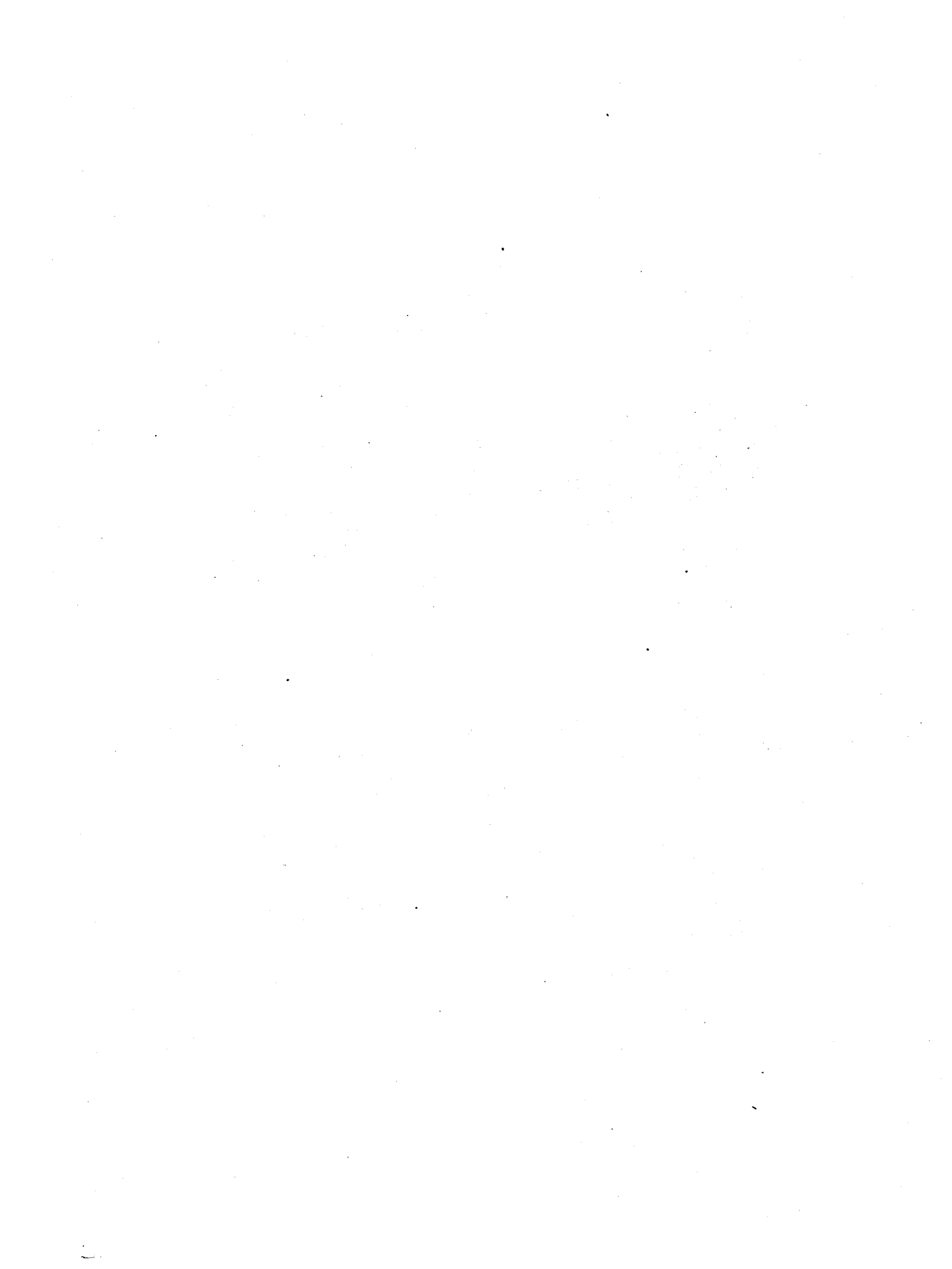


THE GOLD ACT, 1908.

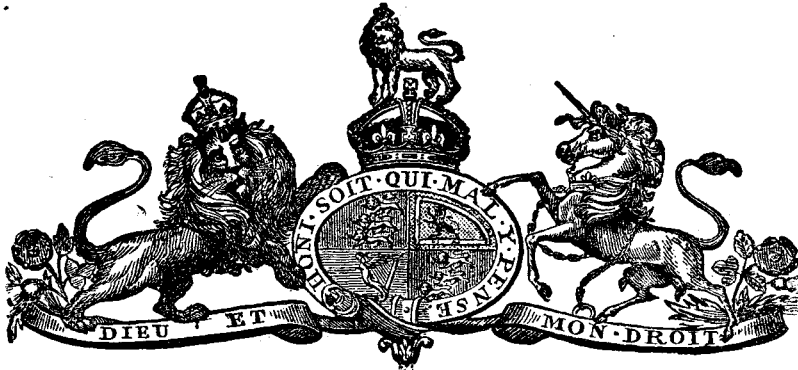


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T A S M A N I A



1908.

ANNO OCTAVO

EDWARDI VII. REGIS.

No 41.



AN ACT to regulate the Buying of Gold, ^{A.D.} 1908.
and for other purposes. [14 December, 1908.]

BE 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 This Act may be cited as “ The Gold Act, 1908.”

Short title.

2 In this Act, unless the context otherwise requires—

Interpretation.
Cf 7 Ed. VII.
No. 2138 (Vict.).

“ Act ” includes any regulation made thereunder :

“ Bank ” means any company engaged in the ordinary business of banking by receiving deposits and issuing bills or notes payable to the bearer at sight or on demand, and any reference to a person shall include a bank :

“ Buy ” and “ purchase ” include respectively any dealing with gold :

“ Court ” means a court of petty sessions constituted by a police magistrate sitting alone or sitting with a justice or justices :

“ Gold ” or “ unwrought gold ” means gold, gold alloys, gold bullion, gold amalgam, retorted gold, smelted gold, gold

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- precipitates, copper plates containing or retaining gold, and all earth, quartz, concentrates, and products containing gold in sufficient quantity to pay for treatment; but does not include money or wrought gold:
- “Gold-assayer” means a person who has such qualifications as are prescribed, and who assays or smelts gold, and includes a bank:
- “Gold-buyer” means a person who buys gold, and includes a bank:
- “Inspector of mines” means any inspector of mines appointed or acting under “The Mining Act, 1905,” and includes the Chief Inspector:
- “Licence” means a valid and unexpired annual licence under this Act:
- “Licensee” means the holder of a gold-buyer’s licence or a gold-assayer’s licence:
- “Prescribed” means prescribed by this Act or any regulation thereunder:
- “Sell” includes any dealing with gold:
- “Seller” includes any person acting or representing himself to be acting for a seller:
- “Wrought gold” means gold and gold alloy which on view have apparently been worked or manufactured for trade purposes.

Non-application
of Act.
Vic., s. 5.

3—(1.) Nothing herein contained shall apply to the purchase of gold-bearing earth, tailings, concentrates, or products containing gold, by the proprietor of any crushing battery or treatment works from any registered leaseholder or claimholder, or holder of a tailings licence, if it is proved by the buyer that the sale was effected by a contract in writing, signed by or on behalf of the seller and the buyer, setting forth that the earth, tailings, concentrates, or products containing gold were produced from and taken out of the ground comprised in the lease or claim of which the seller is the registered holder, or for the treatment of which he holds a licence from the Crown under any Act relating to mines, and which lease or claim is sufficiently described in the contract.

(2.) Such buyer shall keep a “Gold Register Book,” as prescribed by this Act, and in respect of every such purchase make the entries and observe the provisions prescribed by this Act in respect of the said book as if he were a licensed gold-buyer.

Gold-buyers and Gold-assayers.

Gold-buyers and
gold-assayers to
be licensed.
Vic., s. 6.

4—(1.) No person shall buy any gold unless he is the holder of a licence as a gold-buyer. A gold-buyer when licensed may sell gold or buy gold.

(2.) No person shall assay or smelt gold unless he is the holder of a licence as a gold-assayer.

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(3.) No person (except a bank) shall hold a gold-buyer's licence and also a gold-assayer's licence. A.D. 1908.

(4.) No person (except a bank) who assays or smelts gold shall sell gold, and no person shall sell gold for him except as may be prescribed.

5—(1.) Notwithstanding anything to the contrary in this Act, on the application of any bank the Governor may, by order published in the *Gazette*, authorise that any licensed gold-assayer mentioned in such order may also obtain under this Act a licence or renewal of a licence as a gold-buyer. Power to authorise gold-assayer for a bank to be licensed also as gold-buyer therefor. Cf. Vic., s. 7.

(2.) Not more than one person may be so authorised to act as a gold-assayer and also as a gold-buyer for the same branch of a bank.

(3.) A licensed gold-assayer who is also a gold-buyer, as in this section provided, may buy or sell gold for the bank or banks for which he is authorised to act, but not for any other person or banks.

(4.) The Governor may at any time revoke any order made under this section, and on such revocation such order shall have no further force or effect.

6—(1.) Notwithstanding anything contained in this Act, any manufacturer of jewellery or other manufacturer of gold may without a licence buy, from His Majesty's Mint or any bank, gold for his own manufacturing purposes in the ordinary course of his business, and may in such ordinary course smelt such gold; and upon any change of ownership of the business, gold which has been smelted may pass with the other assets of the business to his successor. Provisions as to jewellers and other gold-manufacturers. Vic., s. 8.

(2.) Every manufacturer of jewellery or other manufacturer of gold who buys gold or smelts gold shall keep a book, to be called a "Gold Register Book," in the form of the First Schedule to this Act, and shall comply with the provisions of Sections Twenty-one and Twenty-two of this Act as if expressly named therein, and make the entries and observe the provisions prescribed by the said sections.

(3.) No licence shall be required to assay or smelt samples of gold for experimental purposes in any public department of the State, or at the University of *Tasmania* or any college affiliated thereto, or at any school of mines.

Applications for Licences or Renewals of Licences.

7 Any person (except a bank) who desires to obtain a licence or renewal of a licence as a gold-buyer or gold-assayer shall deliver to the clerk of petty sessions whose office is nearest to any place in which he intends to carry on such business an application, in such form as may be prescribed; and such clerk shall post in a conspicuous place near the front-door of the courthouse a copy of Notice of intention to apply for licence. Vic., s. 9.

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the notice, and also a notification of the day on which the application will be heard by the court; and the applicant shall advertise such notice of application in the prescribed manner.

Magistrate may grant certificate. Vic., s. 10.

8 At any sittings of such court held not less than Seven days after the delivery and advertising of such notice, the Court, if satisfied—

- I. As to the character of the applicant: and
- II. That the premises where he intends to buy gold, or assay or smelt gold, abut on a public street, and have a front-door opening on such street for customers: and
- III. That there is not on such premises any facility, means, or appliance for buying, selling, assaying, smelting, or handling gold illicitly or in contravention of the provisions of this Act: and
- IV. That the requirements of this Act have been complied with in reference to the application: and
- V. That the licence is required for the locality—

may in its discretion issue to him, in such form as may be prescribed, a certificate authorising such person to buy or smelt and assay gold, as the case may be, at the premises specified in the certificate, and shall cause to be transmitted to the Treasurer of *Tasmania*, or to such officer as the Treasurer directs, a duplicate of such certificate.

Preliminary certificate. Cf. Vic., s. 11.

9 No such certificate shall be issued unless the applicant or some person on his behalf produces to the court a certificate of character, in such form as may be prescribed, signed by Six ratepayers residing near the premises where the applicant proposes to carry on business, and stating that in the opinion of such ratepayers the applicant is a person fit to be the holder of a licence.

Certain persons not to be licensed. Cf. Vic., s. 12.

10 No certificate or licence shall be issued to any person who holds any licence under any Act regulating the sale of intoxicating liquor, nor to any manufacturer of jewellery or other manufacturer of gold, nor to any hawkker.

Certificate to be void for non-payment of licence fee. Cf. Vic., s. 13.

11—(1.) Every certificate and duplicate certificate issued to an applicant for a licence or renewal of a licence under this Act shall be void unless the sum hereinafter required to be paid for the licence be paid to the Treasurer or to the officer he appoints to receive the same within Twenty-eight days after the granting of such certificate.

Issue of licence.

(2.) The Treasurer or such officer shall forthwith after the receipt of a duplicate certificate and such payment issue the licence authorised by the duplicate certificate.

Renewal of licence. Cf. Vic., 14.

12—(1.) A certificate for the renewal of a licence for a further period of Twelve months from the expiration of the original licence or of the last renewal (as the case may be) may be issued in dupli-

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cate by the court, if the licensee applies for such renewal not more than One month and not less than Seven days before its expiration, and if the court is satisfied that the licensee is a fit person to continue to hold such a licence, and that the premises are fit for the purposes for which they are required, and that the licence is required for the locality, such notice of the application shall be given as may be prescribed.

(2.) The certificate when issued shall be dealt with in the same manner as a certificate for an original licence.

13 At any time during any year the court, on payment of a fee of Ten Shillings, may by endorsement on any licence transfer the licence from the premises specified in the licence to any other premises within the district for which such licence was issued which appear to the court to be suitable.

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—
Transfer to other premises.
Cf. Vic., s. 15.

14 Every licence granted or renewed under the provisions of this Act shall, unless sooner revoked, be in force until the last day of *December* in the year for which the same is granted or renewed, and no longer.

Continuance of licence.
Vic., s. 16.

15 Upon the hearing of any application for a licence or for the renewal of a licence any person may be heard to show cause, or any written petition from any person or persons may be considered, against the granting of the application.

Persons may be heard in opposition to grant.
Vic., s. 17.

Licence Fees.

16 Every person to whom a licence as a gold-buyer or gold-assayer is granted or renewed shall pay the sum of Twenty Shillings, or if issued after the last day of *March* such smaller sum as may be proportioned to the time the same shall be in force, the same to be calculated as from the beginning of the quarter in which the application was made.

Fee for licence.
Vic., s. 18.

Registration.

17 The clerk of any court at which a certificate for the issue or renewal of any licence is granted, or at which any licence is revoked, shall enter the particulars of the same in such form as may be prescribed in a register to be kept in such court.

Registration of licences.
Vic., s. 19.

Revocation of Licences.

18—(1.) Any court of petty sessions consisting of a police magistrate and a justice or justices may take into consideration any application that the licence held by any person should be revoked or suspended, and may make such order as to costs against any party to any application under this section as to such court seems fit.

Application for revocation of licence.
Vic., s. 20.

(2.) If such court is satisfied that reasonable notice of the application has been given to the licensed person, and that he has

Power of court to revoke licence.

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been guilty of any such contravention of the provisions of this Act as renders him unfit to hold a licence, or that he is in any other respect unfit to hold a licence, or his premises are unsuitable, or the licence is no longer required for the locality, such court may, whether the licensed person appears before it or not, revoke the licence.

Revoked licence,
how dealt with.

(3.) At the hearing of any application to revoke a licence the holder of the licence shall, if so ordered by the court, deliver up the licence to the clerk of the court; and if revoked, it shall be cancelled by the court. If any licensee fails or omits to deliver up his licence in accordance with such order he shall be guilty of an offence against this Act.

Licensing of Banks.

Licences to
banking com-
panies.
Vic., s. 21.

19—(1.) Notwithstanding anything hereinbefore contained, the Secretary for Mines may grant to any bank—

- i. A gold-buyer's licence or a gold-assayer's licence, or both, on the payment for each licence of the fee provided by Section Sixteen of this Act for the principal office of such bank, and of a fourth of such fee for each licence required for any branch of such bank: or
- ii. On a like payment a general gold-buyer's licence or general gold-assayer's licence, or both, accompanied by a list showing each branch to which the licence shall apply.

Second Schedule.

(2.) Each such general licence shall be granted in the form in the Second Schedule to this Act, and shall be available for use at every branch named therein.

(3.) The manager, accountant, or officer in charge for the time being at the head office and at every branch named of such bank shall be deemed to be a licensee within the meaning of this Act.

(4.) Should it be desired to add an additional branch or branches to such licence during its currency, it may be done on application, in writing, and payment of a fee *pro rata* for the unexpired period of the licence, calculated as from the beginning of the quarter in which application is made.

Licensing of Special Assayer.

Special assay
licence.
Vic., s. 22.

20—(1.) The Secretary for Mines may, on payment of a fee of Twenty Shillings per annum, issue a special gold-assayer's licence to any holder of a gold-mining lease or licence or dredging lease or registered gold-mining claim to assay any gold derived from any such leasehold or claim.

(2.) The Secretary for Mines, on payment of a fee of Twenty Shillings per annum, may issue to any person a special licence to buy copper plates retaining or containing gold upon any mine claim or treatment works from the owner thereof, or to buy waste products from persons (other than miners) who use gold in their

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trade, profession, or occupation, under such regulations as may be prescribed. A.D. 1908.

(3.) Any such licence may be at any time revoked by the Governor.

Regulation of Licensed Gold-buyers and Gold-assayers.

21—(1.) A Gold Register Book, in the form in the First Schedule to this Act, or as may be prescribed, shall be kept at the place of business of every licensed gold-buyer or licensed gold-assayer, and at the head office and at every branch of a bank holding a licence.

(2.) Every licensed person (other than a bank), and in the case of a bank the manager, accountant, or officer in charge for the time being of the head office or branch, as the case may be, shall personally conduct every transaction relating to the purchase or sale of gold, or assay or smelting of gold, and shall after every purchase or sale or assay or smelting of gold has been effected, or any gold received into his custody or possession, forthwith record in such Gold Register Book the prescribed particulars of the transaction, and have such entries signed as directed in the said schedule, or as may be prescribed.

Gold Register
Books.
Supervision of
sales and entries
thereof.
First Schedule.
Vic., s. 23.

22 Every licensed gold-buyer or licensed gold-assayer shall—

i. Except in the case of a bank, have his name, together with the words "licensed gold-buyer" or "licensed gold-assayer," painted distinctly in letters of not less than Two inches in length near the front door of the place of business belonging to or occupied by him in such business as a gold-buyer or gold-assayer. If he does not, he shall on summary conviction incur a penalty not exceeding Fifty Pounds :

ii. Keep a book or books, fairly made out, in the form set forth in the First Schedule hereto, and shall enter therein an account of all such gold as he may from time to time become possessed of, stating in respect thereof the day and hour upon, and at which, and the person by or through whom, and the person from whom, he purchased or received the same, adding a true description of such lastmentioned person's business and precise place of abode, and post to the Secretary for Mines, within Three days after the close of each month, a copy certified by him as correct of all entries made pursuant to this or the next following paragraph in such book during the said month. If he does not, he shall on summary conviction incur for the First offence a penalty not less than Two Pounds and not exceeding Twenty Pounds, and for every subsequent offence a penalty not less than Ten Pounds nor exceeding One hundred Pounds, or imprisonment for any term not exceeding Six months :

Regulations to be
observed by
licensees.
Vic., s. 24.

Penalty.

Book to be kept
showing gold
received.
First Schedule.

Penalty

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Book to show
how gold
disposed of.

Penalty.

Buyers and sellers
to enter and leave
only by front
door.

Penalty.

Production of
licence-books in
certain cases.

Dealer to inform
police when gold
supposed to be
stolen, &c., came
into his possession.

Form of gold not
to be changed for
Five days.

Penalty.

- III. Enter in such book an account of all such gold as he may from time to time sell, assay, smelt, or dispose of, stating in respect of each entry the day upon which, and the name of the person by or through whom, and the person to whom, he sold or disposed of the same, adding a true description of such lastmentioned person's business and precise place of abode. If he does not, he shall on summary conviction incur for the first offence a penalty of not less than Two Pounds and not exceeding Twenty Pounds, and for every subsequent offence a penalty not less than Ten Pounds nor exceeding One hundred Pounds, or imprisonment for any term not exceeding Six months :
- IV. Not by himself or any other person on his behalf permit or suffer any buyer or seller of gold, or any person bringing gold for assay or smelting, or for the purpose of selling or depositing, to enter or leave the licensed premises except by the front door thereof. If he does so he shall, on summary conviction, for the first offence incur a penalty not less than Ten Shillings and not exceeding Five Pounds, and for every subsequent offence a penalty not less than Five Pounds nor exceeding Twenty Pounds :
- V. Produce to any officer of the police force of or above the rank of sergeant, or any member of the police force generally authorised, in writing, by such an officer as aforesaid, whenever thereto requested, his licence and the book or books required to be kept as aforesaid, and any gold purchased or received by him then in his possession ; and such book or books or gold shall be deemed to be in the possession of such dealer when they are placed in any house, outhouse, yard, garden, or place occupied by him, or shall have been removed with his knowledge and permission to any other place without a *bonâ fide* sale of such gold having been made by him :
- VI. Without delay give notice to the officer or member of the police force on duty at the police station nearest to any place where he carries on business of any gold then in his possession, or which shall thereafter come into his possession, answering the description of any gold described as having been stolen, embezzled, or fraudulently obtained, in or by any printed or written information given to him by any member of the police force :
- VII. Keep all gold purchased or received by him, without changing the form in which it was when received or offered to him for purchase, or receiving, and without disposing of the same in any way, for a period of Five days after such gold has been purchased :
- VIII. For any act or default contrary to any of the Three immediately preceding paragraphs done or made by

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any gold-buyer or gold-assayer, he shall, on summary conviction, incur a penalty of not less than Ten Shillings nor more than Five Pounds, and for every subsequent offence a penalty of not less than Five Pounds nor more than Twenty Pounds, or imprisonment for any term not exceeding Three months.

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23 Any entry in a book belonging to a licensee shall be deemed, unless the contrary is shown, to have been made by or with the authority of such licensee.

Entries in gold-buyer's books deemed to have been made by him.

24 Every licensee who wilfully makes a false entry, and every person who causes a false entry to be made, in a "Gold Register Book" shall be liable, on summary conviction, to imprisonment for any period not exceeding Six months or to a penalty of not less than Five Pounds nor exceeding One hundred Pounds.

Vic., s. 25.

Penalty for false entry.

Vic., s. 26.

25—(1.) No licensed gold-buyer shall buy smelted or retorted gold unless the seller thereof supplies to him a satisfactory gold-assayer's certificate showing where the gold was obtained from, and from whom the smelter received it, and whether alluvial quartz or manufactured gold. Every licensed gold-assayer shall give a certificate as to any gold assayed by him to the person for whom such assay is made.

Purchase of gold. Vic., s. 27.

(2.) No licensed gold-buyer shall pay for gold or wrought-gold purchased by him except by cheque or cash, or by placing the proceeds to the credit of the seller's account at his bank.

26—(1.) A licensee may require any person tendering to him for sale or assay or smelting any gold, or if such person is personally unknown to him shall require such person, to make and subscribe a declaration, in such form and containing such particulars as may be prescribed, specifying the mining district and the locality wherein is situated the mine, claim, or place from which such gold was obtained.

Gold-buyer, &c., may take declaration from seller. Vic., s. 28.

(2.) Any person who knowingly, wilfully, and corruptly makes any false declaration before any licensee shall be deemed to be guilty of wilful and corrupt perjury.

(3.) Before taking any such declaration as aforesaid such licensee shall clearly explain to the person to whom such declaration is tendered the nature of the declaration, and the liability incurred by taking and subscribing a false declaration.

(4.) Any licensee or employee of a licensee who divulges any matter contained in the declaration, except for the purposes of the administration of justice or for the purpose of carrying into effect the provisions of this Act, shall be guilty of an offence against this Act.

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Hours of buying
or receiving gold.
Vic., s. 29.

27 No licensee shall buy, sell, receive, deliver, assay, or smelt gold on *Sundays* or public holidays at any time, or on any week-days otherwise than between the hours of Nine o'clock in the forenoon and Five o'clock in the evening on any day, except *Saturday*, when gold may be bought or received up till Eight o'clock.

Gold-buyer not
to buy gold except
at his place of
business.
Vic., s. 30.

28 No licensed gold-buyer shall buy, nor gold-assayer smelt or assay, gold at any other premises than those at which he carries on his business. Where gold from any other district or locality outside that specified in his licence is offered to or purchased by any gold buyer or gold-assayer, he shall, by post or as may be prescribed, forthwith forward full particulars of such offer or purchase, and the name and address of the person offering or selling the same, to the member of the police force in charge of the police station nearest to such licensee's place of business.

Special licences
for sparsely popu-
lated districts.
Vic., s. 31.

29—(1.) Notwithstanding anything in this Act contained, the Governor, subject to such terms and conditions as may be prescribed, and on payment of a fee of Twenty Shillings, may grant a special gold-buyer's licence or a special gold-assayer's licence to any person carrying on business in any sparsely populated or remote or mountainous part of *Tasmania*.

(2.) Every such licence shall, within the locality described therein, be deemed to be for all purposes a gold-buyer's licence or gold-assayer's licence, as the case may be.

(3.) The Governor may at any time revoke any such licence.

Miscellaneous.

Gold not to be
left at licensed
house.
Vic., s. 32.

30 No person shall buy, sell, assay, or smelt gold, or leave or deposit gold with any person on the premises of any holder of any licence under any Act regulating the sale of intoxicating liquor.

Gold-buyer not
to have assaying
appliances.
Vic., s. 33.

31 No licensed gold-buyer (except a bank) shall have or permit to be or remain on his premises, or have or use elsewhere, any crushing, smelting, or assaying appliances except a pestle and mortar.

No child under
Fifteen to sell gold.
Vic., s. 34.

32 No child under Fifteen years of age shall sell gold, and any person who buys gold from any child apparently under the age of Fifteen years shall be guilty of an offence against this Act.

Person deemed to
be unlicensed if
not producing
licence.
Vic., s. 35.

33 In any proceedings against any person for acting as a gold-buyer, or carrying on the business of buying gold or assaying or smelting contrary to the provisions of this Act, such person shall be deemed to be unlicensed unless at the hearing of the case he produces his licence or proves to the satisfaction of the court that he is a licensed gold-buyer or gold-assayer, as the case may be.

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34—(1.) No person except—

- I. A licensee : or
- II. A mining company registered under “The Mining Companies Act, 1884,” or “The Mining Companies (Foreign) Act”—

shall have any appliance for treatment of gold or smelting of gold, whether in use or not, in his possession or under his control, or upon any premises used or occupied by him, unless his full name, address, and signature, and the particulars and situation of the appliance, are registered at the police station nearest to his address, and he is in possession of a certificate of such registration signed by the member of the police force in charge of such police station.

(2.) A duplicate of such certificate shall be sent by such member of the police force to the Commissioner of Police and to the inspector of mines for the district wherein the appliance is kept, and to the Secretary of Mines.

(3.) This section does not apply to the stocks of vendors and manufacturers of mining appliances held in the ordinary course of trade and not used.

35 Where any matter or thing is by or pursuant to this Act directed or forbidden to be done, and such matter or thing so directed to be done remains undone, or such matter or thing so forbidden to be done is done, in every such case every person offending against such direction or prohibition shall be deemed to be guilty of an offence against this Act.

36 Any person who offers gold for sale or for smelting or assaying, or who has gold in his possession or control, or who has sold any gold, or for whom any gold has been smelted or assayed, or who in any proceeding under this section states that he gave or entrusted, or is alleged to have given or entrusted the gold to the defendant, may be required by a licensed gold-buyer or licensed gold-assayer to whom the gold is or was offered, or by whom the gold was bought or smelted or assayed, or any member of the police force or a justice, to satisfy him that such person came lawfully by the same, and that the same was obtained from the claim or works mentioned in the entry (if any) signed by him; and if he shall not so satisfy such gold-buyer, gold-assayer, member, or justice, proceedings for an offence against this Act may be taken against such person upon the information of such gold-buyer, gold-assayer, or member, or by direction of such justice; and upon the hearing, unless such person satisfies the Court that he honestly came by the same, he shall be convicted of an offence against this Act.

37 If any entry in a “Gold Register Book” signed by or on behalf of a seller or person leaving gold with a gold-assayer for smelting or assaying is untrue or incomplete in any particular, or if the name by which any person named in the entry or signing the

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Registration of
appliance for
treating gold.
Vic., s. 36.
48 Vict. No. 15.
48 Vict. No. 16.

Penalty for non-
performance of
provisions of this
Act.
Vic., s. 37.

Person in
possession of gold
to account for
same.
Vic., s. 38.

Untrue statement
by seller.
Vic., s. 39.

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same is generally known is not disclosed therein, such seller or person, and the person (if any) for whom he acts, shall be guilty of an offence against this Act.

Untrue statements by witness to sale.
Vic., s. 40.

38 If any person signs on behalf of a seller or person leaving gold with a gold-assayer for smelting or assaying, or as a witness, any entry knowing or having reason to believe or suspect that the entry is untrue or incomplete in any particular, or that the name by which any person mentioned in the entry in a "Gold Register Book" or signing the same is generally known is not disclosed therein, or if he was not well acquainted with the seller or person and his place of abode and present with him at the time of sale, or if he was not requested by the seller to sign the seller's name on his behalf, such person shall be guilty of an offence against this Act.

Untrue entries by buyer or smelter.
Vic., s. 41.

39 If any licensee buys, sells, receives, delivers, or smelts or assays gold knowing or having reasonable grounds to believe or suspect that any entry in a "Gold Register Book" is untrue or incomplete in any particular, or that the name by which any person mentioned in the entry or signing of the same is generally known is not disclosed therein, he and the person for whom he acts shall be guilty of an offence against this Act.

Untrue statements to the Minister.
Vic., s. 42.

40 If any notice or statement, or copy posted or sent or delivered to the Minister or the Secretary for Mines or member of the police force, or to the mint, or to any inspector of mines, or any public officer, is untrue or incomplete in any substantial particular, or if the name by which any person mentioned in or signing or delivering the notice or statement or copy is generally known is not disclosed therein, the person selling the gold, or posting, sending, or delivering the notice or copy or statement, and the person (if any) for whom he acts, shall be guilty of an offence under this Act.

Penalty for offence against Act.
Vic., s. 43.

41 Every person guilty of an offence against any of the provisions of this Act for which no specific penalty is provided by this Act, shall, in addition to any other penalty to which he may be liable, for every such offence be liable on conviction in a summary way to any penalty not exceeding One hundred Pounds, or to imprisonment for any term not exceeding Six months; and if a licensee, his licence shall, on a Second conviction, *ipso facto* become void as if the same had been actually revoked.

Enforcement.
Vic., s. 44.

42 Any inspector of mines or any member of the police force, or any person thereto authorised by the Minister, may take proceedings against any licensed gold-buyer or licensed gold-assayer for the revocation of his licence, or against any licensee or any person for any contravention of this Act. In any proceedings no proof shall be required of any authority under this section.

Gold.

43 The Governor may from time to time make regulations prescribing— A.D. 1908.

- Regulations.
- I. The form of licences, of applications for licences and renewals of licences, and of certificates preliminary to the granting of licences and renewals of licences :
 - II. The notices to be given by applicants :
 - III. The books to be kept by a licensee, and the form of entries to be made therein :
 - IV. By whom such entries shall be signed or certified, and for the identification of any party to a transaction or person signing any entry :
 - V. The particulars to be kept by clerks of petty sessions with regard to the granting, renewal, or revocation of licences :
 - VI. The localities or districts in and for which gold-buyers' or gold-assayers' licences may be issued :
 - VII. The conditions under which special gold-assayers' licences may be issued :
 - VIII. The keeping of a central record of all licences in force :
 - IX. The calling in of revoked licences :
 - x. The notification by licensees of the address of their place of business and of any change in such address :
 - XI. The notification by every licensee upon the outside of his place of business of his name and the nature of his business :
 - XII. The returns which shall be furnished by the licensee, the time and manner of furnishing such returns, and the persons or authorities to whom the same shall be furnished :
 - XIII. The form of declaration required to be made by any person tendering to a licensee any gold for sale or otherwise :
 - XIV. The form of assayers' certificates :
 - XV. Any alterations in the schedules to this Act which may be necessary or desirable :
 - XVI. Anything authorised by this Act to be prescribed :
- and generally for carrying into effect the provisions of this Act.

44 Notwithstanding anything to the contrary in this Act, the Governor may, by proclamation published in the *Gazette*, authorise that any licensed gold-assayer mentioned in such order may obtain under this Act a licence or renewal of a licence as a gold-buyer; and the Governor may at any time revoke any such licence. Certain persons may be authorised to hold gold-buyers' and assayers' licences.

45 All offences against the provisions of this Act or the regulations, and all penalties, forfeitures, costs, sums of money, and expenses under the provisions of this Act or the regulations, may, unless otherwise provided, be prosecuted and recovered in a summary way by and before a court in the mode prescribed by "The Magistrates Summary Procedure Act." Procedure. 19 Vict. No. 8.

Gold.

A.D. 1908.

SCHEDULES.

(1.)

GOLD REGISTER BOOK.*Entry of Purchases and Receipts.*

No. of Transaction.	Date.	Nature of Transaction. *	Name and Address of Purchaser or Seller or Depositor.	Weight and Particulars of Gold Bought or Sold. †	No. of Lease, Claim, or Holding from which Gold was obtained, and Locality.	Where, by whom, and how treated.	Value given or received.	Signatures of Parties to the Transaction other than the Licensed Gold-buyer or Gold-assayer.	To whom Gold delivered after Assay or Smelting.	Date of such Delivery.

* Under this heading particulars must be stated as to whether the transaction was a sale, purchase, advance, or deposit for safe keeping.

† Under this heading must be accurately set out the particulars of the gold dealt with.

(2.)

GOLD-BUYER'S (OR GOLD-ASSAYER'S) GENERAL LICENCE FOR A BANK.

I, Secretary for Mines for the State of Tasmania,
by virtue of the powers conferred upon me under the provisions of "The Gold Act, 1908," do hereby grant to the [*here state name of bank*] carrying on business at its Head Office at _____, and at the branches described on the back hereof, a licence to buy gold [*or, assay or smelt gold*], under the provisions of the said Act, at the Head Office and any of the said branches, until the 31st day of December, 19__.

Given under my hand, at Hobart, this _____ day of _____ 19__.
Secretary for Mines.

List of Branches Licensed and Names of Present Managers Thereof.

Place where Branch established.	Name of Manager.