Legislative Council.

22° Victoriæ, 1858.

A BILL

For regulating Common Lodging-houses.

WHEREAS the regulation of Common Lodging-houses would conduce to the public health and convenience Be it therefore enacted by the Queen'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 :— Preamble.

1. In the construction of this Act the following terms in inverted commas shall bear the meanings set against them respectively :— Interpretation.

"Common Lodging-house."—Any house or other edifice or any part of any house or other edifice into which any persons not fewer than are ordinarily admissible for pay to lodge at night or which is ordinarily or occasionally used with or without pay as a place of lodging by immigrants or wayfarers.

"Landlord."—The owner or any one of the joint owners of any such Common Lodging-house.

"Tenant"—The person occupying and chiefly superintending any such Common Lodging-house.

2. A copy of this Act shall be published by the Inspector General of Police in two Sydney newspapers twice in every week between the time of its passing and its commencement. Publication of Act.

3. No lodger shall be received into any Common Lodging-house until it shall have been inspected and its landlord and tenant registered and such house and tenant licensed as hereinafter mentioned. Lodging Houses to be inspected licensed and registered.

4. Upon an application in writing to the Inspector General of Police from any tenant for a license under this Act accompanied by a certificate of the good character of the applicant signed by two respectable housekeepers in the street in which his proposed Common Lodging-house is situate or in some adjoining street the said Inspector General may refer such application to the Officer of Health for the City of Sydney Who shall thereupon Terms on which license may be granted.

thereupon inspect the premises and report to such Inspector his opinion as to their fitness as a Common Lodging-house—the number and dimensions of the several rooms by square superficial feet and by cubic feet—the mode in which the sexes ought to be classified—and the alterations if any which require to be made for better drainage ventilation or supply of water And if and when the said Inspector General is satisfied with such report and that such required alterations if any have been properly made he may grant a license for such premises as a Common Lodging-house for months And such applicant shall pay for such license the sum of pounds to be paid into the Colonial Treasury to the credit of the Consolidated Revenue Fund.

Register.

5. The said Inspector General shall cause a book to be kept in his office with alphabetical references to be called the Common Lodging-houses Register in which every such license shall be registered—with the exact situation of the Common Lodging-house—the number and dimensions of its sleeping rooms—the number and sex of the lodgers allowed for each such room—and the name designation and residence of the landlord and the name and other designation if any of the tenant.

Rules and penalties.

6. The Inspector General of Police may from time to time with the advice of the said Officer of Health make Rules for and relating to the drainage ventilation disinfection and cleansing of Common Lodging-houses and their appurtenances—the supply of water and gas thereto—the numbers and classification of lodgers—the treatment and removal of sick lodgers—the intimations of deaths—the entry in books of all particulars relating to and the returns of lodgers admitted—and generally for the regulation and well ordering of Common Lodging-houses And may by such rules fix and impose penalties for their violation in no case exceeding pounds And all such rules when approved by the Governor with the advice of the Executive Council and published in the *Government Gazette* shall be of as full effect and force as if they were part of this Act And all such penalties may be enforced and recovered accordingly.

To be approved by Government.

Certified copies of Registry good evidence.

7. A copy of any entry in the said Register certified under the hand of the Inspector General of Police shall be as good evidence of the contents thereof in any Court of Justice as the Register itself And every person intending to proceed for the recovery of any penalty under this Act and producing to the said Inspector General a summons or warrant in the matter of such proceeding shall upon requesting the same be supplied gratuitously with a certified copy of any such entry relating to such proceeding.

8.

8. The said Inspector General shall by writing under his hand served upon any tenant or at his Common Lodging-house cancel his license upon his having been convicted twice in penalties for the same offence or three times in penalties for any offences under this Act And such license shall be cancelled accordingly And no new license shall be granted to the same person for one year thereafter. For what offence license may be cancelled.

9. Every person who shall keep a Common Lodging-house and shall receive lodgers therein without a license or after such cancelling as aforesaid shall for every such offence forfeit the sum of pounds. Penalty for keeping house without license.

10. The Inspector General of Police or the said Officer of Health either alone or with any Officer of Police may enter and inspect any Common Lodging-house at any hour of the day or night And every person who shall prevent or obstruct such entrance or inspection shall for every such offence forfeit the sum of pounds. Right of entry and inspection.

11. All penalties under this Act may be recovered before any two Justices of the Peace. Recovery of penalties.

12. This Act shall extend to every City and Town throughout the whole Metropolitan District of Sydney. Extent.

13. The Governor with the advice aforesaid may by Proclamation published in the *Government Gazette* from time to time declare that the provisions of this Act shall apply to any other City or Town in the Colony and may in such Proclamation determine and name the officer person or other authorities who shall in such City or Town have all the like powers and execute all the like duties as are hereby conferred and imposed upon the Inspector General of Police and upon the said Officer of Health And every such Proclamation shall on and after the day therein named for its taking effect not being less than two months after the day of its first publication have the same force and effect in such City or Town as if it were part of this Act. Act may be applied to other Cities and Towns.

14. This Act shall commence one month after its passing And may be cited as "The Common Lodging-house Act of 1858." Commencement and Short Title.

Legislative Council.

22° VICTORIÆ, 1858.

A BILL

For regulating Common Lodging-houses.

(As Amended in Committee of the whole House.)

WHEREAS the regulation of Common Lodging-houses would conduce to the public health and convenience Be it therefore enacted by the Queen'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 :— Preamble.

1. In the construction of this Act the following terms in inverted commas shall bear the meanings set against them respectively :— Interpretation.

"Common Lodging-house."—Any house or other edifice or any part of any house or other edifice into which persons not being members of the family of the occupier or his domestics are ordinarily admitted for pay to lodge at night or which is ordinarily or occasionally used with or without pay as a place of lodging by immigrants or wayfarers.

"Landlord."—The owner or any one of the joint owners of any such Common Lodging-house.

"Tenant"—The person occupying and chiefly superintending any such Common Lodging-house.

2. A copy of this Act shall be published by the Inspector General of Police in two Sydney newspapers twice in every week between the time of its passing and its commencement. Publication of Act.

3. No lodger shall be received into any Common Lodging-house until it shall have been inspected and its landlord and tenant registered and such house and tenant licensed as hereinafter mentioned. Lodging Houses to be inspected licensed and registered.

4. Upon an application in writing to the Inspector General of Police from any landlord or tenant for a license under this Act accompanied by a certificate of the good character of the applicant signed by two respectable housekeepers the said Inspector General may refer such application to the Officer of Health for the City of Sydney Who shall thereupon Terms on which license may be granted.

thereupon inspect the premises and report to such Inspector his opinion as to their fitness as a Common Lodging-house—the number and dimensions of the several rooms by square superficial feet and by cubic feet—the mode in which the sexes ought to be classified—and the alterations if any which require to be made for better drainage ventilation or supply of water And if and when the said Inspector General is satisfied with such report and that such required alterations if any have been properly made he may grant a license for such premises as a Common Lodging-house for six months for so many persons as he may think fit And such applicant shall pay for such license the sum of pounds to be paid into the Colonial Treasury to the credit of the Consolidated Revenue Fund.

Register.

5. The said Inspector General shall cause a book to be kept in his office with alphabetical references to be called the Common Lodging-houses Register in which every such license shall be registered—with the exact situation of the Common Lodging-house—the number and dimensions of its sleeping rooms—the number and sex of the lodgers allowed for each such room—and the name designation and residence of the landlord and the name and other designation if any of the tenant.

Rules and penalties.

6. The Inspector General of Police may from time to time with the advice of the said Officer of Health make Rules for and relating to the drainage ventilation disinfection and cleansing of Common Lodging-houses and their appurtenances—the supply of water and gas thereto—the numbers and classification of lodgers—the treatment and removal of sick lodgers—the intimations of deaths—the entry in books of all particulars relating to and the returns of lodgers admitted—and generally for the regulation and well ordering of Common Lodging-houses And may by such rules fix and impose penalties for their violation in no case exceeding pounds And all such rules when approved by the Governor with the advice of the Executive Council and published in the *Government Gazette* shall be of as full effect and force as if they were part of this Act And all such penalties may be enforced and recovered accordingly.

To be approved by Government.

Certified copies of Registry good evidence.

7. A copy of any entry in the said Register certified under the hand of the Inspector General of Police shall be as good evidence of the contents thereof in any Court of Justice as the Register itself And every person intending to proceed for the recovery of any penalty under this Act and producing to the said Inspector General a summons or warrant in the matter of such proceeding shall upon requesting the same be supplied gratuitously with a certified copy of any such entry relating to such proceeding.

8.

8. The said Inspector General shall by writing under his hand served upon any tenant or at his Common Lodging-house cancel his license upon his having been convicted twice in penalties for the same offence or three times in penalties for any offences under this Act And such license shall be cancelled accordingly And no new license shall be granted to the same person for one year thereafter. **For what offence license may be cancelled.**

9. Every person who shall keep a Common Lodging-house and shall receive lodgers therein without a license or after such cancelling as aforesaid shall for every such offence forfeit the sum of pounds. **Penalty for keeping house without license.**

10. The Inspector General of Police or the said Officer of Health either alone or with any Officer of Police may enter and inspect any Common Lodging-house at any hour of the day or night And every person who shall prevent or obstruct such entrance or inspection shall for every such offence forfeit the sum of not exceeding twenty pounds. **Right of entry and inspection.**

11. All penalties under this Act may be recovered before any two Justices of the Peace upon complaint by the Inspector General or the Officer of Health or any Inspector or Sergeant of Police. **Recovery of penalties.**

12. This Act shall extend throughout the Metropolitan District of Sydney. **Extent.**

13. The Governor with the advice aforesaid may by Proclamation published in the *Government Gazette* from time to time declare that the provisions of this Act shall apply to any other district in the Colony and may in such Proclamation determine and name the officer person or other authorities who shall in such district have all the like powers and execute all the like duties as are hereby conferred and imposed upon the Inspector General of Police and upon the said Officer of Health And every such Proclamation shall on and after the day therein named for its taking effect not being less than two months after the day of its first publication have the same force and effect in such district as if it were part of this Act. **Act may be applied to other Cities and Towns.**

14. This Act shall commence three month after its passing And may be cited as "The Common Lodging-house Act of 1858." **Commencement and Short Title.**

Legislative Council.

COMMON LODGING HOUSES BILL.

(*On the motion for adopting the Report on the Common Lodging Houses Bill Sir A. Stephen to move its Recommittal and the insertion in Committee of the following Clause.*)

13. It shall be lawful for the Governor on the recommendation of the Inspector General to exempt from the operation of this Act from time to time any houses or other buildings which it shall appear to him to be proper so to exempt such exemption to be by writing under the hand of the Governor specifying therein the particular premises and the name in each case of the tenant thereof. Certain houses may be exempted.

This PUBLIC BILL, *having been this day passed by the* LEGISLATIVE COUNCIL, *is ready for presentation to the* LEGISLATIVE ASSEMBLY, *for its concurrence.*

Legislative Council Chamber,
Sydney, 4th August, 1858.

WM. MACPHERSON,
Clerk of the Legislative Council.

New South Wales.

ANNO VICESIMO SECUNDO

VICTORIÆ REGINÆ.

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No. .

An Act for regulating Common Lodging-houses.

WHEREAS the regulation of Common Lodging-houses would conduce to the public health and convenience Be it therefore enacted by the Queen'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 :— Preamble.

1. In the construction of this Act the following terms in inverted commas shall bear the meanings set against them respectively :— Interpretation.

"Common Lodging-house."—Any house or other edifice or any part of any house or other edifice into which persons are ordinarily admitted for pay to lodge at night or which is ordinarily or occasionally used with or without pay as a place of lodging by immigrants or wayfarers.

"Landlord."—The owner or any one of the joint owners of any such Common Lodging-house.

"Tenant"—The person occupying and chiefly superintending any such Common Lodging-house.

2. A copy of this Act shall be published by the Inspector General of Police in two Sydney newspapers twice in every week between the time of its passing and its commencement. Publication of Act.

3. No lodger shall be received into any Common Lodging-house until it shall have been inspected and its landlord and tenant registered and such house and tenant licensed as hereinafter mentioned. Lodging Houses to be inspected licensed and registered.

4. Upon an application in writing to the Inspector General of Police from any landlord or tenant for a license under this Act accompanied by a certificate of the good character of the applicant signed by Terms on which license may be granted.

two respectable housekeepers the said Inspector General may refer such application to the Officer of Health for the City of Sydney Who shall thereupon inspect the premises and report to such Inspector his opinion as to their fitness as a Common Lodging-house—the number and dimensions of the several rooms by square superficial feet and by cubic feet—the mode in which the sexes ought to be classified—and the alterations if any which require to be made for better drainage ventilation or supply of water And if and when the said Inspector General is satisfied with such report and that such required alterations if any have been properly made he may having regard to the entire number of inmates grant a license for such premises as a Common Lodging-house for six or twelve months for so many lodgers as he may think fit And such applicant shall pay for such license the sum of if for six months and twice that amount if for twelve months to be paid into the Colonial Treasury to the credit of the Consolidated Revenue Fund.

Register.

5. The said Inspector General shall cause a book to be kept in his office with alphabetical references to be called the Common Lodging-houses Register in which every such license shall be registered—with the exact situation of the Common Lodging-house—the number and dimensions of its sleeping rooms—the number and sex of the lodgers allowed for each such room—and the name designation and residence of the landlord and the name and other designation if any of the tenant.

Certified copies of Registry good evidence.

6. A copy of any entry in the said Register certified under the hand of the Inspector General of Police shall be as good evidence of the contents thereof in any Court of Justice as the Register itself.

Rules and penalties.

7. The Inspector General of Police and the said Officer of Health may from time to time make Rules for and relating to the drainage ventilation disinfection and cleansing of Common Lodging-houses and their appurtenances—the supply of water and light thereto—the numbers and classification of lodgers—the treatment and removal of sick lodgers—the purification or destruction as the case may require of clothing or bedding—the intimations of deaths—the entry in books of all particulars relating to and the returns of lodgers admitted—and generally for the regulation and well ordering of Common Lodging-houses And may by such rules fix and impose penalties for their violation in no case exceeding ten pounds And all such rules when approved by the Governor with the advice of the Executive Council and published in the *Government Gazette* shall be of as full effect and force as if they were part of this Act And all such penalties may be enforced and recovered accordingly.

To be approved by Government.

Penalty for keeping house without license.

8. Every person who shall keep a Common Lodging-house and shall receive lodgers therein without a license or after such cancelling as aforesaid shall for every such offence forfeit a sum not exceeding twenty pounds.

Right of entry and inspection.

9. The Inspector General of Police or the said Officer of Health or any Inspector or Sergeant of Police either alone or with any Constable may enter and inspect any Common Lodging-house or any part thereof not exclusively occupied by the landlord or tenant or his family at any hour of the day or night And every person who shall prevent or obstruct such entrance or inspection shall for every such offence forfeit a sum not exceeding twenty pounds.

Recovery of penalties. Cancelling of license.

10. All penalties under this Act may be recovered before any two Justices of the Peace upon complaint by the Inspector General of Police or the Officer of Health or any Inspector or Serjeant of Police and the said Justices may also if they shall think fit by writing under their hands cancel the license of any landlord or tenant of a Common Lodging-house upon his having been convicted twice in penalties for the same offence or three times in penalties for any offences under this Act And such license shall be cancelled accordingly And no new license shall be granted to the same person for one year thereafter.

11.

11. This Act shall extend throughout the Metropolitan District of Sydney. **Extent.**

12. The Governor with the advice aforesaid may by Proclamation published in the *Government Gazette* from time to time declare that the provisions of this Act shall apply to any other district in the Colony and may in such Proclamation determine and name the officers or persons who shall in such district have all the like powers and execute all the like duties as are hereby conferred and imposed upon the Inspector General or other officer of Police and upon the said Officer of Health And every such Proclamation shall on and after the day therein named for its taking effect not being less than two months after the day of its first publication have the same force and effect in such district as if it were part of this Act. **Act may be applied to other Districts.**

13. Nothing in this Act shall extend to any Private Boarding or Lodging-house in which apartments are only let for one week or more or which shall be registered in the office of the Inspector General of Police as and certified by him to be a Private Boarding or Lodging-house. **Certain Boarding-houses exempted.**

14. No part of this Act except the first seventh and ninth sections shall extend to any Common Lodging-house duly licensed and registered as a Lodging-house for seamen under the Act passed in that behalf in the seventeenth year of Her Majesty and numbered thirty-six. **Lodging-houses for seamen.**

15. This Act shall commence three months after its passing And may be cited as "The Common Lodging-house Act of 1858." **Commencement and Short Title.**