Dentists Act, 1934-1946.



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Amendment  
of Act No. 7,  
1897.

Sec. 10.  
(List of  
pharmacists  
to be  
published.)

Sec. 23.  
(Registers  
to be  
prima facie  
evidence.)

**19.** (1) The Pharmacy Act, 1897-1940, is amended—

- (a) by omitting from section ten the words “publish in the Gazette” and by inserting in lieu thereof the words “cause to be printed and published by the Government Printer”;
- (b) by omitting from section twenty-three the words “the Gazette containing the list provided for in section ten” and by inserting in lieu thereof the words “the list referred to in section ten of this Act purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Pharmacy Act, 1897, as amended by subsequent Acts and by this section, may be cited as the Pharmacy Act, 1897-1946.

Amendment  
of Act No.  
20, 1930.

Sec. 13.  
(Register.)

**20.** (1) The Opticians Act, 1930-1945, is amended by omitting from subsection one of section thirteen the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer.”

(2) The Opticians Act, 1930, as amended by subsequent Acts and by this section, may be cited as the Opticians Act, 1930-1946.

Amendment  
of Act No.  
37, 1924.

Sec. 11.  
(Register.)

**21.** (1) The Nurses’ Registration Act, 1924-1932, is amended—

- (a) by omitting from subsection one of section eleven the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;
- (b) by omitting from the same subsection the words “A copy of such Gazette” and by inserting in lieu thereof the words “A copy of such lists purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Nurses’ Registration Act, 1924, as amended by subsequent Acts and by this section, may be cited as the Nurses’ Registration Act, 1924-1946.



*Economic Stability and War-time Provisions Continuance.*

**22.** (1) The Architects Act, 1921-1941, is amended by omitting from subsection one of section ten the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer."

Amendment  
of Act No.  
8, 1921.  
Sec. 10.  
(Architects  
roll.)

(2) The Architects Act, 1921, as amended by subsequent Acts and by this section, may be cited as the Architects Act, 1921-1946.

**23.** (1) The Veterinary Surgeons Act, 1923, is amended—

Amendment  
of Act No.  
25, 1923.  
Sec. 10.  
(Roll.)

(a) by omitting from subsection one of section ten the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer";

(b) by omitting from subsection two of the same section the words "A copy of the Gazette" and by inserting in lieu thereof the words "A copy of the register purporting to be printed by the Government Printer."

(2) The Veterinary Surgeons Act, 1923, as amended by this section may be cited as the Veterinary Surgeons Act, 1923-1946.

**24.** (1) The Surveyors Act, 1929, as amended by subsequent Acts, is amended—

Amendment  
of Act No. 3,  
1929.

(a) by omitting subsection three of section eight and by inserting in lieu thereof the following subsection:—

Sec. 8.  
(Board to  
keep a  
register.)

(3) The board shall, in the month of January in each year, cause a copy of the register signed by the president to be printed and published by the Government Printer.

(b) by omitting from subsection four of the same section the words "A copy of the Gazette" and by inserting in lieu thereof the words "A copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed."

(2) The Surveyors Act, 1929, as amended by subsequent Acts and by this section, may be cited as the Surveyors Act, 1929-1946.



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*Economic Stability and War-time Provisions Continuance.*

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Amendment  
of Act No. 17,  
1899.

**25.** (1) The Registration of Births, Deaths, and Marriages Act, 1899-1944, is amended—

Sec. 34.  
(Annual  
list of  
names.)

(a) by omitting from subsection one of section thirty-four the words “publish in the Gazette” and by inserting in lieu thereof the words “cause to be printed and published by the Government Printer”;

(b) by inserting at the end of the same subsection the following words:—

“Every list so printed shall bear thereon the day, month and year of its publication.”

(2) The Registration of Births Deaths and Marriages Act 1899, as amended by subsequent Acts and by this section, may be cited as the Registration of Births, Deaths, and Marriages Act, 1899-1946.

Amendment  
of Act No. 9,  
1945.

**26.** (1) The Physiotherapists Registration Act, 1945, is amended—

Sec. 20.  
(Register.)

(a) by omitting from subsection five of section twenty the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;

Sec. 31.  
(Evidence  
of entry in  
register.)

(b) by omitting from paragraph (b) of subsection one of section thirty-one the words “the Gazette containing the latest published copy of the register” and by inserting in lieu thereof the words “the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Physiotherapists Registration Act, 1945, as amended by this section, may be cited as the Physiotherapists Registration Act, 1945-1946.



*Economic Stability and War-time Provisions Continuance.*

## PART V.

## ELECTORAL SIGNS.

**27.** (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven.

Commence-  
ment of  
Part and  
citation.

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Part of this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1946.

**28.** The Parliamentary Electorates and Elections Act, 1912-1944, is amended by inserting next after section 151A the following new section:—

Amendment  
of Act No.  
41, 1912.

New sec.  
151B.

151B. (1) Any person who posts up or exhibits or permits or causes to be posted up or exhibited, any poster of any size exceeding the prescribed size, shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

Exhibition  
of  
posters.

(2) A poster shall be deemed to be posted up or exhibited if it is posted up or exhibited in or on any building, vehicle, vessel, hoarding or fence, or in or on any movable or immovable object in any place (whether it is or is not a public place and whether on land or water or in the air).

(3) Nothing in this section shall prohibit the projection by means of any cinematograph or other similar apparatus of any electoral matter on to any screen in any theatre, or public hall licensed under the Theatres and Public Halls Act, 1908-1946.

(4) Every contract or agreement for the posting up or exhibition of any poster entered into on or before the first day of January, one thousand nine hundred and forty-seven, is to the extent to which the contract or agreement relates to any poster of a size exceeding the prescribed size hereby declared to be void and of no effect.

(5) Any person who writes, draws or depicts any electoral matter directly on any roadway, foot-path, building, vehicle, vessel, hoarding or place (whether



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*Economic Stability and War-time Provisions Continuance.*


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(whether it is or is not a public place and whether on land or water) shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

(6) In this section—

“electoral matter” means any matter which is intended or calculated or likely to affect or is capable of affecting the result of any election held or to be held under this Act or of any referendum of the electors held or to be held in accordance with the provisions of any Act or which is intended or calculated or likely to influence or is capable of influencing an elector in relation to the casting of his vote at any such election or referendum.

“poster” means any electoral matter printed, drawn or depicted on any material whatsoever and where any electoral matter is printed, drawn or depicted in sections, such sections, both severally and collectively, shall be deemed to be a poster.

“the prescribed size” means ten inches in length and six inches in width.

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PART VI.

BUSH FIRES.

Commence-  
ment of  
Part and  
citation.

**29.** (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven.

(2) The Careless Use of Fire Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Careless Use of Fire Act, 1912-1946.

**30.**



*Economic Stability and War-time Provisions Continuance.*

**30.** The Careless Use of Fire Act, 1912, as amended by subsequent Acts, is amended by inserting next after section 4A the following new section:—

Amendment  
of Act No. 28,  
1912.  
New sec. 4B.

4B. (1) Where the Minister is of opinion that it is necessary or expedient in the interests of public safety so to do, he may by notification published in the Gazette or in a newspaper circulating in the area or areas to which the direction relates, direct that—

Lighting  
of fires  
prohibited  
in emergent  
circum-  
stances.

- (a) the lighting of any fire or class of fire in the open air is prohibited in such area or areas and for such period or periods as may be specified in such notification;
- (b) such special conditions as may be specified in such notification be observed by persons lighting any fire or class of fire in the open air in such area or areas and for such period or periods as may be specified in such notification;
- (c) such action as may be specified in such notification be taken in such area or areas and by such persons or class of persons as may be specified in such notification for preventing the outbreak or the spread of any bush fire or for controlling or extinguishing any bush fire.

(2) Where the Minister is of the opinion that the weather conditions are conducive to the outbreak or spread of bush fires or that weather conditions conducive to the outbreak or spread of bush fires are imminent and that it is impracticable to give any directions under paragraph (a) of subsection one of this section in the manner prescribed by that subsection such directions may be given by or on behalf of the Minister verbally or in such other manner including aerial broadcast as the Minister deems expedient.

(3) The Minister may by writing under his hand delegate all or any of his powers or functions under this section (except this power of delegation) to the council of an area so that the delegated powers



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*Economic Stability and War-time Provisions Continuance.*

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or functions with respect to the matters or class of matters specified in the instrument of delegation may be exercised by that council in respect of the area of which it is the council.

Every delegation under this subsection shall be revocable at will and no delegation shall prevent the exercise of any power or function by the Minister.

Where in this section the exercise of any power or function by the Minister or the operation of any provision of this section is dependent upon the opinion of the Minister in relation to any matter that power or function may be exercised by the delegate or that provision may operate, as the case may be, upon the opinion of the delegate in relation to that matter.

(4) Any person who fails to comply with any direction given by the Minister or the council of an area under or pursuant to the provisions of this section shall be liable to a penalty not exceeding one hundred pounds or to be imprisoned for any period not exceeding one year or to both such penalty and imprisonment.

(5) In this section "council" and "area" have the meanings ascribed thereto respectively in the Local Government Act, 1919, as amended by subsequent Acts.

(6) The provisions of this section shall have effect notwithstanding anything contained in this or any other Act to the contrary.



PART VII.

RACING.

**31.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven. Commence-  
ment of  
Part.

**32.** (1) In this section "race-meeting" and "race-course" shall have the meanings ascribed thereto in the Gaming and Betting Act, 1912-1942. Restrictions  
applicable  
to race-  
meetings.

(2) No race-meeting shall be held on any race-course within seventy-five miles of the General Post Office, Sydney, nor within forty miles of the principal post office, Newcastle, on any day other than a Saturday or public holiday:

Provided that the Governor may authorise a race-meeting to be held on Randwick Racecourse on Wednesday, the ninth day of April, one thousand nine hundred and forty-seven:

Provided further that where a race-meeting to be held on any race-course on any day in accordance with the provisions of this subsection cannot be held on such day on account of unfavourable weather such race-meeting may be postponed and held on any other day (not being Sunday, Good Friday or Christmas Day) within fourteen days of such postponement.

(3) If any race-meeting is held in contravention of this section, the owner or trustees of the race-course, and the club, association, or person by or on behalf of which or whom such race-meeting was so held, and each member of the managing body of such trustees, club or association, and any person acting at such race-meeting as starter or judge, shall be liable to a penalty not less than five hundred pounds and not exceeding one thousand pounds.



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*Economic Stability and War-time Provisions Continuance.*

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(4) The provisions of this section shall have effect notwithstanding anything contained in the Gaming and Betting Act, 1912-1942, or any other Act.

(5) This section shall remain in force until the thirtieth day of June, one thousand nine hundred and forty-seven:

Provided that the Governor may by notification published in the Gazette extend the operation of this section for such period not exceeding three months as the Governor may determine.

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

NORTHCOTT,  
Governor.

*Government House,  
Sydney, 27th December, 1946.*



ECONOMIC STABILITY AND WAR-TIME PROVISIONS CONTINUANCE  
BILL.

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*Schedule of Amendments referred to in Message of 19th December, 1946.*

No. 1.—Page 8, clause 13, lines 5-8 inclusive. *Omit* all words on these lines *insert*

**“Provided that any such agreement executed on or after the first day of January, one thousand nine hundred and forty-seven, binding the guarantor—”**

No. 2.—Page 9, clause 13. *After* line 5 *insert*—

**Provided further that any such agreement executed before the first day of January, one thousand nine hundred and forty-seven, binding the guarantor as provided in paragraph (a) or paragraph (b) of the preceding proviso shall, to the extent to which it relates to goods delivered to the purchaser on or after the said first day of January, be null and void, unless the guarantor has in the manner prescribed by the preceding proviso for the execution of an agreement to which such preceding proviso relates, confirmed such agreement.**

No. 3.—Page 11, clause 14, line 28. *Omit* “or”.

No. 4.—Page 11, clause 14, lines 30-32 inclusive. *After* “electricity” on line 30 *omit* all words on these lines and *insert* “or”.

No. 5.—Page 11, clause 14. *After* line 32 *insert*—

**(vi) any appliance for household use operated by oil, coal, coke, or other fuel.**

No. 6.—Page 12, clause 14, lines 7 to 15 inclusive. *Omit* all words on these lines.

No. 7.—Page 15, clause 15, line 20. *After* “be” *insert* “or”.

No. 8.—Page 15, clause 15, lines 29-34 inclusive. *Omit* all words on these lines.

No. 9.—Page 15, clause 15. *After* line 36 *insert*—

**Provided that where an applicant for a cash order being married is living separate and apart from his or her spouse, as the case may be, or being married, his or her spouse, as the case may be, is outside New South Wales, such applicant shall not be required to certify in accordance with paragraph (a) or paragraph (b) of this subsection in respect of any cash order issued to any such spouse.**

No. 10.—Page 17, clause 15, lines 25 to 38. *Omit* all words on these lines.







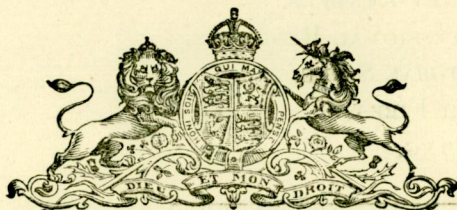
*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

F. B. LANGLEY,  
*Clerk Assistant*  
*for Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 12 December, 1946.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

W. K. CHARLTON,  
*Clerk of the Parliaments.*  
*Legislative Council Chamber,*  
*Sydney, 19th December, 1946.*

## New South Wales.



ANNO UNDECIMO

GEORGII VI REGIS.

\*\*\*\*\*

Act No. , 1946.

An Act to make provision for the preservation of economic stability; to provide for the continuation of certain war-time provisions; to amend the Hire-purchase Agreements Act, 1941, the Money-lenders and Infants Loans Act, 1941, the Careless Use of Fire Act, 1912, the Gaming and Betting Act, 1912, and certain other Acts in certain respects; and for purposes connected therewith.

28857

31—A

BE

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Economic Stability and War-time Provisions Continuance.*

**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  
5 the same, as follows:—

## PART I.—PRELIMINARY.

1. (1) This Act may be cited as the “Economic Stability and War-time Provisions Continuance Act, 1946.” Short title, and division into Parts.

10 (2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY.

PART II.—ECONOMIC STABILITY.

PART III.—HIRE-PURCHASE AGREEMENTS AND  
MONEY-LENDERS.

15 PART IV.—PROFESSIONAL REGISTERS.

PART V.—ELECTORAL SIGNS.

PART VI.—BUSH FIRES.

PART VII.—RACING.

## PART II.—ECONOMIC STABILITY.

20 2. (1) In this Part of this Act unless inconsistent with the context or subject-matter— Interpre-  
tation.

“Commonwealth Regulations” means—

The National Security (Prices) Regula-  
tions;

25 The National Security (Landlord and  
Tenant) Regulations;

The National Security (Capital Issues)  
Regulations, and

30 The National Security (Economic Organ-  
ization) Regulations (other than regu-  
lation 4 and Part V)

in the form in which those regulations exist  
immediately prior to the commencing day; and  
a reference to the Commonwealth Regulations  
shall be read as including a reference to any  
35 part of those Regulations;

“the



*Economic Stability and War-time Provisions Continuance.*

“the commencing day” in relation to any Commonwealth Regulations means the day fixed by the Governor under section three of this Act in relation to those Regulations.

5 (2) In this Part of this Act and in any regulations or instruments in operation by virtue of this Part of this Act, unless the contrary intention appears—

- 10 (a) any reference to a Minister shall be read as a reference to a Minister of State of the Commonwealth;
- (b) any reference to the Gazette shall be read as a reference to the Commonwealth Gazette;
- 15 (c) any reference to the Public Service Board shall be read as a reference to the Commonwealth Public Service Board of Commissioners; and
- (d) any reference to any officer shall be read as a reference to that officer of the Commonwealth.

20 **3.** (1) The Governor may, by proclamation published in the New South Wales Government Gazette, fix a commencing day in respect of all or any of the Commonwealth Regulations. Operation of certain regulations.

(2) Any day fixed in pursuance of subsection one of this section may be a day either before or after the date of the proclamation fixing that day.

25 (3) On and after the commencing day so proclaimed in relation to any such Regulations, those Regulations, in the form in which they existed immediately prior to that day, shall, subject to this Part of this Act, be and be deemed to have been in operation

30 as if they were regulations made under this Part of this Act.

**4.** Each authority and officer continued in existence, constituted, appointed or holding office under any Commonwealth Regulations in operation by virtue of section three of this Act shall, subject to this Part of this Act, continue to be in existence, constituted or appointed or to hold office for the purposes of those Regulations as in operation by virtue of this Part of this Act. Continuance of officers, authorities, etc.

**5.**



*Economic Stability and War-time Provisions Continuance.*

- 5 **5.** All orders, declarations, determinations, delegations, authorities, applications, notifications, rules, consents, agreements, requirements, valuations, certificates, reports, notices or directions which were  
 10 made, given or entered into under any Commonwealth Regulations in operation by virtue of section three of this Act and which were in force or subsisting immediately prior to the commencing day fixed under  
 15 this Part of this Act in respect of those Regulations shall, subject to this Part of this Act, be in force or effective so far as they operated or purported to operate in or in relation to the State but may be revoked or varied under any regulations in operation by virtue of this Part of this Act.
- 15 **6.** (1) Any person who contravenes or fails to comply with—  
 20 (a) any provision of any regulation in operation by virtue of this Part of this Act; or  
 (b) any order, rule or other instrument in operation by virtue of this Part of this Act or made in pursuance of any regulation in operation under this Part of this Act,  
 shall be guilty of an offence against this Part of this Act.
- (2) An offence against this Part of this Act may  
 25 be prosecuted either summarily or upon indictment.
- (3) The punishment for an offence against this Part of this Act shall be—  
 30 (a) if the offence is prosecuted summarily—a fine not exceeding one hundred pounds or imprisonment for a term not exceeding six months; or  
 (b) if the offence is prosecuted upon indictment—a fine not exceeding five hundred pounds or imprisonment for a term not exceeding two years.
- 35 (4) In addition to any other punishment, a court may, if it thinks fit, order the forfeiture of any money or goods in respect of which an offence against this Part of this Act has been committed.

Continuance  
of orders,  
etc.

Offences.



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*Economic Stability and War-time Provisions Continuance.*

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7. Where a person convicted of an offence against this Part of this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed  
5 to be guilty of the offence, unless he proves that the offence was committed without his knowledge, or that he used all due diligence to prevent the commission of the offence.

Offences by corporations.

8. (1) Where any person is convicted of an offence  
10 against this Part of this Act, the court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognizances with or without sureties to comply with the provisions of the regulations, orders,  
15 rules or other instruments in relation to which the offence was committed.

Power to order recognizances.

(2) If any person fails to comply with an order of the court requiring him to enter into recognizances, the court may order him to be imprisoned for any term not  
20 exceeding six months.

9. (1) Any Minister having any powers or functions under any regulation in operation by virtue of this Part of this Act may, in relation to any matters or class of matters, by writing under his hand, delegate all or any  
25 of his powers and functions under that regulation (except this power of delegation) so that the delegated powers or functions may be exercised by the delegate with respect to the matters or class of matters specified in the instrument of delegation.

Delegation of powers under regulations.

30 (2) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister.

(3) Where in any regulation in operation by virtue of this Part of this Act the exercise of any power or  
35 function by a Minister, or the operation of any provision of that regulation, is dependent upon the opinion, belief or state of mind of a Minister in relation to any matter, that power or function may be exercised by the person to whom that power or function has been delegated by

the



*Economic Stability and War-time Provisions Continuance.*

the Minister or that provision may operate, as the case may be, upon the opinion, belief or state of mind of that person in relation to that matter.

(4) Any delegation which was made by a Minister in respect of any of his powers and functions under any Commonwealth Regulations in operation by virtue of section three of this Act and which was in force immediately prior to the commencing day shall continue in force as if made under this Part of this Act.

10 **10.** (1) The Governor may, after consultation has taken place between the Premier of the State and the Prime Minister of the Commonwealth, make regulations—

15 (a) for or in respect of any matters or class of matters dealt with in any Commonwealth Regulations in operation by virtue of section three of this Act;

20 (b) repealing or amending any regulations in operation by virtue of this Part of this Act but so that any such amendment shall be in respect of a matter dealt with by those regulations.

(2) The regulations made under this section may provide for empowering such persons or classes of persons as are prescribed and thereto authorised in 25 pursuance of the regulations, to make orders, rules or other instruments for any of the purposes for which regulations are, by this Part of this Act, authorised to be made.

(3) The regulations made under this section shall—

30 (a) be published in the New South Wales Government Gazette;

(b) take effect from the date of publication or from a later date to be specified in the regulations; and

35 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If



*Economic Stability and War-time Provisions Continuance.*

5 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

10 **11.** (1) This Part of this Act and any regulations in operation by virtue of this Part of this Act and any orders, rules or other instruments in operation by virtue of such Part or regulations shall terminate on the thirty-first day of December, one thousand nine hundred and forty-eight, or on such earlier day as may be appointed by the Governor and notified by proclamation published in the New South Wales Government Gazette.

Duration  
of Part.

15 (2) The provisions of section eight of the Interpretation Act of 1897 shall apply in relation to the termination of this Part of this Act and of any such regulations, orders, rules or other instruments as if that termination were a repeal and any such regulation, order,  
20 rule or other instrument were an Act.

## PART III.

## HIRE-PURCHASE AGREEMENTS AND MONEY-LENDERS.

25 **12.** (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven.

Commence-  
ment and  
citation.

(2) (a) The Hire-purchase Agreements Act, 1941, as amended by this Part of this Act, may be cited as the Hire-purchase Agreements Act, 1941-1946.

30 (b) The Money-lenders and Infants Loans Act, 1941, as amended by this Part of this Act, may be cited as the Money-lenders and Infants Loans Act, 1941-1946.

**13.**



*Economic Stability and War-time Provisions Continuance.*

**13.** The Hire-purchase Agreements Act, 1941, is amended—

Amendment of  
Act No. 56,  
1941.

(a) by inserting at the end of subsection three of section eight the following words:—

Sec. 8.  
(Provisions  
as to  
guarantors.)

5        ~~Provided that any such agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven) binding the guarantor—~~

10        **Provided that any such agreement executed on or after the first day of January, one thousand nine hundred and forty-seven, binding the guarantor—**

15        (a) to pay to the vendor a larger aggregate sum than that which the purchaser is liable to pay under the hire-purchase agreement in respect of which the guarantee is given; or

20        (b) to perform any obligation in respect of goods other than the goods comprised in the hire-purchase agreement in respect of which the guarantee is given

25        shall be null and void unless such agreement is executed by the guarantor in the presence of a chamber magistrate, clerk of petty sessions, or a solicitor instructed and employed independently of the vendor and is certified by such magistrate, clerk of petty sessions or solicitor as hereinafter provided.

30        The magistrate, clerk of petty sessions or solicitor—

35        (i) shall read over and explain, or cause to be read over and explained in his presence, to the guarantor the agreement; and

(ii) shall examine the guarantor touching his knowledge of the agreement; and

40        (iii) if he thinks fit may so examine him separately and apart from any other person; and

45        (iv) if he is satisfied that the guarantor understands the true purport and effect thereof and freely and voluntarily executes the same, shall certify in writing upon the agreement that the agreement has been so read over and explained,



*Economic Stability and War-time Provisions Continuance.*

explained, and that he has examined the guarantor and is satisfied as hereinbefore required, and that the guarantor has executed the agreement in his presence.

5

Provided further that any such agreement executed before the first day of January, one thousand nine hundred and forty-seven, binding the guarantor as provided in paragraph (a) or paragraph (b) of the preceding proviso shall, to the extent to which it relates to goods delivered to the purchaser on or after the said first day of January, be null and void, unless the guarantor has in the manner prescribed by the preceding proviso for the execution of an agreement to which such preceding proviso relates, confirmed such agreement.

10

15

(b) by inserting next after section fourteen the following new section:—

New sec.  
14A.

20

14A. Where by virtue of a hire-purchase agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven), a purchaser is under a duty to keep the goods comprised in the agreement in his possession or control at any particular address or not to remove such goods from any particular address a court of petty sessions exercising jurisdiction in the petty sessions district within which the purchaser resides or to which the purchaser desires to remove the goods may on application of the purchaser order that the purchaser shall be entitled to remove such goods in accordance with the provisions of such order.

Removal  
of goods.

25

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The removal of any goods in accordance with the provisions of any such order relating to such goods shall not be deemed to be a breach of any covenant or condition in the hire-purchase agreement.

35

(c) by inserting next after section sixteen the following new section:—

New sec.  
16A.

16A. (1) If in connection with the sale of any goods the person by whom or on whose behalf the sale is negotiated (hereinafter called the "owner"),

Restrictions  
on payments  
to owners of  
goods by  
financiers.

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*Economic Stability and War-time Provisions Continuance.*

“owner”) arranges that some other person (hereinafter called the “lender”) shall:—

- 5 (a) enter into a hire-purchase agreement in relation to those goods with a purchaser; or
- (b) accept any assignment of the owner’s property in the goods comprised in, or of the owner’s rights under, a hire-purchase agreement; or
- 10 (c) advance or pay money to the owner or to some person on his behalf in respect of a hire-purchase agreement in relation to such goods,

15 such owner shall not seek, accept, demand or receive from the lender, and such lender shall not pay, offer or grant to the owner, directly or indirectly, any money or other valuable consideration which, together with the money (if any) paid or payable by or on behalf of the purchaser to the owner and the value of any other consideration (if any) furnished or to be furnished by or on behalf of the purchaser to the owner, would exceed the price at which the goods might have been purchased from the owner by the purchaser for cash.

20

25

In the absence of proof as to the price at which the goods might have been purchased from the owner by the purchaser for cash such price shall be deemed to be the price specified in the hire-purchase agreement pursuant to the provisions of paragraph (a) of subsection two of section twenty-three of this Act.

30

(2) Any person guilty of an offence against this section shall be liable on summary conviction—

35

- (a) if a company—to a penalty not exceeding two hundred pounds;
- (b) if any other person—to a penalty not exceeding one hundred pounds, or to imprisonment not exceeding three months, or to both such penalty and imprisonment.
- 40



*Economic Stability and War-time Provisions Continuance.*

14. The Hire-purchase Agreements Act, 1941, is further amended—

Further amendment of Act No. 56, 1941.  
Sec. 1.  
(Division into Parts.)

- (a) by inserting at the end of subsection two of section one the following matter:—

5

PART IV.—MINIMUM DEPOSITS.

- (b) by inserting next after section twenty-nine the following new Part:—

New Part IV.

PART IV.—MINIMUM DEPOSITS.

10

30. In this Part “hire-purchase agreement” does not include any agreement or arrangement which is entered into solely for the purpose of giving effect to an assignment or transfer of the rights and liabilities under an existing hire-purchase agreement from the purchaser to another person.

Definition.

15

31. (1) A person shall not enter into any hire-purchase agreement unless the agreement provides for payment of a deposit as follows:—

Minimum deposits.

20

- (a) where the goods the subject of the agreement consist of:—

25

- (i) an agricultural implement;  
(ii) machinery to be used for manufacturing or industrial purposes;  
(iii) a motor tractor;  
(iv) electrical appliances, machinery or equipment for use wholly or partly in or for the purposes of primary production; or

30

- (v) any appliance operated by gas or electricity; where the vendor of such appliance is a supply authority, or

35

- (vi) any appliance for household use operated by oil, coal, coke, or other fuel.

a deposit of not less than one-tenth of the purchase price;

40

- (b) in any other case, a deposit of not less than one-fifth of the purchase price;  
(c) where the goods the subject of the agreement consist of goods in respect of which different minimum deposits

are



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5 are required by this section, a deposit of not less than the deposit which would be payable if all the goods were of that class of goods subject to the agreement in respect of which the greatest minimum deposit is required.

In this subsection "supply authority" means—

10 (a) a gas company as defined in the Gas and Electricity Act, 1935, as amended by subsequent Acts;

15 (b) an electricity supply authority as defined in the Electricity Development Act, 1945.

20 (2) The deposit required by subsection one of this section may include the value of any goods provided or required to be provided by the purchaser to purchase the goods under the hire-purchase agreement.

32. A hire-purchase agreement entered into in contravention of this Part shall be void except insofar as the rights of the purchaser thereunder or arising thereout are concerned. Hire-purchase agreements in contravention of this Part.

25 **15.** The Money-lenders and Infants Loans Act, 1941, is amended— Amendment of Act No. 67, 1941.

(a) by inserting in subsection three of section one after the words and figures "PART IV.— MISCELLANEOUS" the following matter:— Sec. 1. (Division into Parts.)

30 PART V.—CASH ORDERS.

(b) by inserting next after section fifty-one the following new Part:— New Part V.

PART V.—CASH ORDERS.

35 52. (1) In this Part of this Act unless the context or subject-matter otherwise indicates or requires:— Definitions and application.

"Cash loan" means a loan of money made or to be made by a cash order trader.

"Cash



*Economic Stability and War-time Provisions Continuance.*

5 “Cash order” includes any document which  
is issued for the purpose of enabling  
a person to receive goods, services  
or other valuable consideration in  
exchange therefor and in consideration  
of, or in association with, an agreement  
by that person to pay to the person  
issuing the order the amount thereof  
10 at a fixed or determinable future time,  
or by instalments, but does not include  
a bill of exchange.

15 “Cash order trader” means a licensed  
money-lender who carries on the  
business of issuing cash orders, whether  
alone or in conjunction with any other  
business.

20 (2) This Part of this Act shall apply to  
and in respect of cash orders issued after the  
commencement of the National Security (Cash  
Orders and Hire Purchase Agreements) Regula-  
tions under the National Security Act 1939-1943  
of the Parliament of the Commonwealth and  
subsisting upon the first day of January, one  
25 thousand nine hundred and forty-seven, as well  
as to cash orders issued after the said first day  
of January.

30 53. (1) Subject to subsection two of this  
section, a cash order trader shall not issue a  
cash order—  
(a) at any place other than his authorised  
address; and  
(b) unless the applicant for the cash order  
receives it in person at such address.

Cash orders  
to be issued  
only at  
authorised  
address and  
to be  
received  
in person.

35 (2) Nothing in subsection one of this  
section shall prevent a cash order trader from  
issuing a cash order otherwise than in person  
to the applicant therefor if an application in  
writing for the issue of the cash order has been  
received otherwise than through an employee or  
40 agent of the cash order trader.

(3).



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*Economic Stability and War-time Provisions Continuance.*

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(3) An employee or agent of a cash order trader shall not—

(a) prepare or complete an application for the issue of a cash order; or

(b) accept or receive an application for the issue of a cash order for transmission through the post or otherwise to a cash order trader.

54. (1) A cash order trader shall not make any agreement or arrangement for the charging or receipt of, or, subject to subsection three of this section, charge or receive in respect of any cash order issued by him any sum greater than the amount of the cash order and an amount calculated at the rate of nine pence for each one pound of the amount of the cash order. Control of cash orders.

(2) A person who accepts a cash order in exchange for any goods, services or other valuable consideration shall present it for redemption within one month after he so accepts it, but failure to comply with the provisions of this subsection shall not invalidate any cash order or affect the rights or obligations of any person arising under, or in connection with, any cash order.

(3) A person who redeems a cash order shall pay to the person who presents the cash order for redemption the full amount thereof less—

(a) where payment is made not later than fourteen days after—

(i) the end of the month during which the cash order is presented for redemption; or

(ii) the date on which the goods for which the cash order was exchanged were delivered, or the date on which the services or other valuable consideration for which the cash order was exchanged were received,

whichever



*Economic Stability and War-time Provisions Continuance.*

whichever is the later—an amount not exceeding ten per centum of the amount of the cash order; or

5 (b) in any other case—an amount not exceeding five per centum of the amount of the cash order.

(4) A cash order trader shall not issue a cash order unless it is repayable in full within not more than twenty weeks after the date of issue thereof.

10 55. (1) A cash order trader shall not issue to any person any cash order for an amount exceeding twenty pounds.

Cash orders in excess of £20 not to be issued.

15 (2) A cash order trader shall not issue a cash order to any person unless that person certifies in writing to the cash order trader—

(a) that a cash order has not at any time previously been issued to him or her, or to his or her spouse, as the case may be; or

20 (b) that the amount unpaid under all cash orders previously issued to him or her, together with the amount (if any) unpaid under any cash orders previously issued to his or her spouse, as the case may be, together with the amount of the cash order then issued, does not exceed twenty pounds;

25 ~~(c) that he or she, being married, is living separate and apart from his or her spouse, as the case may be; or~~

30 ~~(d) that, being married, his or her spouse, as the case may be, is outside New South Wales;~~

35 and the cash order trader has no reason to doubt the truth of the certificate.

40 Provided that where an applicant for a cash order being married is living separate and apart from his or her spouse, as the case may be, or being married, his or her spouse, as the case may be, is outside New South Wales, such applicant shall not be required to certify in accordance with paragraph (a) or paragraph (b) of this subsection in respect of any cash order issued to any such spouse.

50

(3)



*Economic Stability and War-time Provisions Continuance.*

5 (3) Any person who makes any false or misleading statement in any certificate given for the purposes of subsection two of this section shall be guilty of an offence against this Act and shall be liable to the penalty provided by section fifty-nine of this Act.

10 (4) Every cash order trader shall preserve at his authorised address all certificates given to him under subsection two of this section for a period of not less than one year after the completion of the transaction to which the certificate relates.

15 56. A cash order trader shall not make a cash loan to any person where any amount remains unpaid under any cash order previously issued by that cash order trader to that person, or to his wife or her husband, as the case may be.

Cash loan not to be made in certain cases.

20 57. Where portion of the amount of a cash order is not expended, the cash order trader shall, on demand by the person to whom the cash order was issued, credit him with, or, where the cash order has been repaid in full, pay to him, the amount unexpended.

Amounts not expended to be credited or paid.

25 58. (1) In this section—  
 “quarter” means a period of three months commencing on the first day of January, the first day of April, the first day of July, or the first day of October;

Limitation of volume of business of cash order traders.

30 “volume of business”, in relation to any cash order trader, means the total amount of all cash orders issued by that cash order trader during a quarter.

40 (2) The Minister may, by notification in the Gazette, determine from time to time the volume of business of any cash order trader in respect of any quarter or quarters commencing after the date of publication of such notification.

(3)



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*Economic Stability and War-time Provisions Continuance.*

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5 (3) A cash order trader to whom any determination under subsection two of this section applies shall not, as from the commencement of any quarter in respect of which such determination has been made, issue any cash order so that his volume of business in respect of that quarter exceeds the volume of business determined as aforesaid in respect of that quarter.

10 (4) (a) Where the Treasurer of the Commonwealth of Australia has, pursuant to the provisions of regulation seventeen of the National Security (Cash Orders and Hire Purchase Agreements) Regulations, determined  
15 the volume of business of any cash order trader in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six, that cash order trader shall not issue  
20 any cash order so that his volume of business in respect of any quarter exceeds the volume of business determined by the Treasurer in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

25 (b) In the case of any cash order trader holding a license under regulation six of the National Security (Cash Orders and Hire Purchase Agreements) Regulations on the fifth  
30 day of December, one thousand nine hundred and forty-six, in respect of whom the Treasurer of the Commonwealth of Australia has not made any determination as aforesaid, that cash order trader shall not issue any cash order so that his volume of business in respect  
35 of any quarter exceeds the volume of business undertaken by him during the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

40 (b) (e) Where a determination has been made under subsection two of this section in respect of a cash order trader to whom this  
31—B subsection



*Economic Stability and War-time Provisions Continuance.*

subsection applies this subsection shall in relation to that cash order trader cease to have effect in respect of any quarter as to which such determination is made.

5 (5) Every cash order trader shall, during the months of January, April, July and October of each year furnish to the Minister full particulars of his volume of business for the quarter immediately preceding that month.

10 59. (1) Any agreement or arrangement entered into or made, cash order issued, or cash loan made in contravention of this Part of this Act shall be void, but nothing in this section shall affect the right of any person who receives a cash order in exchange for goods, services or other valuable consideration to obtain redemption of the cash order.

Invalidation of transactions in contravention of Part and penalties.

15 (2) Any person who contravenes or fails to comply with any of the provisions of this Part of this Act shall be guilty of an offence against this Act and liable—

20 (a) if a company—to a penalty of not less than fifty pounds and not exceeding five hundred pounds;

25 (b) if any other person—to a penalty of not less than ten pounds and not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such penalty and imprisonment.

30 (c) by inserting at the end of subsection five of section twenty-three the words:—

35 “In this subsection ‘money-lending transaction’ does not include a cash order within the meaning of Part V of this Act.”

Sec. 23.  
(Regulation of loans to and guarantees by married persons.)



*Economic Stability and War-time Provisions Continuance.*

## PART IV.

## PROFESSIONAL REGISTERS.

**16.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and fifty-four.

Commence-  
ment of  
Part.

**17.** (1) The Medical Practitioners Act, 1938-1945, is amended—

Amendment  
of Act No.  
37, 1938.

(a) by omitting from subsection one of section thirty-one the words “and shall, by him, be published in the Gazette” and by inserting in lieu thereof the words “who shall thereupon cause the same to be printed and published by the Government Printer”;

Sec. 31.  
(Publication  
of copy  
of register.)

(b) by omitting from subsection two of the same section the words “appearing in the Gazette” and by inserting in lieu thereof the words “purporting to be printed by the Government Printer.”

(2) The Medical Practitioners Act, 1938, as amended by subsequent Acts and by this section, may be cited as the Medical Practitioners Act, 1938-1946.

**18.** (1) The Dentists Act, 1934-1945, is amended—

Amendment  
of Act No. 10,  
1934.

(a) by omitting from subsection two of section six the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;

Sec. 6.  
(Particulars  
in register.)

(b) by omitting from paragraph (b) of subsection one of section twenty the words “a copy of the Gazette containing the latest published copy of the register” and by inserting in lieu thereof the words “a copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

Sec. 20,  
(Evidence of  
entry in  
register.)

(2) The Dentists Act, 1934, as amended by subsequent Acts and by this section, may be cited as the Dentists Act, 1934-1946.



*Economic Stability and War-time Provisions Continuance.*

**19.** (1) The Pharmacy Act, 1897-1940, is amended—

(a) by omitting from section ten the words “publish in the Gazette” and by inserting in lieu thereof the words “cause to be printed and published by the Government Printer”;

(b) by omitting from section twenty-three the words “the Gazette containing the list provided for in section ten” and by inserting in lieu thereof the words “the list referred to in section ten of this Act purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Pharmacy Act, 1897, as amended by subsequent Acts and by this section, may be cited as the Pharmacy Act, 1897-1946.

**20.** (1) The Opticians Act, 1930-1945, is amended by omitting from subsection one of section thirteen the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer.”

(2) The Opticians Act, 1930, as amended by subsequent Acts and by this section, may be cited as the Opticians Act, 1930-1946.

**21.** (1) The Nurses’ Registration Act, 1924-1932, is amended—

(a) by omitting from subsection one of section eleven the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;

(b) by omitting from the same subsection the words “A copy of such Gazette” and by inserting in lieu thereof the words “A copy of such lists purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Nurses’ Registration Act, 1924, as amended by subsequent Acts and by this section, may be cited as the Nurses’ Registration Act, 1924-1946.

Amendment  
of Act No. 7,  
1897.

Sec. 10.

(List of  
pharmacists  
to be  
published.)

Sec. 23.

(Registers  
to be  
prima facie  
evidence.)

Amendment  
of Act No.  
20, 1930.

Sec. 13.

(Register.)

Amendment  
of Act No.  
37, 1924.

Sec. 11.

(Register.)



*Economic Stability and War-time Provisions Continuance.*

22. (1) The Architects Act, 1921-1941, is amended by  
omitting from subsection one of section ten the words  
“published in the Gazette” and by inserting in lieu  
thereof the words “printed and published by the Govern-  
5 ment Printer.”
- (2) The Architects Act, 1921, as amended by  
subsequent Acts and by this section, may be cited as  
the Architects Act, 1921-1946.
23. (1) The Veterinary Surgeons Act, 1923, is  
10 amended—
- (a) by omitting from subsection one of section ten  
the words “published in the Gazette” and by  
inserting in lieu thereof the words “printed and  
published by the Government Printer”;
- 15 (b) by omitting from subsection two of the same  
section the words “A copy of the Gazette” and  
by inserting in lieu thereof the words “A copy  
of the register purporting to be printed by the  
Government Printer.”
- 20 (2) The Veterinary Surgeons Act, 1923, as  
amended by this section may be cited as the Veterinary  
Surgeons Act, 1923-1946.
24. (1) The Surveyors Act, 1929, as amended by sub-  
sequent Acts, is amended—
- 25 (a) by omitting subsection three of section eight  
and by inserting in lieu thereof the following  
subsection:—
- (3) The board shall, in the month of January  
30 in each year, cause a copy of the register signed  
by the president to be printed and published by  
the Government Printer.
- (b) by omitting from subsection four of the same  
section the words “A copy of the Gazette” and  
35 by inserting in lieu thereof the words “A copy  
of the register purporting to be printed by the  
Government Printer which is for the time being  
the latest copy so printed.”
- (2) The Surveyors Act, 1929, as amended by  
subsequent Acts and by this section, may be cited as the  
40 Surveyors Act, 1929-1946.

Amendment  
of Act No.  
8, 1921.  
Sec. 10.  
(Architects  
roll.)

Amendment  
of Act No.  
25, 1923.  
Sec. 10.  
(Roll.)

Amendment  
of Act No. 3,  
1929.  
Sec. 8.  
(Board to  
keep a  
register.)



*Economic Stability and War-time Provisions Continuance.*

**25.** (1) The Registration of Births, Deaths, and Marriages Act, 1899-1944, is amended—

Amendment  
of Act No. 17,  
1899.

5 (a) by omitting from subsection one of section thirty-four the words "publish in the Gazette" and by inserting in lieu thereof the words "cause to be printed and published by the Government Printer";

Sec. 34.  
(Annual  
list of  
names.)

(b) by inserting at the end of the same subsection the following words:—

10 "Every list so printed shall bear thereon the day, month and year of its publication."

(2) The Registration of Births Deaths and Marriages Act 1899, as amended by subsequent Acts and by this section, may be cited as the Registration of  
15 Births, Deaths, and Marriages Act, 1899-1946.

**26.** (1) The Physiotherapists Registration Act, 1945, is amended—

Amendment  
of Act No. 9,  
1945.

20 (a) by omitting from subsection five of section twenty the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer";

Sec. 20.  
(Register.)

25 (b) by omitting from paragraph (b) of subsection one of section thirty-one the words "the Gazette containing the latest published copy of the register" and by inserting in lieu thereof the words "the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed."

Sec. 31.  
(Evidence  
of entry in  
register.)

30 (2) The Physiotherapists Registration Act, 1945, as amended by this section, may be cited as the Physiotherapists Registration Act, 1945-1946.



*Economic Stability and War-time Provisions Continuance.*

## PART V.

## ELECTORAL SIGNS.

- 27.** (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and fifty-four.
- (2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Part of this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1946.
- 28.** The Parliamentary Electorates and Elections Act, 1912-1944, is amended by inserting next after section 151A the following new section:—
- 151B.** (1) Any person who posts up or exhibits or permits or causes to be posted up or exhibited, any poster of any size exceeding the prescribed size, shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.
- (2) A poster shall be deemed to be posted up or exhibited if it is posted up or exhibited in or on any building, vehicle, vessel, hoarding or fence, or in or on any movable or immovable object in any place (whether it is or is not a public place and whether on land or water or in the air).
- (3) Nothing in this section shall prohibit the projection by means of any cinematograph or other similar apparatus of any electoral matter on to any screen in any theatre, or public hall licensed under the Theatres and Public Halls Act, 1908-1946.
- (4) Every contract or agreement for the posting up or exhibition of any poster entered into on or before the first day of January, one thousand nine hundred and forty-seven, is to the extent to which the contract or agreement relates to any poster of a size exceeding the prescribed size hereby declared to be void and of no effect.
- (5) Any person who writes, draws or depicts any electoral matter directly on any roadway, foot-path, building, vehicle, vessel, hoarding or place (whether

Commence-  
ment of  
Part and  
citation.Amendment  
of Act No.  
41, 1912.  
New sec.  
151B.Exhibition  
of  
posters.



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*Economic Stability and War-time Provisions Continuance.*

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(whether it is or is not a public place and whether on land or water) shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

(6) In this section—

5 “electoral matter” means any matter which is intended or calculated or likely to affect or is capable of affecting the result of any election held or to be held under this Act or of any referendum of the electors held or to be held in accordance with the provisions of any Act or which is intended or calculated or likely to influence or is capable of influencing an elector in relation to the casting of his vote at any such election or referendum.

10 “poster” means any electoral matter printed, drawn or depicted on any material whatsoever and where any electoral matter is printed, drawn or depicted in sections, such sections, both severally and collectively, shall be deemed to be a poster.

15 “the prescribed size” means ten inches in length and six inches in width.

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PART VI.

25 BUSH FIRES.

29. (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven. Commencement of Part and citation.

30 (2) The Careless Use of Fire Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Careless Use of Fire Act, 1912-1946.

30.



*Economic Stability and War-time Provisions Continuance.*

30. The Careless Use of Fire Act, 1912, as amended by subsequent Acts, is amended by inserting next after section 4A the following new section:—

Amendment  
of Act No. 28,  
1912.  
New sec. 4B.

- 5 4B. (1) Where the Minister is of opinion that it is necessary or expedient in the interests of public safety so to do, he may by notification published in the Gazette or in a newspaper circulating in the area or areas to which the direction relates, direct that—
- 10 (a) the lighting of any fire or class of fire in the open air is prohibited in such area or areas and for such period or periods as may be specified in such notification;
- 15 (b) such special conditions as may be specified in such notification be observed by persons lighting any fire or class of fire in the open air in such area or areas and for such period or periods as may be specified in such notification;
- 0 (c) such action as may be specified in such notification be taken in such area or areas and by such persons or class of persons as may be specified in such notification for preventing the outbreak or the spread of any bush fire or for controlling or extinguishing any bush fire.
- 25
- (2) Where the Minister is of the opinion that the weather conditions are conducive to the outbreak or spread of bush fires or that weather conditions conducive to the outbreak or spread of bush fires are imminent and that it is impracticable to give any directions under paragraph (a) of subsection one of this section in the manner prescribed by that subsection such directions may be given by or on behalf of the Minister verbally or in such other manner including aerial broadcast as the Minister deems expedient.
- 30
- 35 (3) The Minister may by writing under his hand delegate all or any of his powers or functions under this section (except this power of delegation) to the council of an area so that the delegated powers

Lighting  
of fires  
prohibited  
in emergent  
circum-  
stances.

or



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*Economic Stability and War-time Provisions Continuance.*

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or functions with respect to the matters or class of matters specified in the instrument of delegation may be exercised by that council in respect of the area of which it is the council.

5 Every delegation under this subsection shall be revocable at will and no delegation shall prevent the exercise of any power or function by the Minister.

10 Where in this section the exercise of any power or function by the Minister or the operation of any provision of this section is dependent upon the opinion of the Minister in relation to any matter that power or function may be exercised by the delegate or that provision may operate, as the case  
15 may be, upon the opinion of the delegate in relation to that matter.

(4) Any person who fails to comply with any direction given by the Minister or the council of an area under or pursuant to the provisions of this  
20 section shall be liable to a penalty not exceeding one hundred pounds or to be imprisoned for any period not exceeding one year or to both such penalty and imprisonment.

(5) In this section "council" and "area" have the meanings ascribed thereto respectively in the Local Government Act, 1919, as amended by  
25 subsequent Acts.

(6) The provisions of this section shall have effect notwithstanding anything contained in this or  
30 any other Act to the contrary.



*Economic Stability and War-time Provisions Continuance.*

## PART VII.

## RACING.

31. This Part of this Act shall commence upon the first day of January, one thousand nine hundred and  
5 forty-seven. Commence-  
ment of  
Part.

32. (1) In this section "race-meeting" and "race-course" shall have the meanings ascribed thereto in the Gaming and Betting Act, 1912-1942. Restrictions  
applicable  
to race-  
meetings.

(2) No race-meeting shall be held on any race-  
10 course within seventy-five miles of the General Post Office, Sydney, nor within forty miles of the principal post office, Newcastle, on any day other than a Saturday or public holiday:

15 Provided that the Governor may authorise a race-meeting to be held on Randwick Racecourse on Wednesday, the ninth day of April, one thousand nine hundred and forty-seven:

20 Provided further that where a race-meeting to be held on any race-course on any day in accordance with the provisions of this subsection cannot be held on such day on account of unfavourable weather such race-meeting may be postponed and held on any other day (not being Sunday, Good Friday or Christmas Day) within fourteen days of such postponement.

25 (3) If any race-meeting is held in contravention of this section, the owner or trustees of the race-course, and the club, association, or person by or on behalf of which or whom such race-meeting was so held, and each member of the managing body of such trustees, club or  
30 association, and any person acting at such race-meeting as starter or judge, shall be liable to a penalty not less than five hundred pounds and not exceeding one thousand pounds.

(4)



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*Economic Stability and War-time Provisions Continuance.*

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(4) The provisions of this section shall have effect notwithstanding anything contained in the Gaming and Betting Act, 1912-1942, or any other Act.

(5) This section shall remain in force until the  
5 thirtieth day of June, one thousand nine hundred and forty-seven:

Provided that the Governor may by notification published in the Gazette extend the operation of this section for such period not exceeding three months as the  
10 Governor may determine.



*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.*

F. B. LANGLEY,  
*Clerk Assistant  
for Clerk of the Legislative Assembly.  
Legislative Assembly Chamber,  
Sydney, 12 December, 1946.*

## New South Wales.



ANNO UNDECIMO

# GEORGII VI REGIS.

\*\*\*\*\*

Act No.     , 1946.

An Act to make provision for the preservation of economic stability; to provide for the continuation of certain war-time provisions; to amend the Hire-purchase Agreements Act, 1941, the Money-lenders and Infants Loans Act, 1941, the Careless Use of Fire Act, 1912, the Gaming and Betting Act, 1912, and certain other Acts in certain respects; and for purposes connected therewith.



*Economic Stability and War-time Provisions Continuance.*

**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 :—

PART I.—PRELIMINARY.

**1.** (1) This Act may be cited as the “Economic Stability and War-time Provisions Continuance Act, 1946.” Short title, and division into Parts.

**10** (2) This Act is divided into Parts as follows :—

PART I.—PRELIMINARY.

PART II.—ECONOMIC STABILITY.

PART III.—HIRE-PURCHASE AGREEMENTS AND MONEY-LENDERS.

**15** PART IV.—PROFESSIONAL REGISTERS.

PART V.—ELECTORAL SIGNS.

PART VI.—BUSH FIRES.

PART VII.—RACING.

PART II.—ECONOMIC STABILITY.

**20** **2.** (1) In this Part of this Act unless inconsistent with the context or subject-matter— Interpretation.

“Commonwealth Regulations” means—

The National Security (Prices) Regulations;

**25** The National Security (Landlord and Tenant) Regulations;

The National Security (Capital Issues) Regulations, and

**30** The National Security (Economic Organization) Regulations (other than regulation 4 and Part V)

in the form in which those regulations exist immediately prior to the commencing day; and a reference to the Commonwealth Regulations shall be read as including a reference to any part of those Regulations;

**35**

“the



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“the commencing day” in relation to any Commonwealth Regulations means the day fixed by the Governor under section three of this Act in relation to those Regulations.

- 5 (2) In this Part of this Act and in any regulations or instruments in operation by virtue of this Part of this Act, unless the contrary intention appears—
- (a) any reference to a Minister shall be read as a reference to a Minister of State of the Commonwealth;
- 10 (b) any reference to the Gazette shall be read as a reference to the Commonwealth Gazette;
- (c) any reference to the Public Service Board shall be read as a reference to the Commonwealth Public Service Board of Commissioners; and
- 15 (d) any reference to any officer shall be read as a reference to that officer of the Commonwealth.

3. (1) The Governor may, by proclamation published in the New South Wales Government Gazette, fix a commencing day in respect of all or any of the Commonwealth Regulations.

20

Operation of certain regulations.

(2) Any day fixed in pursuance of subsection one of this section may be a day either before or after the date of the proclamation fixing that day.

25 (3) On and after the commencing day so proclaimed in relation to any such Regulations, those Regulations, in the form in which they existed immediately prior to that day, shall, subject to this Part of this Act, be and be deemed to have been in operation

30 as if they were regulations made under this Part of this Act.

4. Each authority and officer continued in existence, constituted, appointed or holding office under any Commonwealth Regulations in operation by virtue of section three of this Act shall, subject to this Part of this Act, continue to be in existence, constituted or appointed or to hold office for the purposes of those Regulations as in operation by virtue of this Part of this Act.

35

Continuance of officers, authorities, etc.



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5. All orders, declarations, determinations, delegations, authorities, applications, notifications, rules, consents, agreements, requirements, valuations, certificates, reports, notices or directions which were  
 5 made, given or entered into under any Commonwealth Regulations in operation by virtue of section three of this Act and which were in force or subsisting immediately prior to the commencing day fixed under this Part of this Act in respect of those Regulations shall,  
 10 subject to this Part of this Act, be in force or effective so far as they operated or purported to operate in or in relation to the State but may be revoked or varied under any regulations in operation by virtue of this Part of this Act.
- 15 6. (1) Any person who contravenes or fails to comply with—  
 with—  
 (a) any provision of any regulation in operation by virtue of this Part of this Act; or  
 (b) any order, rule or other instrument in operation  
 20 by virtue of this Part of this Act or made in pursuance of any regulation in operation under this Part of this Act,  
 shall be guilty of an offence against this Part of this Act.
- (2) An offence against this Part of this Act may  
 25 be prosecuted either summarily or upon indictment.
- (3) The punishment for an offence against this Part of this Act shall be—  
 (a) if the offence is prosecuted summarily—a fine not exceeding one hundred pounds or imprisonment for a term not exceeding six months; or  
 30 (b) if the offence is prosecuted upon indictment—a fine not exceeding five hundred pounds or imprisonment for a term not exceeding two years.
- 35 (4) In addition to any other punishment, a court may, if it thinks fit, order the forfeiture of any money or goods in respect of which an offence against this Part of this Act has been committed.

Continuance  
of orders,  
etc.

Offences.



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7. Where a person convicted of an offence against this Part of this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed  
5 to be guilty of the offence, unless he proves that the offence was committed without his knowledge, or that he used all due diligence to prevent the commission of the offence.

Offences by corporations.

8. (1) Where any person is convicted of an offence  
10 against this Part of this Act, the court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognizances with or without sureties to comply with the provisions of the regulations, orders,  
15 rules or other instruments in relation to which the offence was committed.

Power to order recognizances.

(2) If any person fails to comply with an order of the court requiring him to enter into recognizances, the court may order him to be imprisoned for any term not  
20 exceeding six months.

9. (1) Any Minister having any powers or functions under any regulation in operation by virtue of this Part of this Act may, in relation to any matters or class of matters, by writing under his hand, delegate all or any  
25 of his powers and functions under that regulation (except this power of delegation) so that the delegated powers or functions may be exercised by the delegate with respect to the matters or class of matters specified in the instrument of delegation.

Delegation of powers under regulations.

30 (2) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister.

(3) Where in any regulation in operation by virtue of this Part of this Act the exercise of any power or  
35 function by a Minister, or the operation of any provision of that regulation, is dependent upon the opinion, belief or state of mind of a Minister in relation to any matter, that power or function may be exercised by the person to whom that power or function has been delegated by

the



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the Minister or that provision may operate, as the case may be, upon the opinion, belief or state of mind of that person in relation to that matter.

(4) Any delegation which was made by a Minister  
5 in respect of any of his powers and functions under any Commonwealth Regulations in operation by virtue of section three of this Act and which was in force immediately prior to the commencing day shall continue in force as if made under this Part of this Act.

10 **10.** (1) The Governor may, after consultation has Regulations.  
taken place between the Premier of the State and the Prime Minister of the Commonwealth, make regulations—

15 (a) for or in respect of any matters or class of matters dealt with in any Commonwealth Regulations in operation by virtue of section three of this Act;

20 (b) repealing or amending any regulations in operation by virtue of this Part of this Act but so that any such amendment shall be in respect of a matter dealt with by those regulations.

(2) The regulations made under this section may provide for empowering such persons or classes of persons as are prescribed and thereto authorised in  
25 pursuance of the regulations, to make orders, rules or other instruments for any of the purposes for which regulations are, by this Part of this Act, authorised to be made.

(3) The regulations made under this section shall—

30 (a) be published in the New South Wales Government Gazette;

(b) take effect from the date of publication or from a later date to be specified in the regulations; and

35 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If



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5 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

10 **11.** (1) This Part of this Act and any regulations in operation by virtue of this Part of this Act and any orders, rules or other instruments in operation by virtue of such Part or regulations shall terminate on the thirty-first day of December, one thousand nine hundred and forty-eight, or on such earlier day as may be appointed by the Governor and notified by proclamation published in the New South Wales Government Gazette.

Duration  
of Part.

15 (2) The provisions of section eight of the Interpretation Act of 1897 shall apply in relation to the termination of this Part of this Act and of any such regulations, orders, rules or other instruments as if that termination were a repeal and any such regulation, order,  
20 rule or other instrument were an Act.

## PART III.

## HIRE-PURCHASE AGREEMENTS AND MONEY-LENDERS.

25 **12.** (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven.

Commence-  
ment and  
citation.

(2) (a) The Hire-purchase Agreements Act, 1941, as amended by this Part of this Act, may be cited as the Hire-purchase Agreements Act, 1941-1946.

30 (b) The Money-lenders and Infants Loans Act, 1941, as amended by this Part of this Act, may be cited as the Money-lenders and Infants Loans Act, 1941-1946.

**13.**



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**13.** The Hire-purchase Agreements Act, 1941, is amended— Amendment of Act No. 56, 1941.

(a) by inserting at the end of subsection three of section eight the following words:— Sec. 8. (Provisions as to guarantors.)

5        Provided that any such agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven) binding the guarantor—

10        (a) to pay to the vendor a larger aggregate sum than that which the purchaser is liable to pay under the hire-purchase agreement in respect of which the guarantee is given; or

15        (b) to perform any obligation in respect of goods other than the goods comprised in the hire-purchase agreement in respect of which the guarantee is given

20        shall be null and void unless such agreement is executed by the guarantor in the presence of a chamber magistrate, clerk of petty sessions, or a solicitor instructed and employed independently of the vendor and is certified by such magistrate, clerk of petty sessions or solicitor as hereinafter provided.

25        The magistrate, clerk of petty sessions or solicitor—

30        (i) shall read over and explain, or cause to be read over and explained in his presence, to the guarantor the agreement; and

(ii) shall examine the guarantor touching his knowledge of the agreement; and

35        (iii) if he thinks fit may so examine him separately and apart from any other person; and

(iv) if he is satisfied that the guarantor understands the true purport and effect thereof and freely and voluntarily executes



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5 executes the same, shall certify in writing upon the agreement that the agreement has been so read over and explained, and that he has examined the guarantor and is satisfied as hereinbefore required, and that the guarantor has executed the agreement in his presence.

10 (b) by inserting next after section fourteen the following new section:— New sec. 14A.

15 14A. Where by virtue of a hire-purchase agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven), a purchaser is under a duty to keep the goods comprised in the agreement in his possession or control at any particular address or not to remove such goods from any particular address a court of petty sessions exercising jurisdiction in the petty sessions district within which the purchaser resides or to which the purchaser desires to remove the goods may on application of the purchaser order that the purchaser shall be entitled to remove such goods in accordance with the provisions of such order.

20

25

The removal of any goods in accordance with the provisions of any such order relating to such goods shall not be deemed to be a breach of any covenant or condition in the hire-purchase agreement.

30

(c) by inserting next after section sixteen the following new section:— New sec. 16A.

35 16A. (1) If in connection with the sale of any goods the person by whom or on whose behalf the sale is negotiated (hereinafter called the "owner") arranges that some other person (hereinafter called the "lender") shall:— Restrictions on payments to owners of goods by financiers.

(a) enter into a hire-purchase agreement in relation to those goods with a purchaser; or

40

(b)



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- (b) accept any assignment of the owner's property in the goods comprised in, or of the owner's rights under, a hire-purchase agreement; or
- 5 (c) advance or pay money to the owner or to some person on his behalf in respect of a hire-purchase agreement in relation to such goods,

10 such owner shall not seek, accept, demand or receive from the lender, and such lender shall not pay, offer or grant to the owner, directly or indirectly, any money or other valuable consideration which, together with the money (if any) paid or payable by or on behalf of the

15 purchaser to the owner and the value of any other consideration (if any) furnished or to be furnished by or on behalf of the purchaser to the owner, would exceed the price at which the goods might have been purchased from the

20 owner by the purchaser for cash.

In the absence of proof as to the price at which the goods might have been purchased from the owner by the purchaser for cash such price shall be deemed to be the price specified

25 in the hire-purchase agreement pursuant to the provisions of paragraph (a) of subsection two of section twenty-three of this Act.

(2) Any person guilty of an offence against this section shall be liable on summary conviction—

30

- (a) if a company—to a penalty not exceeding two hundred pounds;
- (b) if any other person—to a penalty not exceeding one hundred pounds, or to imprisonment not exceeding three
- 35 months, or to both such penalty and imprisonment.



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14. The Hire-purchase Agreements Act, 1941, is further amended—

Further amendment of Act No. 56, 1941.

- (a) by inserting at the end of subsection two of section one the following matter:—

Sec. 1.  
(Division into Parts.)

5

## PART IV.—MINIMUM DEPOSITS.

- (b) by inserting next after section twenty-nine the following new Part:—

New Part IV.

## PART IV.—MINIMUM DEPOSITS.

10

30. In this Part “hire-purchase agreement” does not include any agreement or arrangement which is entered into solely for the purpose of giving effect to an assignment or transfer of the rights and liabilities under an existing hire-purchase agreement from the purchaser to another person.

Definition.

15

31. (1) A person shall not enter into any hire-purchase agreement unless the agreement provides for payment of a deposit as follows:—

Minimum deposits.

20

- (a) where the goods the subject of the agreement consist of:—

25

- (i) an agricultural implement;  
(ii) machinery to be used for manufacturing or industrial purposes;  
(iii) a motor tractor;  
(iv) electrical appliances, machinery or equipment for use wholly or partly in or for the purposes of primary production; or

30

- (v) any appliance operated by gas or electricity where the vendor of such appliance is a supply authority,

a deposit of not less than one-tenth of the purchase price;

35

- (b) in any other case, a deposit of not less than one-fifth of the purchase price;  
(c) where the goods the subject of the agreement consist of goods in respect of which different minimum deposits

are



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are required by this section, a deposit of not less than the deposit which would be payable if all the goods were of that class of goods subject to the agreement in respect of which the greatest minimum deposit is required.

In this subsection "supply authority" means—

(a) a gas company as defined in the Gas and Electricity Act, 1935, as amended by subsequent Acts;

(b) an electricity supply authority as defined in the Electricity Development Act, 1945.

(2) The deposit required by subsection one of this section may include the value of any goods provided or required to be provided by the purchaser to purchase the goods under the hire-purchase agreement.

32. A hire-purchase agreement entered into in contravention of this Part shall be void except insofar as the rights of the purchaser thereunder or arising thereout are concerned.

Hire-purchase agreements in contravention of this Part.

25 **15.** The Money-lenders and Infants Loans Act, 1941, is amended—

Amendment of Act No. 67, 1941.

(a) by inserting in subsection three of section one after the words and figures "PART IV.—MISCELLANEOUS" the following matter:—

Sec. 1. (Division into Parts.)

PART V.—CASH ORDERS.

(b) by inserting next after section fifty-one the following new Part:—

New Part V.

PART V.—CASH ORDERS.

52. (1) In this Part of this Act unless the context or subject-matter otherwise indicates or requires:—

Definitions and application.

"Cash loan" means a loan of money made or to be made by a cash order trader.

"Cash



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5 "Cash order" includes any document which  
is issued for the purpose of enabling  
a person to receive goods, services  
or other valuable consideration in  
exchange therefor and in consideration  
of, or in association with, an agreement  
by that person to pay to the person  
issuing the order the amount thereof  
10 at a fixed or determinable future time,  
or by instalments, but does not include  
a bill of exchange.

15 "Cash order trader" means a licensed  
money-lender who carries on the  
business of issuing cash orders, whether  
alone or in conjunction with any other  
business.

20 (2) This Part of this Act shall apply to  
and in respect of cash orders issued after the  
commencement of the National Security (Cash  
Orders and Hire Purchase Agreements) Regula-  
tions under the National Security Act 1939-1943  
of the Parliament of the Commonwealth and  
subsisting upon the first day of January, one  
25 thousand nine hundred and forty-seven, as well  
as to cash orders issued after the said first day  
of January.

30 53. (1) Subject to subsection two of this  
section, a cash order trader shall not issue a  
cash order—

- (a) at any place other than his authorised  
address; and  
(b) unless the applicant for the cash order  
receives it in person at such address.

Cash orders  
to be issued  
only at  
authorised  
address and  
to be  
received  
in person.

35 (2) Nothing in subsection one of this  
section shall prevent a cash order trader from  
issuing a cash order otherwise than in person  
to the applicant therefor if an application in  
writing for the issue of the cash order has been  
received otherwise than through an employee or  
40 agent of the cash order trader.

(3)



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(3) An employee or agent of a cash order trader shall not—

- (a) prepare or complete an application for the issue of a cash order; or
- 5 (b) accept or receive an application for the issue of a cash order for transmission through the post or otherwise to a cash order trader.

10 54. (1) A cash order trader shall not make any agreement or arrangement for the charging or receipt of, or, subject to subsection three of this section, charge or receive in respect of any cash order issued by him any sum greater than  
15 the amount of the cash order and an amount calculated at the rate of nine pence for each one pound of the amount of the cash order.

(2) A person who accepts a cash order in exchange for any goods, services or other valuable consideration shall present it for redemption within one month after he so accepts it, but failure to comply with the provisions of this subsection shall not invalidate any cash order or affect the rights or obligations of any person arising under, or in connection with, any  
20 cash order.

(3) A person who redeems a cash order shall pay to the person who presents the cash order for redemption the full amount thereof less—

- 30 (a) where payment is made not later than fourteen days after—
  - (i) the end of the month during which the cash order is presented for redemption; or
  - 35 (ii) the date on which the goods for which the cash order was exchanged were delivered, or the date on which the services or other



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other valuable consideration  
for which the cash order was  
exchanged were received,

5

whichever is the later—an amount not  
exceeding ten per centum of the amount  
of the cash order; or

(b) in any other case—an amount not  
exceeding five per centum of the amount  
of the cash order.

10

(4) A cash order trader shall not issue a  
cash order unless it is repayable in full within  
not more than twenty weeks after the date of  
issue thereof.

15

55. (1) A cash order trader shall not issue  
to any person any cash order for an amount  
exceeding twenty pounds.

Cash orders  
in excess  
of £20  
not to be  
issued.

(2) A cash order trader shall not issue a  
cash order to any person unless that person  
certifies in writing to the cash order trader—

20

(a) that a cash order has not at any time  
previously been issued to him or her,  
or to his or her spouse, as the case may  
be;

25

(b) that the amount unpaid under all cash  
orders previously issued to him or her,  
together with the amount (if any)  
unpaid under any cash orders  
previously issued to his or her spouse,  
as the case may be, together with the  
amount of the cash order then issued,  
does not exceed twenty pounds;

30

(c) that he or she, being married, is living  
separate and apart from his or her  
spouse, as the case may be; or

35

(d) that, being married, his or her spouse,  
as the case may be, is outside New  
South Wales;

and the cash order trader has no reason to doubt  
the truth of the certificate.

(3)



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5 (3) Any person who makes any false or misleading statement in any certificate given for the purposes of subsection two of this section shall be guilty of an offence against this Act and shall be liable to the penalty provided by section fifty-nine of this Act.

10 (4) Every cash order trader shall preserve at his authorised address all certificates given to him under subsection two of this section for a period of not less than one year after the completion of the transaction to which the certificate relates.

15 56. A cash order trader shall not make a cash loan to any person where any amount remains unpaid under any cash order previously issued by that cash order trader to that person, or to his wife or her husband, as the case may be.

Cash loan not to be made in certain cases.

20 57. Where portion of the amount of a cash order is not expended, the cash order trader shall, on demand by the person to whom the cash order was issued, credit him with, or, where the cash order has been repaid in full, pay to him, the amount unexpended.

Amounts not expended to be credited or paid.

25 58. (1) In this section—

“quarter” means a period of three months commencing on the first day of January, the first day of April, the first day of July, or the first day of October;

Limitation of volume of business of cash order traders.

30 “volume of business”, in relation to any cash order trader, means the total amount of all cash orders issued by that cash order trader during a quarter.

35 (2) The Minister may, by notification in the Gazette, determine from time to time the volume of business of any cash order trader in respect of any quarter or quarters commencing after the date of publication of such notification.

(3)



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*Economic Stability and War-time Provisions Continuance.*

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5 (3) A cash order trader to whom any determination under subsection two of this section applies shall not, as from the commencement of any quarter in respect of which such determination has been made, issue any cash order so that his volume of business in respect of that quarter exceeds the volume of business determined as aforesaid in respect of that quarter.

10 (4) (a) Where the Treasurer of the Commonwealth of Australia has, pursuant to the provisions of regulation seventeen of the National Security (Cash Orders and Hire Purchase Agreements) Regulations, determined  
15 the volume of business of any cash order trader in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six, that cash order trader shall not issue  
20 any cash order so that his volume of business in respect of any quarter exceeds the volume of business determined by the Treasurer in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

25 (b) In the case of any cash order trader holding a license under regulation six of the National Security (Cash Orders and Hire Purchase Agreements) Regulations on the fifth  
30 day of December, one thousand nine hundred and forty-six, in respect of whom the Treasurer of the Commonwealth of Australia has not made any determination as aforesaid, that cash order trader shall not issue any cash  
35 order so that his volume of business in respect of any quarter exceeds the volume of business undertaken by him during the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

40 (c) Where a determination has been made under subsection two of this section in respect of a cash order trader to whom this  
31—B subsection



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subsection applies this subsection shall in relation to that cash order trader cease to have effect in respect of any quarter as to which such determination is made.

5 (5) Every cash order trader shall, during the months of January, April, July and October of each year furnish to the Minister full particulars of his volume of business for the quarter immediately preceding that month.

10 59. (1) Any agreement or arrangement entered into or made, cash order issued, or cash loan made in contravention of this Part of this Act shall be void, but nothing in this section shall affect the right of any person who receives a cash order in exchange for goods, services or other valuable consideration to obtain redemption of the cash order.

Invalidation of transactions in contravention of Part and penalties.

15 (2) Any person who contravenes or fails to comply with any of the provisions of this Part of this Act shall be guilty of an offence against this Act and liable—

20 (a) if a company—to a penalty of not less than fifty pounds and not exceeding five hundred pounds;

25 (b) if any other person—to a penalty of not less than ten pounds and not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such penalty and imprisonment.

30 (c) by inserting at the end of subsection five of section twenty-three the words:—

35 “In this subsection ‘money-lending transaction’ does not include a cash order within the meaning of Part V of this Act.”

Sec. 23.  
(Regulation of loans to and guarantees by married persons.)



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## PART IV.

## PROFESSIONAL REGISTERS.

**16.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and 5 forty-seven. Commence-  
ment of  
Part.

**17.** (1) The Medical Practitioners Act, 1938-1945, is amended— Amendment  
of Act No.  
37, 1938.

(a) by omitting from subsection one of section thirty-one the words “and shall, by him, be 10 published in the Gazette” and by inserting in lieu thereof the words “who shall thereupon cause the same to be printed and published by the Government Printer”;

(b) by omitting from subsection two of the same 15 section the words “appearing in the Gazette” and by inserting in lieu thereof the words “purporting to be printed by the Government Printer.”

(2) The Medical Practitioners Act, 1938, as 20 amended by subsequent Acts and by this section, may be cited as the Medical Practitioners Act, 1938-1946.

**18.** (1) The Dentists Act, 1934-1945, is amended— Amendment  
of Act No. 10,  
1934.

(a) by omitting from subsection two of section six 25 the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;

(b) by omitting from paragraph (b) of subsection one of section twenty the words “a copy of the 30 Gazette containing the latest published copy of the register” and by inserting in lieu thereof the words “a copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Dentists Act, 1934, as amended by sub- 35 sequent Acts and by this section, may be cited as the Dentists Act, 1934-1946.



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**19.** (1) The Pharmacy Act, 1897-1940, is amended—

(a) by omitting from section ten the words “publish in the Gazette” and by inserting in lieu thereof the words “cause to be printed and published by the Government Printer”;

Amendment  
of Act No. 7,  
1897.  
Sec. 10.  
(List of  
pharmacists  
to be  
published.)

(b) by omitting from section twenty-three the words “the Gazette containing the list provided for in section ten” and by inserting in lieu thereof the words “the list referred to in section ten of this Act purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

Sec. 23.  
(Registers  
to be  
prima facie  
evidence.)

(2) The Pharmacy Act, 1897, as amended by subsequent Acts and by this section, may be cited as the Pharmacy Act, 1897-1946.

**20.** (1) The Opticians Act, 1930-1945, is amended by omitting from subsection one of section thirteen the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer.”

Amendment  
of Act No.  
20, 1930.  
Sec. 13.  
(Register.)

(2) The Opticians Act, 1930, as amended by subsequent Acts and by this section, may be cited as the Opticians Act, 1930-1946.

**21.** (1) The Nurses’ Registration Act, 1924-1932, is amended—

(a) by omitting from subsection one of section eleven the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;

Amendment  
of Act No.  
37, 1924.  
Sec. 11.  
(Register.)

(b) by omitting from the same subsection the words “A copy of such Gazette” and by inserting in lieu thereof the words “A copy of such lists purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

(2) The Nurses’ Registration Act, 1924, as amended by subsequent Acts and by this section, may be cited as the Nurses’ Registration Act, 1924-1946.

**22.**



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- 22.** (1) The Architects Act, 1921-1941, is amended by omitting from subsection one of section ten the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer."  
5
- (2) The Architects Act, 1921, as amended by subsequent Acts and by this section, may be cited as the Architects Act, 1921-1946.
- 23.** (1) The Veterinary Surgeons Act, 1923, is amended—  
10
- (a) by omitting from subsection one of section ten the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer";
- 15 (b) by omitting from subsection two of the same section the words "A copy of the Gazette" and by inserting in lieu thereof the words "A copy of the register purporting to be printed by the Government Printer."
- 20 (2) The Veterinary Surgeons Act, 1923, as amended by this section may be cited as the Veterinary Surgeons Act, 1923-1946.
- 24.** (1) The Surveyors Act, 1929, as amended by subsequent Acts, is amended—  
25
- (a) by omitting subsection three of section eight and by inserting in lieu thereof the following subsection:—  
30
- (3) The board shall, in the month of January in each year, cause a copy of the register signed by the president to be printed and published by the Government Printer.
- (b) by omitting from subsection four of the same section the words "A copy of the Gazette" and by inserting in lieu thereof the words "A copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed."  
35
- (2) The Surveyors Act, 1929, as amended by subsequent Acts and by this section, may be cited as the  
40 Surveyors Act, 1929-1946.

Amendment  
of Act No.  
8, 1921.  
Sec. 10.  
(Architects  
roll.)

Amendment  
of Act No.  
25, 1923.  
Sec. 10.  
(Roll.)

Amendment  
of Act No. 3,  
1929.  
Sec. 8.  
(Board to  
keep a  
register.)



*Economic Stability and War-time Provisions Continuance.*

**25.** (1) The Registration of Births, Deaths, and Marriages Act, 1899-1944, is amended—

Amendment  
of Act No. 17,  
1899.

5 (a) by omitting from subsection one of section thirty-four the words “publish in the Gazette” and by inserting in lieu thereof the words “cause to be printed and published by the Government Printer”;

Sec. 34.  
(Annual  
list of  
names.)

(b) by inserting at the end of the same subsection the following words:—

10 “Every list so printed shall bear thereon the day, month and year of its publication.”

(2) The Registration of Births Deaths and Marriages Act 1899, as amended by subsequent Acts and by this section, may be cited as the Registration of  
15 Births, Deaths, and Marriages Act, 1899-1946.

**26.** (1) The Physiotherapists Registration Act, 1945, is amended—

Amendment  
of Act No. 9,  
1945.

20 (a) by omitting from subsection five of section twenty the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;

Sec. 20.  
(Register.)

25 (b) by omitting from paragraph (b) of subsection one of section thirty-one the words “the Gazette containing the latest published copy of the register” and by inserting in lieu thereof the words “the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

Sec. 31.  
(Evidence  
of entry in  
register.)

30 (2) The Physiotherapists Registration Act, 1945, as amended by this section, may be cited as the Physiotherapists Registration Act, 1945-1946.



*Economic Stability and War-time Provisions Continuance.*

## PART V.

## ELECTORAL SIGNS.

27. (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and 5 forty-seven.

Commence-  
ment of  
Part and  
citation.

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Part of this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1946.

10 28. The Parliamentary Electorates and Elections Act, 1912-1944, is amended by inserting next after section 151A the following new section:—

Amendment  
of Act No.  
41, 1912.  
New sec.  
151B.

15 151B. (1) Any person who posts up or exhibits or permits or causes to be posted up or exhibited, any poster of any size exceeding the prescribed size, shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

Exhibition  
of  
posters.

20 (2) A poster shall be deemed to be posted up or exhibited if it is posted up or exhibited in or on any building, vehicle, vessel, hoarding or fence, or in or on any movable or immovable object in any place (whether it is or is not a public place and whether on land or water or in the air).

25 (3) Nothing in this section shall prohibit the projection by means of any cinematograph or other similar apparatus of any electoral matter on to any screen in any theatre, or public hall licensed under the Theatres and Public Halls Act, 1908-1946.

30 (4) Every contract or agreement for the posting up or exhibition of any poster entered into on or before the first day of January, one thousand nine hundred and forty-seven, is to the extent to which the contract or agreement relates to any poster of a size exceeding the prescribed size hereby 35 declared to be void and of no effect.

(5) Any person who writes, draws or depicts any electoral matter directly on any roadway, foot-path, building, vehicle, vessel, hoarding or place (whether



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*Economic Stability and War-time Provisions Continuance.*

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(whether it is or is not a public place and whether on land or water) shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

(6) In this section—

5           “electoral matter” means any matter which is  
intended or calculated or likely to affect or  
is capable of affecting the result of any  
10           election held or to be held under this Act  
or of any referendum of the electors held or  
to be held in accordance with the provisions  
of any Act or which is intended or cal-  
culated or likely to influence or is capable  
15           of influencing an elector in relation to the  
casting of his vote at any such election or  
referendum.

          “poster” means any electoral matter printed,  
drawn or depicted on any material what-  
soever and where any electoral matter is  
20           printed, drawn or depicted in sections, such  
sections, both severally and collectively,  
shall be deemed to be a poster.

          “the prescribed size” means ten inches in  
length and six inches in width.

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PART VI.

25           BUSH FIRES.

**29.** (1) This Part of this Act shall commence upon  
the first day of January, one thousand nine hundred and  
forty-seven. Commence-  
ment of  
Part and  
citation.

(2) The Careless Use of Fire Act, 1912, as  
30           amended by subsequent Acts and by this Act, may be  
cited as the Careless Use of Fire Act, 1912-1946.

**30.**



*Economic Stability and War-time Provisions Continuance.*

30. The Careless Use of Fire Act, 1912, as amended by subsequent Acts, is amended by inserting next after section 4A the following new section:—

Amendment  
of Act No. 28,  
1912.  
New sec. 4B.

- 5 4B. (1) Where the Minister is of opinion that it is necessary or expedient in the interests of public safety so to do, he may by notification published in the Gazette or in a newspaper circulating in the area or areas to which the direction relates, direct that—
- 10 (a) the lighting of any fire or class of fire in the open air is prohibited in such area or areas and for such period or periods as may be specified in such notification;
- 15 (b) such special conditions as may be specified in such notification be observed by persons lighting any fire or class of fire in the open air in such area or areas and for such period or periods as may be specified in such notification;
- 20 (c) such action as may be specified in such notification be taken in such area or areas and by such persons or class of persons as may be specified in such notification for preventing the outbreak or the spread of any bush fire or for controlling or extinguishing any bush fire.
- 25
- (2) Where the Minister is of the opinion that the weather conditions are conducive to the outbreak or spread of bush fires or that weather conditions conducive to the outbreak or spread of bush fires are imminent and that it is impracticable to give any directions under paragraph (a) of subsection one of this section in the manner prescribed by that subsection such directions may be given by or on behalf of the Minister verbally or in such other manner including aerial broadcast as the Minister deems expedient.
- 30
- 35 (3) The Minister may by writing under his hand delegate all or any of his powers or functions under this section (except this power of delegation) to the council of an area so that the delegated powers

Lighting  
of fires  
prohibited  
in emergent  
circum-  
stances.

or



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*Economic Stability and War-time Provisions Continuance.*

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or functions with respect to the matters or class of matters specified in the instrument of delegation may be exercised by that council in respect of the area of which it is the council.

5 Every delegation under this subsection shall be revocable at will and no delegation shall prevent the exercise of any power or function by the Minister.

10 Where in this section the exercise of any power or function by the Minister or the operation of any provision of this section is dependent upon the opinion of the Minister in relation to any matter that power or function may be exercised by the delegate or that provision may operate, as the case  
15 may be, upon the opinion of the delegate in relation to that matter.

(4) Any person who fails to comply with any direction given by the Minister or the council of an area under or pursuant to the provisions of this  
20 section shall be liable to a penalty not exceeding one hundred pounds or to be imprisoned for any period not exceeding one year or to both such penalty and imprisonment.

(5) In this section "council" and "area"  
25 have the meanings ascribed thereto respectively in the Local Government Act, 1919, as amended by subsequent Acts.

(6) The provisions of this section shall have  
30 effect notwithstanding anything contained in this or any other Act to the contrary.



*Economic Stability and War-time Provisions Continuance.*

## PART VII.

## RACING.

**31.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and  
5 forty-seven. Commence-  
ment of  
Part.

**32.** (1) In this section "race-meeting" and "race-course" shall have the meanings ascribed thereto in the Gaming and Betting Act, 1912-1942. Restrictions  
applicable  
to race-  
meetings.

(2) No race-meeting shall be held on any race-  
10 course within seventy-five miles of the General Post Office, Sydney, nor within forty miles of the principal post office, Newcastle, on any day other than a Saturday or public holiday:

Provided that the Governor may authorise a race-  
15 meeting to be held on Randwick Racecourse on Wednesday, the ninth day of April, one thousand nine hundred and forty-seven:

Provided further that where a race-meeting to be held  
20 on any race-course on any day in accordance with the provisions of this subsection cannot be held on such day on account of unfavourable weather such race-meeting may be postponed and held on any other day (not being Sunday, Good Friday or Christmas Day) within fourteen days of such postponement.

(3) If any race-meeting is held in contravention  
25 of this section, the owner or trustees of the race-course, and the club, association, or person by or on behalf of which or whom such race-meeting was so held, and each member of the managing body of such trustees, club or  
30 association, and any person acting at such race-meeting as starter or judge, shall be liable to a penalty not less than five hundred pounds and not exceeding one thousand pounds.

(4)



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*Economic Stability and War-time Provisions Continuance.*

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(4) The provisions of this section shall have effect notwithstanding anything contained in the Gaming and Betting Act, 1912-1942, or any other Act.

(5) This section shall remain in force until the  
5 thirtieth day of June, one thousand nine hundred and forty-seven:

Provided that the Governor may by notification published in the Gazette extend the operation of this section for such period not exceeding three months as the  
10 Governor may determine.



Economic Stability and War-time Provisions  
Continuance Bill, 1946.

PROOF

**EXPLANATORY NOTE.**

THIS Bill is divided into Parts as follows:—

**PART I.—PRELIMINARY.**

**PART II.—ECONOMIC STABILITY.**

The object of this Part is to provide machinery for the continuation as part of the law of New South Wales of certain specified National Security Regulations designed to promote economic stability.

**PART III.—HIRE-PURCHASE AGREEMENTS AND MONEY-LENDERS.**

The objects of this Part are—

- (a) to require the payment of minimum deposits by persons entering into hire-purchase agreements;
- (b) to provide that certain specified obligations upon guarantors in relation to hire-purchase transactions are to be enforceable only if attested in a special manner;
- (c) to permit of the removal of goods by a hirer under a hire-purchase agreement from one address to another, notwithstanding any term or condition to the contrary in such agreement, where the removal is authorised by a court of petty sessions;
- (d) to prohibit the payment of money by a financier to a seller of goods on hire-purchase in consideration of the latter placing the financing of the hire-purchase agreement with such financier;
- (e) to specify maximum interest and discount charges in relation to cash orders and to provide that cash orders shall be repayable within a period not exceeding twenty weeks;
- (f) to incorporate in the Money-lenders and Infants Loans Act, 1941, certain other provisions of the National Security (Cash Orders and Hire-purchase Agreements) Regulations dealing with cash orders.

**PART IV.—PROFESSIONAL REGISTERS.**

The various Acts which regulate the different professions require lists of the members for the time being of those professions to be published annually in the Government Gazette.

The object of this Part is to discontinue the publication of such lists in the Government Gazette and to require that they shall be printed and published annually by the Government Printer.

**PART V.—ELECTORAL SIGNS.**

The object of this Part is to restrict the display of electoral posters and electoral matter at any election or referendum.

**PART VI.—BUSH FIRES.**

The object of this Part is to confer power on the Chief Secretary to give directions to control the lighting of fires in the open air so as to minimise the risk of bush fires. The powers of the Chief Secretary may be delegated to the council of any area.

**PART VII.—RACING.**

The object of this Part is to restrict the days on which race-meetings within seventy-five miles of the General Post Office, Sydney, and forty miles of the principal post office, Newcastle, may be held to Saturdays and public holidays during the period of six months following the expiration of Order No. 5 under National Security (Supplementary) Regulations. The Governor may by proclamation extend such period but such extension is not to exceed three months.







PROOF

No. , 1946.

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## A BILL

To make provision for the preservation of economic stability; to provide for the continuation of certain war-time provisions; to amend the Hire-purchase Agreements Act, 1941, the Money-lenders and Infants Loans Act, 1941, the Careless Use of Fire Act, 1912, the Gaming and Betting Act, 1912, and certain other Acts in certain respects; and for purposes connected therewith.

[MR. C. E. MARTIN;—12 *December*, 1946, *a.m.*.]

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*Economic Stability and War-time Provisions Continuance.*

**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 :—

PART I.—PRELIMINARY.

**1.** (1) This Act may be cited as the "Economic Stability and War-time Provisions Continuance Act, 1946." Short title, and Division into Parts.

10 (2) This Act is divided into Parts as follows :—

PART I.—PRELIMINARY.

PART II.—ECONOMIC STABILITY.

PART III.—HIRE PURCHASE AGREEMENTS AND MONEY-LENDERS.

15 PART IV.—PROFESSIONAL REGISTERS.

PART V.—ELECTORAL SIGNS.

PART VI.—BUSH FIRES.

PART VII.—RACING.

PART II.—ECONOMIC STABILITY.

20 **2.** (1) In this Part of this Act unless inconsistent with the context or subject-matter— Interpretation.

"Commonwealth Regulations" means—

The National Security (Prices) Regulations;

25 The National Security (Landlord and Tenant) Regulations;

The National Security (Capital Issues) Regulations, and

30 The National Security (Economic Organization) Regulations (other than regulation 4 and Part V)

in the form in which those regulations exist immediately prior to the commencing day; and a reference to the Commonwealth Regulations shall be read as including a reference to any part of those Regulations;

35

"the



*Economic Stability and War-time Provisions Continuance.*

“the commencing day” in relation to any Commonwealth Regulations means the day fixed by the Governor under section three of this Act in relation to those Regulations.

5 (2) In this Part of this Act and in any regulations or instruments in operation by virtue of this Part of this Act, unless the contrary intention appears—

10 (a) any reference to a Minister shall be read as a reference to a Minister of State of the Commonwealth;

(b) any reference to the Gazette shall be read as a reference to the Commonwealth Gazette;

15 (c) any reference to the Public Service Board shall be read as a reference to the Commonwealth Public Service Board of Commissioners; and

(d) any reference to any officer shall be read as a reference to that officer of the Commonwealth.

20 **3.** (1) The Governor may, by proclamation published in the New South Wales Government Gazette, fix a commencing day in respect of all or any of the Commonwealth Regulations. Operation of certain regulations.

(2) Any day fixed in pursuance of subsection one of this section may be a day either before or after the date of the proclamation fixing that day.

25 (3) On and after the commencing day so proclaimed in relation to any such Regulations, those Regulations, in the form in which they existed immediately prior to that day, shall, subject to this Part of this Act, be and be deemed to have been in operation  
30 as if they were regulations made under this Part of this Act.

**4.** Each authority and officer continued in existence, constituted, appointed or holding office under any Commonwealth Regulations in operation by virtue of section three of this Act shall, subject to this Part of this Act, continue to be in existence, constituted or appointed or to hold office for the purposes of those Regulations as in operation by virtue of this Part of this Act. Continuance of officers, authorities, etc.

**5.**



*Economic Stability and War-time Provisions Continuance.*

5 **5.** All orders, declarations, determinations, delega-  
 tions, authorities, applications, notifications, rules,  
 consents, agreements, requirements, valuations,  
 certificates, reports, notices or directions which were  
 10 made, given or entered into under any Commonwealth  
 Regulations in operation by virtue of section three of  
 this Act and which were in force or subsisting  
 immediately prior to the commencing day fixed under  
 this Part of this Act in respect of those Regulations shall,  
 15 subject to this Part of this Act, be in force or effective  
 so far as they operated or purported to operate in or in  
 relation to the State but may be revoked or varied under  
 any regulations in operation by virtue of this Part of  
 this Act.

Continuance  
 of orders,  
 etc.

15 **6.** (1) Any person who contravenes or fails to comply  
 with—

- (a) any provision of any regulation in operation by  
 virtue of this Part of this Act; or  
 20 (b) any order, rule or other instrument in operation  
 by virtue of this Part of this Act or made in  
 pursuance of any regulation in operation under  
 this Part of this Act,

shall be guilty of an offence against this Part of this Act.

25 (2) An offence against this Part of this Act may  
 be prosecuted either summarily or upon indictment.

(3) The punishment for an offence against this  
 Part of this Act shall be—

- 30 (a) if the offence is prosecuted summarily—a fine  
 not exceeding one hundred pounds or imprison-  
 ment for a term not exceeding six months; or  
 (b) if the offence is prosecuted upon indictment—  
 a fine not exceeding five hundred pounds or  
 imprisonment for a term not exceeding two  
 years.

35 (4) In addition to any other punishment, a court  
 may, if it thinks fit, order the forfeiture of any money  
 or goods in respect of which an offence against this Part  
 of this Act has been committed.



*Economic Stability and War-time Provisions Continuance.*

7. Where a person convicted of an offence against this Part of this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed  
5 to be guilty of the offence, unless he proves that the offence was committed without his knowledge, or that he used all due diligence to prevent the commission of the offence.

Offences by corporations.

8. (1) Where any person is convicted of an offence  
10 against this Part of this Act, the court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognizances with or without sureties to comply with the provisions of the regulations, orders,  
15 rules or other instruments in relation to which the offence was committed.

Power to order recognizances.

(2) If any person fails to comply with an order of the court requiring him to enter into recognizances, the court may order him to be imprisoned for any term not  
20 exceeding six months.

9. (1) Any Minister having any powers or functions under any regulation in operation by virtue of this Part of this Act may, in relation to any matters or class of matters, by writing under his hand, delegate all or any  
25 of his powers and functions under that regulation (except this power of delegation) so that the delegated powers or functions may be exercised by the delegate with respect to the matters or class of matters specified in the instrument of delegation.

Delegation of powers under regulations.

30 (2) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister.

(3) Where in any regulation in operation by virtue of this Part of this Act the exercise of any power or  
35 function by a Minister, or the operation of any provision of that regulation, is dependent upon the opinion, belief or state of mind of a Minister in relation to any matter, that power or function may be exercised by the person to whom that power or function has been delegated by the  
the



*Economic Stability and War-time Provisions Continuance.*

the Minister or that provision may operate, as the case may be, upon the opinion, belief or state of mind of that person in relation to that matter.

(4) Any delegation which was made by a Minister  
5 in respect of any of his powers and functions under any Commonwealth Regulations in operation by virtue of section three of this Act and which was in force immediately prior to the commencing day shall continue in force as if made under this Part of this Act.

10 **10.** (1) The Governor may, after consultation has taken place between the Premier of the State and the Prime Minister of the Commonwealth, make regula-  
tions—

(a) for or in respect of any matters or class of  
15 matters dealt with in any Commonwealth Regulations in operation by virtue of section three of this Act;

(b) repealing or amending any regulations in  
20 operation by virtue of this Part of this Act but so that any such amendment shall be in respect of a matter dealt with by those regulations.

(2) The regulations made under this section may  
provide for empowering such persons or classes of  
persons as are prescribed and thereto authorised in  
25 pursuance of the regulations, to make orders, rules or other instruments for any of the purposes for which regulations are, by this Part of this Act, authorised to be made.

(3) The regulations made under this section shall—

(a) be published in the Gazette;  
30 (b) take effect from the date of publication or from a later date to be specified in the regulations; and

(c) be laid before both Houses of Parliament within  
35 fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If



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*Economic Stability and War-time Provisions Continuance.*

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5 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

11. (1) This Part of this Act and any regulations in operation by virtue of this Part of this Act and any orders, rules or other instruments in operation by virtue  
10 of such Part or regulations shall terminate on the thirty-first day of December, one thousand nine hundred and forty-eight, or on such earlier day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Duration  
of Part.

15 (2) The provisions of section eight of the Interpretation Act of 1897 shall apply in relation to the termination of this Part of this Act and of any such regulations, orders, rules or other instruments as if that  
20 rule or other instrument were an Act.

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PART III.

HIRE-PURCHASE AGREEMENTS AND MONEY-LENDERS.

12. (1) This Part of this Act shall commence upon  
25 the first day of January, one thousand nine hundred and forty-seven.

Commence-  
ment and  
citation.

(2) (a) The Hire-purchase Agreements Act, 1941, as amended by this Part of this Act, may be cited as the Hire-purchase Agreements Act, 1941-1946.

(b) The Money-lenders and Infants Loans  
30 Act, 1941, as amended by this Part of this Act, may be cited as the Money-lenders and Infants Loans Act, 1941-1946.

13.



*Economic Stability and War-time Provisions Continuance.*

**13.** The Hire-purchase Agreements Act, 1941, is amended—

Amendment of  
Act No. 56,  
1941.

(a) by inserting at the end of subsection three of section eight the following words:—

Sec. 8.

(Provisions  
as to  
guarantors.)

5        Provided that any such agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven) binding the guarantor—

10        (a) to pay to the vendor a larger aggregate sum than that which the purchaser is liable to pay under the hire-purchase agreement in respect of which the guarantee is given; or

15        (b) to perform any obligation in respect of goods other than the goods comprised in the hire-purchase agreement in respect of which the guarantee is given

20        shall be null and void unless such agreement is executed by the guarantor in the presence of a chamber magistrate, clerk of petty sessions, or a solicitor instructed and employed independently of the vendor and is certified by such magistrate, clerk of petty sessions or solicitor as hereinafter provided.

25        The magistrate, clerk of petty sessions or solicitor—

30        (i) shall read over and explain, or cause to be read over and explained in his presence, to the guarantor the agreement; and

(ii) shall examine the guarantor touching his knowledge of the agreement; and

35        (iii) if he thinks fit may so examine him separately and apart from any other person; and

(iv) if he is satisfied that the guarantor understands the true purport and effect thereof and freely and voluntarily executes



*Economic Stability and War-time Provisions Continuance.*

5 executes the same, shall certify in writing upon the agreement that the agreement has been so read over and explained, and that he has examined the guarantor and is satisfied as here-  
inbefore required, and that the guarantor has executed the agreement in his presence.

10 (b) by inserting next after section fourteen the following new section:— New sec. 14A.

15 14A. Where by virtue of a hire-purchase agreement (whether entered into before or after the first day of January, one thousand nine hundred and forty-seven), a purchaser is under a duty to keep the goods comprised in the agree-  
ment in his possession or control at any particular address or not to remove such goods from any particular address a court of petty sessions exercising jurisdiction in the petty sessions district within which the purchaser resides or to which the purchaser desires to remove the goods may on application of the purchaser order that the purchaser shall be entitled to remove such goods in accordance with the provisions of such order. Removal of goods.

20 The removal of any goods in accordance with the provisions of any such order relating to such goods shall not be deemed to be a breach of any covenant or condition in the hire-purchase agreement.

30 (c) by inserting next after section sixteen the following new section:— New sec. 16A.

35 16A. (1) If in connection with the sale of any goods the person by whom or on whose behalf the sale is negotiated (hereinafter called the "owner") arranges that some other person (hereinafter called the "lender") shall:— Restrictions on payments to owners of goods by financiers.

40 (a) enter into a hire-purchase agreement in relation to those goods with a purchaser; or

(b)



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*Economic Stability and War-time Provisions Continuance.*

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(b) accept any assignment of the owner's property in the goods comprised in, or of the owner's rights under, a hire-purchase agreement; or

5 (c) advance or pay money to the owner or to some person on his behalf in respect of a hire-purchase agreement in relation to such goods,

10 such owner shall not seek, accept, demand or receive from the lender, and such lender shall not pay, offer or grant to the owner, directly or indirectly, any money or other valuable consideration which, together with the money (if any) paid or payable by or on behalf of the purchaser to the owner and the value of any  
15 other consideration (if any) furnished or to be furnished by or on behalf of the purchaser to the owner, would exceed the price at which the goods might have been purchased from the  
20 owner by the purchaser for cash.

In the absence of proof as to the price at which the goods might have been purchased from the owner by the purchaser for cash such price shall be deemed to be the price specified  
25 in the hire-purchase agreement pursuant to the provisions of paragraph (a) of subsection two of section twenty-three of this Act.

(2) Any person guilty of an offence against this section shall be liable on summary  
30 conviction—

(a) if a company—to a penalty not exceeding two hundred pounds;

35 (b) if any other person—to a penalty not exceeding one hundred pounds, or to imprisonment not exceeding three months, or to both such penalty and imprisonment.



*Economic Stability and War-time Provisions Continuance.*

14. The Hire-purchase Agreements Act, 1941, is further amended—

Further amendment of Act No. 56, 1941.  
Sec. 1.  
(Division into Parts.)

- (a) by inserting at the end of subsection two of section one the following matter:—

5

PART IV.—MINIMUM DEPOSITS.

- (b) by inserting next after section twenty-nine the following new Part:—

New Part IV.

PART IV.—MINIMUM DEPOSITS.

30. In this Part "hire-purchase agreement" does not include any agreement or arrangement which is entered into solely for the purpose of giving effect to an assignment or transfer of the rights and liabilities under an existing hire-purchase agreement from the purchaser to another person.

Definition.

15

31. (1) A person shall not enter into any hire-purchase agreement unless the agreement provides for payment of a deposit as follows:—

Minimum deposits.

20

- (a) where the goods the subject of the agreement consist of:—

25

- (i) an agricultural implement;
- (ii) machinery to be used for manufacturing or industrial purposes;
- (iii) a motor tractor;
- (iv) electrical appliances, machinery or equipment for use wholly or partly in or for the purposes of primary production; or
- (v) any appliance operated by gas or electricity where the vendor of such appliance is a supply authority,

30

a deposit of not less than one-tenth of the purchase price;

35

- (b) in any other case, a deposit of not less than one-fifth of the purchase price;
- (c) where the goods the subject of the agreement consist of goods in respect of which different minimum deposits are

are



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are required by this section, a deposit of not less than the deposit which would be payable if all the goods were of that class of goods subject to the agreement in respect of which the greatest minimum deposit is required.

5

In this subsection "supply authority" means—

10

(a) a gas company as defined in the Gas and Electricity Act, 1935, as amended by subsequent Acts;

15

(b) an electricity supply authority as defined in the Electricity Development Act, 1945.

20

(2) The deposit required by subsection one of this section may include the value of any goods provided or required to be provided by the purchaser to purchase the goods under the hire-purchase agreement.

32. A hire-purchase agreement entered into in contravention of this Part shall be void except insofar as the rights of the purchaser thereunder or arising thereout are concerned.

Hire-purchase agreements in contravention of this Part.

25

**15.** The Money-lenders and Infants Loans Act, 1941, is amended—

Amendment of Act No. 67, 1941.

(a) by inserting in subsection three of section one after the words and figures "PART IV.— MISCELLANEOUS" the following matter:—

Sec. 1. (Division into Parts.)

30

PART V.—CASH ORDERS.

(b) by inserting next after section fifty-one the following new Part:—

New Part V.

PART V.—CASH ORDERS.

35

52. (1) In this Part of this Act unless the context or subject-matter otherwise indicates or requires:—

Definitions and application.

"Cash loan" means a loan of money made or to be made by a cash order trader.

"Cash



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5 “Cash order” includes any document which  
 is issued for the purpose of enabling  
 a person to receive goods, services  
 or other valuable consideration in  
 exchange therefor and in consideration  
 of, or in association with, an agreement  
 by that person to pay to the person  
 issuing the order the amount thereof  
 at a fixed or determinable future time,  
 10 or by instalments, but does not include  
 a bill of exchange.

15 “Cash order trader” means a licensed  
 money-lender who carries on the  
 business of issuing cash orders, whether  
 alone or in conjunction with any other  
 business.

20 (2) This Part of this Act shall apply to  
 and in respect of cash orders issued after the  
 commencement of the National Security (Cash  
 Orders and Hire Purchase Agreements) Regula-  
 tions under the National Security Act 1939-1943  
 of the Parliament of the Commonwealth and  
 subsisting upon the first day of January, one  
 thousand nine hundred and forty-seven, as well  
 25 as to cash orders issued after the said first day  
 of January.

30 53. (1) Subject to subsection two of this  
 section, a cash order trader shall not issue a  
 cash order—

- 30 (a) at any place other than his authorised  
 address; and
- (b) unless the applicant for the cash order  
 receives it in person at such address.

Cash orders  
 to be issued  
 only at  
 authorised  
 address and  
 to be  
 received  
 in person.

35 (2) Nothing in subsection one of this  
 section shall prevent a cash order trader from  
 issuing a cash order otherwise than in person  
 to the applicant therefor if an application in  
 writing for the issue of the cash order has been  
 received otherwise than through an employee or  
 40 agent of the cash order trader.

(3)



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(3) An employee or agent of a cash order trader shall not—

- (a) prepare or complete an application for the issue of a cash order; or
- 5 (b) accept or receive an application for the issue of a cash order for transmission through the post or otherwise to a cash order trader.

10 54. (1) A cash order trader shall not make any agreement or arrangement for the charging or receipt of, or, subject to subsection three of this section, charge or receive in respect of any cash order issued by him any sum greater than the amount of the cash order and an amount  
15 calculated at the rate of nine pence for each one pound of the amount of the cash order.

Control of cash orders.

20 (2) A person who accepts a cash order in exchange for any goods, services or other valuable consideration shall present it for redemption within one month after he so accepts it, but failure to comply with the provisions of this subsection shall not invalidate any cash order or affect the rights or obligations of any person arising under, or in connection with, any  
25 cash order.

(3) A person who redeems a cash order shall pay to the person who presents the cash order for redemption the full amount thereof less—

- 30 (a) where payment is made not later than fourteen days after—
  - (i) the end of the month during which the cash order is presented for redemption; or
  - 35 (ii) the date on which the goods for which the cash order was exchanged were delivered, or the date on which the services or other



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other valuable consideration  
for which the cash order was  
exchanged were received,

5

whichever is the later—an amount not  
exceeding ten per centum of the amount  
of the cash order; or

(b) in any other case—an amount not  
exceeding five per centum of the amount  
of the cash order.

10

(4) A cash order trader shall not issue a  
cash order unless it is repayable in full within  
not more than twenty weeks after the date of  
issue thereof.

15

55. (1) A cash order trader shall not issue  
to any person any cash order for an amount  
exceeding twenty pounds.

Cash orders  
in excess  
of £20  
not to be  
issued.

(2) A cash order trader shall not issue a  
cash order to any person unless that person  
certifies in writing to the cash order trader—

20

(a) that a cash order has not at any time  
previously been issued to him or her,  
or to his or her spouse, as the case may  
be;

25

(b) that the amount unpaid under all cash  
orders previously issued to him or her,  
together with the amount (if any)  
unpaid under any cash orders  
previously issued to his or her spouse,  
as the case may be, together with the  
amount of the cash order then issued,  
does not exceed twenty pounds;

30

(c) that he or she, being married, is living  
separate and apart from his or her  
spouse, as the case may be; or

35

(d) that, being married, his or her spouse,  
as the case may be, is outside New  
South Wales;

and the cash order trader has no reason to doubt  
the truth of the certificate.

(3)



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5 (3) Any person who makes any false or misleading statement in any certificate given for the purposes of subsection two of this section shall be guilty of an offence against this Act and shall be liable to the penalty provided by section fifty-nine of this Act.

10 (4) Every cash order trader shall preserve at his authorised address all certificates given to him under subsection two of this section for a period of not less than one year after the completion of the transaction to which the certificate relates.

15 56. A cash order trader shall not make a cash loan to any person where any amount remains unpaid under any cash order previously issued by that cash order trader to that person, or to his wife or her husband, as the case may be. Cash loan not to be made in certain cases.

20 57. Where portion of the amount of a cash order is not expended, the cash order trader shall, on demand by the person to whom the cash order was issued, credit him with, or, where the cash order has been repaid in full, pay to him, the amount unexpended. Amounts not expended to be credited or paid.

25 58. (1) In this section—  
 “quarter” means a period of three months commencing on the first day of January, the first day of April, the first day of July, or the first day of October; Limitation of volume of business of cash order traders.

30 “volume of business”, in relation to any cash order trader, means the total amount of all cash orders issued by that cash order trader during a quarter.

35 (2) The Minister may, by notification in the Gazette, determine from time to time the volume of business of any cash order trader in respect of any quarter or quarters commencing after the date of publication of such notification.

(3)



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5 (3) A cash order trader to whom any determination under subsection two of this section applies shall not, as from the commencement of any quarter in respect of which such determination has been made, issue any cash order so that his volume of business in respect of that quarter exceeds the volume of business determined as aforesaid in respect of that quarter.

10 (4) (a) Where the Treasurer of the Commonwealth of Australia has, pursuant to the provisions of regulation seventeen of the National Security (Cash Orders and Hire Purchase Agreements) Regulations, determined  
15 the volume of business of any cash order trader in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six, that cash order trader shall not issue  
20 any cash order so that his volume of business in respect of any quarter exceeds the volume of business determined by the Treasurer in respect of the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

25 (b) In the case of any cash order trader holding a license under regulation six of the National Security (Cash Orders and Hire Purchase Agreements) Regulations on the fifth day of December, one thousand nine hundred  
30 and forty-six, in respect of whom the Treasurer of the Commonwealth of Australia has not made any determination as aforesaid, that cash order trader shall not issue any cash order so that his volume of business in respect  
35 of any quarter exceeds the volume of business undertaken by him during the quarter commencing on the first day of October, one thousand nine hundred and forty-six.

40 (c) Where a determination has been made under subsection two of this section in respect of a cash order trader to whom this



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subsection applies this subsection shall in relation to that cash order trader cease to have effect in respect of any quarter as to which such determination is made.

5 (5) Every cash order trader shall, during the months of January, April, July and October of each year furnish to the Minister full particulars of his volume of business for the quarter immediately preceding that month.

10 59. (1) Any agreement or arrangement entered into or made, cash order issued, or cash loan made in contravention of this Part of this Act shall be void, but nothing in this section shall affect the right of any person who receives a cash order in exchange for goods, services or other valuable consideration to obtain redemption of the cash order.

Invalidation of transactions in contravention of Part and penalties.

15 (2) Any person who contravenes or fails to comply with any of the provisions of this Part of this Act shall be guilty of an offence against this Act and liable—

20 (a) if a company—to a penalty of not less than fifty pounds and not exceeding five hundred pounds;

25 (b) if any other person—to a penalty of not less than ten pounds and not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such penalty and imprisonment.

30 (c) by inserting at the end of subsection five of section twenty-three the words:—

35 “In this subsection ‘money-lending transaction’ does not include a cash order within the meaning of Part V of this Act.”

Sec. 23.  
(Regulation of loans to and guarantees by married persons.)



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## PART IV.

## PROFESSIONAL REGISTERS.

**16.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and 5 forty-seven. Commence-  
ment of  
Part.

**17.** (1) The Medical Practitioners Act, 1938-1945, is amended— Amendment  
of Act No.  
37, 1938.

(a) by omitting from subsection one of section thirty-one the words “and shall, by him, be published in the Gazette” and by inserting in lieu thereof the words “who shall thereupon cause the same to be printed and published by the Government Printer”; Sec. 31.  
(Publication  
of copy  
of register.)

(b) by omitting from subsection two of the same section the words “appearing in the Gazette” and by inserting in lieu thereof the words “purporting to be printed by the Government Printer.”

(2) The Medical Practitioners Act, 1938, as 20 amended by subsequent Acts and by this section, may be cited as the Medical Practitioners Act, 1938-1946.

**18.** (1) The Dentists Act, 1934-1945, is amended— Amendment  
of Act No. 10,  
1934.

(a) by omitting from subsection two of section six the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”; Sec. 6.  
(Particulars  
in register.)

(b) by omitting from paragraph (b) of subsection one of section twenty the words “a copy of the Gazette containing the latest published copy of the register” and by inserting in lieu thereof the words “a copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed.” Sec. 20,  
(Evidence of  
entry in  
register.)

(2) The Dentists Act, 1934, as amended by sub- 35 sequent Acts and by this section, may be cited as the Dentists Act, 1934-1946.



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**19.** (1) The Pharmacy Act, 1897-1940, is amended—

Amendment  
of Act No. 7,  
1897.

- 5 (a) by omitting from section ten the words “publish in the Gazette” and by inserting in lieu thereof the words “cause to be printed and published by the Government Printer”;
- 10 (b) by omitting from section twenty-three the words “the Gazette containing the list provided for in section ten” and by inserting in lieu thereof the words “the list referred to in section ten of this Act purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

Sec. 10.  
(List of  
pharmacists  
to be  
published.)

Sec. 23.  
(Registers  
to be  
prima facie  
evidence.)

(2) The Pharmacy Act, 1897, as amended by subsequent Acts and by this section, may be cited as the  
15 Pharmacy Act, 1897-1946.

**20.** (1) The Opticians Act, 1930-1945, is amended by omitting from subsection one of section thirteen the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the  
20 Government Printer.”

Amendment  
of Act No.  
20, 1930.  
Sec. 13.  
(Register.)

(2) The Opticians Act, 1930, as amended by subsequent Acts and by this section, may be cited as the Opticians Act, 1930-1946.

**21.** (1) The Nurses’ Registration Act, 1924-1932, is  
25 amended—

Amendment  
of Act No.  
37, 1924.

- 30 (a) by omitting from subsection one of section eleven the words “published in the Gazette” and by inserting in lieu thereof the words “printed and published by the Government Printer”;
- 35 (b) by omitting from the same subsection the words “A copy of such Gazette” and by inserting in lieu thereof the words “A copy of such lists purporting to be printed by the Government Printer which is for the time being the latest copy so printed.”

Sec. 11.  
(Register.)

(2) The Nurses’ Registration Act, 1924, as amended by subsequent Acts and by this section, may be cited as the Nurses’ Registration Act, 1924-1946.

**22.**



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- 22.** (1) The Architects Act, 1921-1941, is amended by omitting from subsection one of section ten the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer."  
Amendment of Act No. 8, 1921. Sec. 10. (Architects roll.)
- (2) The Architects Act, 1921, as amended by subsequent Acts and by this section, may be cited as the Architects Act, 1921-1946.
- 23.** (1) The Veterinary Surgeons Act, 1923, is amended—  
Amendment of Act No. 25, 1923. Sec. 10. (Roll.)
- (a) by omitting from subsection one of section ten the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer";
- (b) by omitting from subsection two of the same section the words "A copy of the Gazette" and by inserting in lieu thereof the words "A copy of the register purporting to be printed by the Government Printer."
- (2) The Veterinary Surgeons Act, 1923, as amended by this section may be cited as the Veterinary Surgeons Act, 1923-1946.
- 24.** (1) The Surveyors Act, 1929, as amended by subsequent Acts, is amended—  
Amendment of Act No. 3, 1929. Sec. 8. (Board to keep a register.)
- (a) by omitting subsection three of section eight and by inserting in lieu thereof the following subsection:—
- (3) The board shall, in the month of January in each year, cause a copy of the register signed by the president to be printed and published by the Government Printer.
- (b) by omitting from subsection four of the same section the words "A copy of the Gazette" and by inserting in lieu thereof the words "A copy of the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed."
- (2) The Surveyors Act, 1929, as amended by subsequent Acts and by this section, may be cited as the Surveyors Act, 1929-1946.



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**25.** (1) The Registration of Births, Deaths, and Marriages Act, 1899-1944, is amended—

Amendment  
of Act No. 17,  
1899.

5 (a) by omitting from subsection one of section thirty-four the words "publish in the Gazette" and by inserting in lieu thereof the words "cause to be printed and published by the Government Printer";

Sec. 34.  
(Annual  
list of  
names.)

10 (b) by inserting at the end of the same subsection the following words:—

"Every list so printed shall bear thereon the day, month and year of its publication."

(2) The Registration of Births Deaths and Marriages Act 1899, as amended by subsequent Acts and by this section, may be cited as the Registration of Births, Deaths, and Marriages Act, 1899-1946.

**26.** (1) The Physiotherapists Registration Act, 1945, is amended—

Amendment  
of Act No. 9,  
1945.

20 (a) by omitting from subsection five of section twenty the words "published in the Gazette" and by inserting in lieu thereof the words "printed and published by the Government Printer";

Sec. 20.  
(Register.)

25 (b) by omitting from paragraph (b) of subsection one of section thirty-one the words "the Gazette containing the latest published copy of the register" and by inserting in lieu thereof the words "the register purporting to be printed by the Government Printer which is for the time being the latest copy so printed."

Sec. 31.  
(Evidence  
of entry in  
register.)

30 (2) The Physiotherapists Registration Act, 1945, as amended by this section, may be cited as the Physiotherapists Registration Act, 1945-1946.



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## PART V.

## ELECTORAL SIGNS.

27. (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and 5 forty-seven.

Commence-  
ment of  
Part and  
citation.

(2) The Parliamentary Electorates and Elections Act, 1912, as amended by subsequent Acts and by this Part of this Act, may be cited as the Parliamentary Electorates and Elections Act, 1912-1946.

10 28. The Parliamentary Electorates and Elections Act, 1912-1944, is amended by inserting next after section 151A the following new section:—

Amendment  
of Act No.  
41, 1912.  
New sec.  
151B.

15 151B. (1) Any person who posts up or exhibits or permits or causes to be posted up or exhibited, any poster of any size exceeding the prescribed size, shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

Exhibition  
of  
posters.

20 (2) A poster shall be deemed to be posted up or exhibited if it is posted up or exhibited in or on any building, vehicle, vessel, hoarding or fence, or in or on any movable or immovable object in any place (whether it is or is not a public place and whether on land or water or in the air).

25 (3) Nothing in this section shall prohibit the projection by means of any cinematograph or other similar apparatus of any electoral matter on to any screen in any theatre, or public hall licensed under the Theatres and Public Halls Act, 1908-1946.

30 (4) Every contract or agreement for the posting up or exhibition of any poster entered into on or before the first day of January, one thousand nine hundred and forty-seven, is to the extent to which the contract or agreement relates to any poster of a size exceeding the prescribed size hereby 35 declared to be void and of no effect.

(5) Any person who writes, draws or depicts any electoral matter directly on any roadway, foot-path, building, vehicle, vessel, hoarding or place (whether



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(whether it is or is not a public place and whether on land or water) shall be liable to a penalty of not less than twenty pounds and not exceeding fifty pounds.

(6) In this section—

5 “electoral matter” means any matter which is intended or calculated or likely to affect or is capable of affecting the result of any election held or to be held under this Act or of any referendum of the electors held or  
10 to be held in accordance with the provisions of any Act or which is intended or calculated or likely to influence or is capable of influencing an elector in relation to the casting of his vote at any such election or  
15 referendum.

20 “poster” means any electoral matter printed, drawn or depicted on any material whatsoever and where any electoral matter is printed, drawn or depicted in sections, such sections, both severally and collectively, shall be deemed to be a poster.

“the prescribed size” means ten inches in length and six inches in width.

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PART VI.

25 BUSH FIRES.

29. (1) This Part of this Act shall commence upon the first day of January, one thousand nine hundred and forty-seven.

Commence-  
ment of  
Part and  
citation.

30 (2) The Careless Use of Fire Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Careless Use of Fire Act, 1912-1946.

30.



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**30.** The Careless Use of Fire Act, 1912, as amended by subsequent Acts, is amended by inserting next after section 4A the following new section:—

Amendment  
of Act No. 28,  
1912.  
New sec. 4B.

5 4B. (1) Where the Minister is of opinion that it is necessary or expedient in the interests of public safety so to do, he may by notification published in the Gazette or in a newspaper circulating in the area or areas to which the direction relates, direct that—

Lighting  
of fires  
prohibited  
in emergent  
circum-  
stances.

10 (a) the lighting of any fire or class of fire in the open air is prohibited in such area or areas and for such period or periods as may be specified in such notification;

15 (b) such special conditions as may be specified in such notification be observed by persons lighting any fire or class of fire in the open air in such area or areas and for such period or periods as may be specified in such notification;

20 (c) such action as may be specified in such notification be taken in such area or areas and by such persons or class of persons as may be specified in such notification for preventing the outbreak or the spread of any bush fire or for controlling or extinguishing any bush fire.

30 (2) Where the Minister is of the opinion that the weather conditions are conducive to the outbreak or spread of bush fires or that weather conditions conducive to the outbreak or spread of bush fires are imminent and that it is impracticable to give any directions under paragraph (a) of subsection one of this section in the manner prescribed by that subsection such directions may be given by or on behalf of the Minister verbally or in such other manner including aerial broadcast as the Minister deems expedient.

35 (3) The Minister may by writing under his hand delegate all or any of his powers or functions under this section (except this power of delegation) to the council of an area so that the delegated powers

or



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or functions with respect to the matters or class of matters specified in the instrument of delegation may be exercised by that council in respect of the area of which it is the council.

5 Every delegation under this subsection shall be revocable at will and no delegation shall prevent the exercise of any power or function by the Minister.

10 Where in this section the exercise of any power or function by the Minister or the operation of any provision of this section is dependent upon the opinion of the Minister in relation to any matter that power or function may be exercised by the delegate or that provision may operate, as the case  
15 may be, upon the opinion of the delegate in relation to that matter.

(4) Any person who fails to comply with any direction given by the Minister or the council of an area under or pursuant to the provisions of this  
20 section shall be liable to a penalty not exceeding one hundred pounds or to be imprisoned for any period not exceeding one year or to both such penalty and imprisonment.

(5) In this section "council" and "area" have the meanings ascribed thereto respectively in  
25 the Local Government Act, 1919, as amended by subsequent Acts.

(6) The provisions of this section shall have  
30 effect notwithstanding anything contained in this or any other Act to the contrary.



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## PART VII.

## RACING.

**31.** This Part of this Act shall commence upon the first day of January, one thousand nine hundred and  
5 forty-seven. Commence-  
ment of  
Part.

**32.** (1) In this section "race-meeting" and "race-course" shall have the meanings ascribed thereto in the Gaming and Betting Act, 1912-1942. Restrictions  
applicable  
to race-  
meetings.

(2) No race-meeting shall be held on any race-  
10 course within seventy-five miles of the General Post Office, Sydney, nor within forty miles of the principal post office, Newcastle, on any day other than a Saturday or public holiday:

Provided that the Governor may authorise a race-  
15 meeting to be held on Randwick Racecourse on Wednesday, the ninth day of April, one thousand nine hundred and forty-seven:

Provided further that where a race-meeting to be held  
20 on any race-course on any day in accordance with the provisions of this subsection cannot be held on such day on account of unfavourable weather such race-meeting may be postponed and held on any other day (not being Sunday, Good Friday or Christmas Day) within fourteen days of such postponement.

(3) If any race-meeting is held in contravention  
25 of this section, the owner or trustees of the race-course, and the club, association, or person by or on behalf of which or whom such race-meeting was so held, and each member of the managing body of such trustees, club or  
30 association, and any person acting at such race-meeting as starter or judge, shall be liable to a penalty not less than five hundred pounds and not exceeding one thousand pounds.

(4)



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(4) The provisions of this section shall have effect notwithstanding anything contained in the Gaming and Betting Act, 1912-1942, or any other Act.

(5) This section shall remain in force until the  
5 thirtieth day of June, one thousand nine hundred and forty-seven:

Provided that the Governor may by notification published in the Gazette extend the operation of this section for such period not exceeding three months as the  
10 Governor may determine.