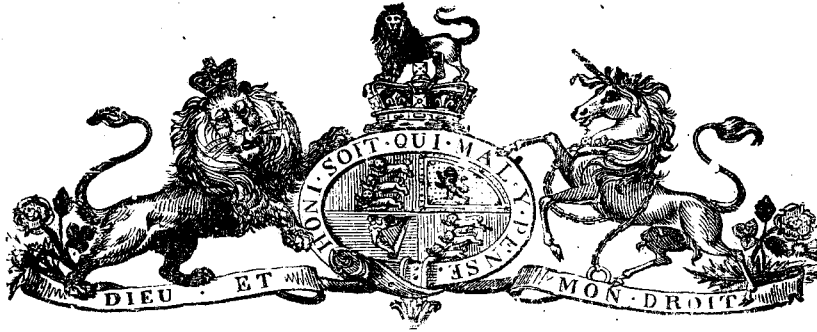


T A S M A N I A.

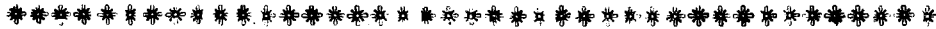


1901.

ANNO PRIMO

EDWARDI VII. REGIS,

No. 42.



AN ACT to further amend *The Police Act*, A.D. 1901.
1865. [30 December, 1901.]

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 Police Act Amendment Act, Short title. 1901.”

2 Sections Sixty-two, Sixty-three, and Eighty-eight of *The Police Act*, 1865, are hereby repealed. Repeal of Sects. 62, 63, and 88 of 29 Vict. No. 10.

3 Every person who wantonly discharges any rifle from, on to, across, or over any street in any Town, or from, on to, across, or over any public or common highway or road other than a street or beach in any Town, shall be liable to a penalty not exceeding Five Pounds for each offence, or, in the discretion of the Justice before whom he is convicted, may be committed to any gaol for a period not exceeding Fourteen days. Penalty on persons committing any of the offences herein named.

4 Every person who, to the obstruction, annoyance, or danger of the residents or passengers, wantonly throws or propels any stone or other missile, or throws, lets off, or sets fire to any firework in, Penalty on persons committing certain offences.
4d.]

Police Act Amendment.

A.D. 1901.

from, on to, across, or over any street in any Town, or in, from, on to, across, or over any public or common highway or road other than the street of any Town, shall be liable to a penalty not exceeding Five Pounds for each offence, or, in the discretion of the Justice before whom he is convicted, may be committed to any gaol for a period not exceeding Fourteen days.

Vehicles to carry lamps after sunset.

5—(1.) Every waggon, cart, carriage, and other vehicle which is driven after sunset and before sunrise through or along any street of any Town other than the City of *Hobart* or the City of *Launceston*, or along any public or common highway or road not being a street of any Town, shall, except on clear moonlight nights, be provided with at least one proper lamp, which shall be lighted and kept lighted while such vehicle is so driven, and which lamp, or one of which lamps shall be carried on the off or right side of such vehicle; and if any vehicle is driven through or along such street, highway, or road after sunset and before sunrise, except as aforesaid, without having such lamp properly lighted as aforesaid, the proprietor or driver of any such vehicle shall incur a penalty not exceeding Two Pounds.

Vehicles left on roads between sunset and sunrise to have a lamp.

(2.) Every vehicle which is left upon any such street, highway, or road, after sunset and before sunrise shall, except on clear moonlight nights, be provided with a lamp, lighted and fixed upon that part of the vehicle which is nearest the centre of such street, highway, or road, and if any such vehicle is left or placed upon any such street, highway, or road, after sunset and before sunrise, except as aforesaid, without having such lamp properly lighted and kept lighted till sunrise, then the person who so leaves or places such vehicle upon such street, highway, or road, or the proprietor thereof, shall forfeit and pay a penalty not exceeding Two Pounds:

Young persons not to have possession of firearms.

6 No person under the age of Thirteen years shall at any time have any firearm in his possession or under his control, and no owner or person having the possession or control of any firearm shall permit any person under the age of Thirteen years at any time to have such firearm in his possession or under his control.

Any person who acts in contravention of any of the provisions of this Section shall, on conviction, forfeit and pay a penalty not exceeding Five Pounds.

Firearms in possession of young persons may be seized and forfeited.

7 Any Constable or Police Officer may take possession of any firearm found in the possession or under the control of any person apparently under the age of Thirteen years, and convey such firearm, or cause the same to be conveyed to some Police Office or usual place of holding Petty Sessions, there to be detained in safe custody; and if it be shown to the satisfaction of any Justice present at such Police Office or usual place of holding Petty Sessions as aforesaid that a breach of the last preceding Section of this Act has been committed, he may order such firearm to be forfeited, and it shall thereupon become forfeited; and if the same shall be forfeited it shall be destroyed or sold

Police Act Amendment.

within One month after forfeiture by public auction by any Constable or other person directed so to do by such Justice, and the net proceeds thereof shall be paid into the Treasury, and form part of the Consolidated Revenue Fund. A.D. 1901.

8 In any proceedings under the last Two preceding Sections of this Act, it shall not be necessary for the prosecution to prove that any person alleged in the information to be under the age of Thirteen years, is under such age, but if such person appears to the Court to be under such age, such person shall, for the purposes of this Act, be deemed to be under such age unless the contrary is proved. Presumption of age of young persons.

9 Nothing in this Act contained shall be deemed to prevent any Member of any Cadet Corps from having in his possession or under his control any firearm issued to him as a Member of such Cadet Corps by the Commanding Officer of such Corps. Saving as to Members of Cadet Corps.

10—(1.) Whenever and so often as, in the opinion of the Commissioner of Police, it is expedient so to do, he may, with the consent of the Mayor, Warden, or Governing Authority, temporarily prohibit or divert, or cause to be temporarily prohibited or diverted, all or any part of the traffic upon or from any street in any Town. Temporary diversion of traffic.

(2.) Provided that he shall, whenever it is practicable, give public notice in some newspaper or newspapers generally circulating in such Town of his intention so to do.

(3.) Any person who disobeys or fails to comply with any direction given in pursuance of this Section, shall forfeit and pay a penalty not exceeding Five Pounds.

11 Any member of the Police Force in the execution of his duty may close any street in any Town to traffic during any temporary obstruction with danger to traffic, or for any temporary purpose, and may prevent the traffic or any particular kind of traffic of any vehicles or horses in any street closed to traffic under the authority of this or any other Act; and any person disobeying or neglecting to comply with any direction of a member of the Police Force made in pursuance of this Section, shall forfeit and pay a penalty not exceeding Five Pounds. Street may be closed temporarily to traffic.

12 Any driver of a vehicle or rider of a horse committing any offence against this Act who, when required by a Member of the Police Force in the execution of his duty under this Act, refuses to state his name or place of abode, or, when so required, states a false name or place of abode, shall forfeit and pay a penalty not exceeding Five Pounds. Drivers not giving name or address.

13 If any person, being the holder of a Licence for keeping a place of public entertainment or a place for public dancing, music, or other amusement of the like kind granted under the provisions of Penalty for holders of certain Licenses per-

Police Act Amendment.

A.D. 1901.

mitting disorderly
conduct on
premises.

The Police Act, 1865, shall, during the continuance of such Licence, permit any drunken person to remain on the said premises, or permit any fighting, tumult, or impropriety of behaviour to take place thereon or therein, he shall for every such offence forfeit and pay a penalty not exceeding Twenty Pounds, and the Justices before whom any information for a breach of this Section is heard may also declare that such Licence shall be void, and the same shall be void accordingly; and if the occupier or lessee for the time being of such premises shall, during the continuance of his occupation or lease, permit any drunken person to remain on the said premises, or permit any fighting, tumult, or impropriety of behaviour to take place thereon or therein, he shall for every such offence forfeit and pay a penalty not exceeding Twenty Pounds.

Acts to be read
together.

14 This Act and *The Police Act, 1865*, and every Act amending the same, shall be read and construed together as one and the same Act.