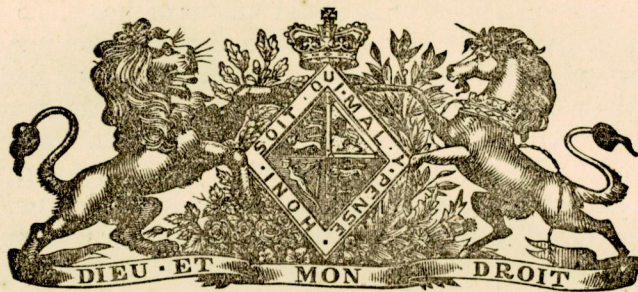


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 4 June, 1877.* }

F. W. WEBB,
Acting Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO

VICTORIÆ REGINÆ.

No. .

An Act for regulating Common Lodging-houses.

WHEREAS the regulation of Common Lodging-houses would Preamble.
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
5 of New South Wales in Parliament assembled and by the authority of
the same as follows:—

1. In the construction of this Act the following terms in in- Interpretation.
verted commas shall bear the meanings set against them respectively—
- 10 “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.
- 15 “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. No lodger shall be received into any common lodging-house Lodging-houses to be
inspected licensed
and registered.
until it shall have been inspected and its landlord and tenant registered
20 and such house and tenant licensed as hereinafter mentioned.

Common Lodging-houses.

3. Within three months after the passing of this Act the occupying tenant or keeper of such common lodging-house already or hereafter existing shall register such house by delivering at the office of the Inspector General of Police notice in the form in the Schedule 5 to this Act annexed marked A and such notice subject to the provisions of this Act shall be registered by the Inspector General of Police on payment of the fee of two shillings and sixpence.

Form of registration.

4. In case any person shall object to his house being considered a common lodging-house under this Act he may apply to the 10 Inspector General of Police and it shall be competent for that officer to consider and determine whether the provisions of this Act should be applied to the said house.

Provisions of this Act in certain cases to be determined by Inspector General.

5. Upon application in writing to the Inspector General of Police for a license under this Act the said Inspector General may 15 refer such application to the officer of health for the City of Sydney or in case of the absence or illness of the said officer of health to any other legally qualified medical practitioner 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 20 rooms by square superficial feet and by cubic feet—the arrangements proposed for the due and proper separation of the sexes—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 alterations if requisite have 25 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 ten shillings if for six months and twice that amount if for twelve months—to be paid to 30 the Inspector General of Police and by him to be paid into the Colonial Treasury to the credit of the Consolidated Revenue Fund.

Terms on which license may be granted.

6. 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 35 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 room—and the name and designation of the landlord and the name and other designation if any of the tenant.

Register.

7. A copy of any entry in the said register and of the rules 40 for the regulation of common lodging-houses hereinafter mentioned certified under the hand of the Inspector General of Police shall be as good evidence of the contents thereof as the register itself and every person applying at a reasonable time shall be furnished gratis by the person having charge of such register with a certified copy of 45 such entry.

Certified copies of registry good evidence.

8. The Inspector General of Police by and with the advice of the said officer of health or in case of his absence or illness by and with the advice of any other legally qualified medical practitioner may from time to time make rules for and relating to the drainage ventila- 50 tion 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 intimation of deaths—the entry in books of 55 all particulars and the returns of lodgers admitted—the dimensions of the dormitories therein—and generally for the regulation and well ordering of common lodging-houses Provided always that in each and every such dormitory or sleeping-room a space of at least five hundred cubic feet shall be allotted to each lodger And may by such rules

Rules and penalties.

Common Lodging-houses.

- rules fix and impose penalties for their violation in no case exceeding twenty 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 force as if they were part of this Act
- 5 And all such penalties may be enforced and recovered accordingly.
9. Every person who shall keep a common lodging-house and shall receive lodgers therein without a license or after such license shall have been cancelled as hereinafter described shall for every such offence forfeit the sum of five pounds.
- 10 10. Upon any death occurring in any common lodging-house the keeper or manager thereof shall within twenty-four hours after the same shall have taken place or become known give notice thereof and the cause thereof and the circumstances attendant thereon to the Inspector-General of Police and to the Coroner of the City of Sydney.
- 15 11. The keeper or manager of a common lodging-house shall when any person therein is ill of fever or of any infectious or contagious disease give immediate notice thereof to the Inspector General of Police and to the Health Officer of the City of Sydney.
- 20 12. When any person in a common lodging-house is ill of fever or of any infectious or contagious disease the Inspector General of Police may on the certificate of the said officer of health or of any other legally qualified medical practitioner that the disease is infectious or contagious and that the patient may be safely removed cause such person to be removed to a hospital or infirmary with the consent of
- 25 the authorities thereof and may so far as the said Inspector General of Police by and with the advice of the said officer of health or of any other duly qualified medical practitioner may deem requisite for preventing the spread of disease cause any clothes or bedding used by such person to be disinfected or destroyed and may in his discretion
- 30 award to the owners of the clothes or bedding so destroyed reasonable compensation for the destruction thereof such compensation to be paid out of the fees and moneys payable under this Act.
13. The keeper or manager of every common lodging-house shall thoroughly cleanse all the rooms passages stairs floors windows
- 35 doors walls ceilings privies cesspools and drains to the satisfaction of and so often as shall be required by or in accordance with any regulation of the Inspector General of Police and shall lime-wash the walls and ceilings thereof in the first week in April and October in every year or oftener if so required by the said officer.
- 40 14. If the keeper of any common lodging-house or any person having the care or management thereof shall offend against any of the provisions of this Act or of any of the regulations made in pursuance of this Act or if any person shall have died in any common lodging-house or if any person in any common lodging-house shall have been
- 45 ill of fever or any infectious or contagious disease without the keeper of the said house having given notice thereof respectively as required by this Act any person so offending shall for every such offence be liable to a penalty not exceeding ten pounds for every day during which the offence is continued. Provided that this Act shall not
- 50 exempt any person from any penalty or liability to which he might be subject irrespective of this Act.
15. All proceedings under this Act shall be had and taken and all penalties and forfeitures shall be recovered in a summary way. And the statement of any offence in the words of this Act shall be deemed
- 55 sufficient and no convictions under this Act shall be quashed for want of form or be removed by writ of *certiorari* or otherwise into the Supreme Court.
16. The Inspector General of Police or the said officer of health or the Inspector of Nuisances for the City of Sydney or any superintendent

To be approved by Government.

Penalty for keeping house without license.

Notice to be given of the death of any lodger.

Notice of disease to be given.

Sick persons may be removed.

Houses to be cleaned.

Penalty for offences.

Recovery of penalties.

No certiorari.

Right of entry and inspection.

Common Lodging-houses.

superintendent or sergeant of police 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 by his family at any hour of the day or night And every person who shall prevent or obstruct such entrance shall for every such offence forfeit and pay a sum not exceeding ten pounds.

17. All penalties recoverable under this Act may be recovered before either of the Police Magistrates of and in the City of Sydney or before any two Justices of the Peace upon complaint by the Inspector General of Police or by the said officer of health or by the Inspector of Nuisances for the City of Sydney or by any superintendent or sergeant of police And either of the said Police Magistrates or 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 offence under this Act and such license shall be cancelled accordingly and no new license shall be granted to the person so offending for one year thereafter.

18. This Act shall extend throughout the Metropolitan District of Sydney.

19. 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 and persons who in such district shall have all the like powers and execute the like duties as are hereby conferred or imposed upon the said 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.

20. Nothing in this Act shall extend to any private boarding or lodging house which shall be registered in the office of the Inspector General of Police and certified by him to be a private boarding or lodging house.

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

22. This Act shall come into operation on the first day of January one thousand eight hundred and seventy-eight and may be cited as the "Common Lodging-houses Act of 1877."

SCHEDULE A.

Form of Register of Common Lodging-house.

45	Name of proprietor keeper or manager.	An accurate description of locality of common lodging-house.	Of what material house is built—how many rooms used as sleeping apartments and what other accommodation in the house.	The number of lodgers intended to be accommodated.

1876-7.

Legislative Council.

COMMON LODGING-HOUSES BILL.

(Amendments to be proposed in Committee of the Whole by
SIR ALFRED STEPHEN.)

- Clause 1, line 12. *Omit* "or occasionally"
" " 13. *Omit* "by immigrants or wayfarers" *insert* "by
" " "persons not being one family only"
" line 16. *Omit* "and" *insert* "or"
" 2, " 18. *Insert* (at commencement of clause) "After the
" " "commencement of this Act"
" line 18. After "lodging-house" *insert* "within the Metro-
" " "politan District of Sydney"
" 3, " 1. *Omit* "within three months after the passing of
" " "this Act"
" line 2. *Omit* "such" *insert* "every"
" " 4. After "Police" *insert* "a"
" 4. *Omit* this clause.
" 5, lines 13 and 14. *Omit* "application in writing to the
" " "Inspector General of Police for a license under this
" " "Act" *insert* "the receipt of any such notice"
" line 15. *Omit* "such application" *insert* "the same"
" " 18. *Omit* "to such inspector"
" " 26. *Insert* "proposed" before the word "inmate"
" " 30. *Omit* "of Police"
" 7, " 41. *Omit* "of Police"
" 8, line 46. *Omit* "of Police by and"
" lines 47 and 48. *Omit* "or in case of his absence or illness
" " "by and with the advice of any other legally qualified
" " "medical practitioner"
" line 58. *Omit* "and every such" *omit also* "or sleeping
" " "room"
" line 59. *Omit* "and may by such"
" lines 1 and 2 of page 3. *Omit* "rules fix and impose penal-
" " "ties for their violation in no case exceeding twenty
" " "pounds"
" line 5, same page. *Omit* "and all such penalties may be
" " "enforced and recovered accordingly"
" 9, line 9. *Omit* "shall receive lodgers" *insert* "receive any
" " "lodger"
" 10, line 11. *Omit* "keeper or manager" *insert* "tenant"
" " 12. *Omit* "or become known" *omit also* "thereof"
" " *insert* "of such death"
" " 14. *Omit* "of Police"
" 11, " 15. *Omit* "keeper or manager" *insert* "tenant"
" " 18. *Omit* "of Police and to the Health Officer"
" " *insert* "and to the officer of Health"
" 12, line 21. *Omit* "of Police"
" " 26. *Omit* "of Police by and"

Returns of inmates
on demand.

Clause 13. *Omit* this clause and *substitute* new clause.

The tenant of every common lodging-house shall from time to time if required by the Inspector General report to him or to such officer as he shall direct the name and description of every person who lodged in or resorted to such house during the preceding day or night and for that purpose a schedule shall be furnished to the tenant ordered to report which schedule he shall fill up with the information required and deliver on demand to such officer.

Clause 14. *Omit* line 40 and following lines down to "continued" in line 49 *substitute* the following:—"If the landlord or tenant of any common lodging-house shall either by act or omission offend against any provision of this Act or any Rule made in pursuance of this Act he shall for every such offence be liable to a penalty not exceeding *ten* pounds and if the offence be continued he shall be liable to the like penalty for every day on which it is so continued."

" 15. *Omit* this clause.

" 16, line 58. *Omit* "of Police or the said" *Insert* "or"

" „ line 1, page 4. *Omit* "superintendent" *Insert* "officer"
Omit "alone or with any constable"

" 17, line 7. After "recovered" *insert* "in a summary way"

" „ 8. *Omit* this line.

" lines 9 to 13. *Omit* all the words from "Peace" in 9th line, to "Justices" in the 13th line inclusively *Insert* "who"

" 18. *Omit* this clause.

" 20, line 32. After "any" *insert* "Charitable Institution Club-house licensed hotel or"

" line 33. After "which" *insert* "respectively."

" „ 34. After "to be" *insert* "within the provisions of this section Provided always that for the purposes of the section every Charitable Institution in which persons are ordinarily admitted to lodge at night shall be deemed a common lodging-house and the Superintendent or person in charge thereof be taken to be its tenant within the meaning of this Act respectively."

Schedule, first column, *Omit* "proprietor" *Insert* "landlord, and of the"

" second column. *Omit* "common lodging"

Insert (at bottom of Schedule) "I apply for a License for the "above premises as a common lodging-house." [*Signature and Date.*]