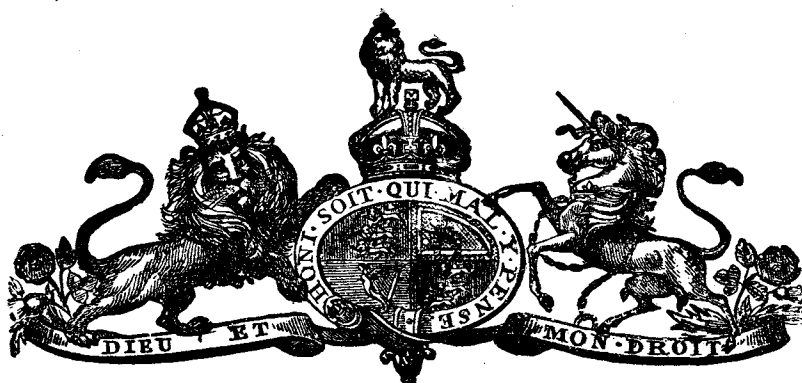


# TASMANIA



1915.

ANNO SEXTO

GEORGII V. REGIS.

No. 56.

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AN ACT to consolidate and amend the Law <sup>A.D.</sup> 1915.  
relating to the Licensing of Public Billiard  
Tables and other Public Tables or Boards,  
and for other purposes. [29 January, 1916.]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

- 1—(1) This Act may be cited as “The Billiard Tables Act, 1915.” Short title and commencement  
(2) This Act shall come into operation on the First day of January, One thousand nine hundred and sixteen.

*Billiard Table Licensing.*

A.D. 1915.

Repeal of  
53 Vict. No. 44.

Interpretation.

**2** "The Billiard Tables Licensing Act, 1889," is hereby repealed.**3**—(1) In this Act—

"Licensee" means a person licensed under this Act :

"Licensing Authority" means—

- i. A police magistrate : or
- ii. Any Two or more justices of the peace sitting in Petty Sessions.

"Other public table" or "Other table" means any table or instrument used in any game—not being a billiard table or bagatelle table—to which the Governor by Proclamation declares the provisions of this Act shall apply :

"Table" includes "Board."

(2) The Governor may by proclamation declare that the provisions of this Act shall apply to any table or instrument used in any game—not being a billiard table or bagatelle table—and every such proclamation shall have the force of law.

Unlawfully keep-  
ing unlicensed  
tables.

**4** No person shall keep, or have in his possession, or under his control, any public billiard table, or public bagatelle table, or other public table, unless he is the holder of a licence therefor in force under this Act.

Issue of licences.

**5** Upon the application, in writing, of any person, and upon payment of the fee therefor mentioned in Schedule (1) to this Act, the licensing authority, in its discretion, if satisfied with the character of the applicant, and the suitability for the purpose of the building or premises mentioned in the application, may issue to him a licence according to the form in Schedule (2) to this Act, authorising him to keep a public billiard table, or public bagatelle table, or other public table, as the case may be, in or about such building or premises.

Expiry of licences.

**6** Every licence issued under this Act, unless sooner cancelled, shall be in force from the day following the date thereof until the Thirty-first day of December then next following; but the fee payable in respect of any such licence issued subsequent to the Thirtieth day of June in any year, shall be One-half of the fee therefor mentioned in Schedule (1).

Half fee payable  
if licence issued  
after 30th June.

Every person ceases to be licensed upon the expiration or cancellation of his licence.

Number of licence  
to be marked on  
table, and  
licence to be  
exposed in con-  
spicuous place.

**7** Every licensee shall cause to be painted or engraved upon every billiard table, bagatelle table or other table in respect of which he holds a licence under this Act, in visible and legible characters, the number of his licence therefor, and he shall also cause every such licence to be exposed in a prominent and visible manner in the apartment in which the billiard table or bagatelle table or other table to which the licence relates, is placed.

*Billiard Table Licensing.*

**8** Proof that a person exhibits or exposes to view, or permits that there should be exhibited or exposed to view in or near any building belonging to or hired, used, or occupied by him, any sign, painting, or printed matter indicating or tending to indicate that a billiard table or bagatelle table or other table is kept in any building belonging to or hired, used or occupied by him is *prima facie* evidence that such person keeps a public billiard table or public bagatelle table or other public table as the case may be.

A.D. 1915.

—  
*Prima facie*  
proof as to  
keeping public  
billiard table, &c.

**9** Proof that a billiard table, bagatelle table, or other table is in an hotel, public house, coffee palace, or temperance hotel or restaurant, or in any building or place occupied therewith or appurtenant thereto, or in any saloon, is conclusive evidence that such table is a public billiard table or public bagatelle table, or other public table as the case may be.

Proof that table is  
public table

**10** Every licensee who—

Penalty for not  
closing house. &c.

I. Does not clear the building or premises mentioned in his licence of all persons, other than *bond fide* lodgers or inmates (if any), and close every outer door thereof—

- (a) At the closing time fixed for hotels and public houses by the law in force for the time being regulating the sale of spirituous liquor, where such building or premises are licensed as an hotel or public house or are occupied with or appurtenant to an hotel or public house: and  
(b) In every other case at Half-past Eleven of the clock at night of every week day: or

II. Permits any such outer door to be open after such time at night as aforesaid, and before Five of the clock next morning on a week day, except for the purpose of permitting ingress and egress to *bond fide* lodgers or inmates (if any): or

III. Permits or suffers any person to play upon or use any billiard table, or bagatelle table, or other table in such building or premises as aforesaid on a Sunday, or before Half-past Twelve of the clock in the afternoon on Good Friday or Christmas Day: or

IV. Refuses or fails at any reasonable time, on demand, to produce any licence held by him under this Act to any police constable for inspection by him—

shall be guilty of an offence against this Act.

**11** If any person (not being a member of the licensee's family) under the age of Eighteen years is in the room or place where the billiard table or bagatelle table or other table for which such licensee holds a licence, is situate, such licensee shall forthwith, without the use of unnecessary force, remove, or cause to be removed, such first mentioned person from the said room, and prevent him re-entering the said room.

Person under 18  
years of age not  
allowed in  
billiard-room, &c.

*Billiard Table Licensing.*

A.D. 1915.

Betting on  
premises men-  
tioned in licence  
an offence.

**12** Every licensee who either himself or by means of any agent, clerk or servant, bets in or about the building or premises mentioned in his licence with any other person, or permits or is privy to, or connives at betting in or about such building or premises, shall be guilty of an offence against this Act, and shall, on conviction, be liable to a penalty not exceeding Fifty Pounds, and for a second or subsequent offence to a penalty of not less than Ten Pounds nor more than One hundred Pounds.

8 Ed. VII.  
No. 39.

This section shall not in any way affect or prevent the operation of Section Thirty-eight of "The Licensing Act, 1908," in regard to premises licensed under the Licensing Acts.

Penalties.

**13**—(1) If any person contravenes or fails to comply with any of the requirements or provisions of this Act he is guilty of an offence against this Act.

(2) Every person guilty of an offence against this Act, for which no penalty is expressly enacted, is liable to a penalty not exceeding Ten Pounds, and in the case of a continuing offence to a further penalty not exceeding Ten Pounds for every day after the first during which such offence continues.

Cancellation of  
licences.

**14** In all proceedings against a licensee for any offence against this Act the magistrate or justices when convicting him may, in addition to imposing the penalty, cancel the licence, whereupon all the rights and privileges of the licensee under the said licence shall absolutely cease and determine.

Presumption that  
person is  
unlicensed.

**15** In any prosecution under this Act any allegation in any information that any person is unlicensed need not be proved, and such person shall be deemed to be unlicensed, unless the contrary be proved by the production of a licence or otherwise.

Appropriation.

**16** All fees payable under this Act shall be paid into the Treasury, and shall form part of the Consolidated Revenue.

Procedure.  
19 Vict. No. 8.

**17** All informations for offences against this Act shall be heard and determined, and all penalties and sums of money imposed or made payable by or under this Act may be recovered in a summary way by and before a police magistrate, or any Two or more justices, in the mode prescribed by "The Magistrates Summary Procedure Act."

*Billiard Table Licensing.*

A.D. 1915.

## SCHEDULES.

## (1)

## BILLIARD TABLES.

Secs. 5 and 6.

1. The sum of Five Pounds in respect of every billiard table in every case in which application is made for a licence for only One billiard table, and the sum of One Pound for every additional billiard table.

## BAGATELLE TABLES.

2. The sum of Two Pounds in respect of every bagatelle table in every case in which application is made for a licence for only One bagatelle table, and the sum of Ten Shillings for every additional bagatelle table.

## OTHER TABLES.

3. The sum of One Pound in respect of every other table.

## (2.)

## LICENCE.

Sec. 5.

No. of Licence

## "THE BILLIARD TABLES ACT, 1915."

I, the undersigned, the Police Magistrate for [or we, the undersigned Justices of the Peace sitting in Petty Sessions at in the District of ], being satisfied that *A.B.* is a person of good character, and that the building or premises hereinafter mentioned are suitable, and having received the licence fee of , do hereby authorise him to keep a [here state description of table, whether billiard, bagatelle, or other table] for public use in or about the building or premises [here specify same], situate at [here describe situation]. This licence is granted subject to the provisions of "The Billiard Tables Act, 1915," and, unless sooner cancelled continues in force until the 31st day of December, 19 .

Granted at , this day of , 19 .

*C.D.*, Police Magistrate [or Justices].

*E.F.*, Clerk.

