



ANNO QUINQUAGESIMO ET QUINQUAGESIMO
PRIMO

VICTORIÆ REGINÆ.

A.D. 1887.

No. 398.

An Act to provide for and regulate Refreshment-rooms
at Railway Stations:

[Assented to, November 16th, 1887.]

WHEREAS it is expedient to make provision for and regulate refreshment-rooms at railway stations—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble.

1. This Act may be cited for all purposes as “The Railway Refreshment-rooms Act, 1887.”

Short title.

2. The Commissioner of Railways for the time being of the province (hereinafter designated “the Commissioner”) may, from time to time, demise for refreshment-rooms, for any period not exceeding seven years, upon such terms and conditions as may appear to him expedient, any premises at any railway station in the said province vested in him as such Commissioner.

Commissioner may lease refreshment-rooms.

3. The Treasurer may issue to any lessee under this Act a licence in the form of the Schedule A hereto, which licence shall authorise the holder thereof to sell and dispose of brandy, gin, rum, whisky, cordials containing spirits, wine, ale, porter, beer, and any other spirituous, malt, vinous, and fermented liquors (all of which are hereafter designated as “liquor”), in any quantity, at such refreshment-

Treasurer may grant licences.

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refreshment-rooms upon such days and during such hours as may be authorised by such licence, any law relating to the sale of such liquors to the contrary notwithstanding.

Licence fee.

4. The annual licence fee for any licence issued under this Act shall be Ten Pounds.

Forfeiture of licences.

5. Every such licence shall determine and become forfeited on the holder thereof becoming insolvent, or making any assignment for the benefit of his creditors, or on his lease becoming determined, or on his being convicted within a period of nine months for three several offences against this Act.

Summary recovery of possession.

6. The Commissioner may, on the expiration or forfeiture of any lease under this Act, by any writing under his hand, authorise any person to take possession of the premises mentioned in such lease on behalf of the Commissioner; and it shall be lawful for the person so authorised and his assistants, without any further authority, to forcibly eject any person and the goods and effects of any person in possession or occupation of such premises, and to take possession thereof on behalf of the Commissioner.

Penalty on sale of liquor at unauthorised hours, or to railway employés.

7. Every lessee under this Act who shall, directly or indirectly, sell, supply, barter, or exchange by retail, or permit to be sold, supplied, bartered, or exchanged by retail, any liquor at any time or times not authorised by his licence, or to any railway employé, contrary to any rule or regulation of the railway service, shall be guilty of an offence against this Act, and on conviction thereof shall forfeit and pay for every such offence a sum of not less than Two Pounds nor more than Twenty Pounds.

Other offences.

8. Every person holding a licence under this Act shall, for the purposes of sections 74, 82, 83, 85, and 88 of "The Licensed Victuallers Act, 1880," be deemed to be a person holding a licence under that Act, and every conviction for any offence against any of the above-mentioned sections, or against sections 81, 109, or 127 of the said Act, shall be deemed to be a conviction for an offence against this Act.

Commissioner may make regulations.

9. The Commissioner may make regulations to be observed by every lessee under this Act for regulating the quality and variety of the refreshments (including liquor) to be provided by such lessee: to limit the scale of charges to be made therefor: to provide the forms, particulars, terms, and conditions of tendering for any lease, and to provide what covenants, conditions, and provisoes shall be inserted in any lease: to regulate the periods and hours during which licences shall be in force, and generally for carrying this Act into effect.

Regulations to be published in *Gazette*.

10. All such regulations shall be published in the *Government Gazette*, and shall thereafter have the force of law; and all regulations for the time being in force shall, for all purposes, be incorporated with and form part of this Act.

11. All

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11. All licences granted by the Treasurer before the first day of July, one thousand eight hundred and eighty-seven, in respect of any refreshment-rooms at any railway station, are hereby ratified and confirmed and declared to be of the like force and effect as if granted and issued pursuant to this Act, but no licence shall hereafter be issued pursuant to this Act unless the same shall have been previously granted by the Licensing Bench for the district, which grant, in the discretion of such Bench, may be obtained in like manner as in the case of the grant of a wine licence.

Licensing Benches.

12. No licence issued pursuant to this Act shall authorise the sale of any liquor except at times to be specified in such licence, not being earlier than half an hour before the time fixed for the arrival, and to expire not later than half an hour after the departure from such station of certain trains to be specified in such licence.

Restrictions on terms of licences.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. C. F. ROBINSON, Governor.

SCHEDULE A.

“ Railway Refreshment-rooms Act, 1887.”

I, the undersigned, Treasurer of the Province of South Australia, do hereby
 licence of
 to sell brandy, gin, rum, whisky, cordials containing spirits, wine, ale, porter, beer,
 and any other spirituous, malt, vinous, and fermented liquors, in any quantity, at the
 railway refreshment-rooms at in the
 said province, subject to the provisions of the above-named Act and the Regulations
 made, or to be made, thereunder.

This licence shall commence on the day of the issue hereof, and continue in force
 for twelve calendar months [*or as the case may be*], provided it be not determined or
 forfeited in the meantime.

Given under my hand this

day of

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Treasurer.