

T A S M A N I A .

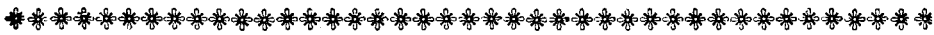


1882.

ANNO QUADRAGESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 5.



AN ACT to provide for the Establishment of A.D. 1882.
Lines of Telephonic and Telegraphic Com-
munication and for other purposes.

[21 August, 1882.]

WHEREAS it is desirable to provide for the construction, PREAMBLE.
maintenance, and regulation of lines of Telephonic and Telegraphic
Communication, and to amend *The Electric Telegraph Act* in certain 20 Vict. No. 22.
particulars :

Be it therefore 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 In this Act, unless the context otherwise determines—

“The said Act” means *The Electric Telegraph Act* :

“Gazette” means *The Hobart Gazette* :

“Superintendent” means the Superintendent of Telegraphs :

Interpretation.

20 Vict. No. 22.

2 It shall be lawful for the Governor in Council to appoint from
time to time some fit and proper person to be the Superintendent of
Telegraphs, who shall have and exercise all the powers, authorities, and
functions by the said Act and this Act conferred or imposed upon or
vested in the Inspector of Telegraphs mentioned in the said Act.

Governor in
Council may
appoint a Super-
intendent of Tele-
graphs.

Wherever the term “Inspector of Telegraphs” is used in the said Act
the same shall, after the first appointment of a Superintendent under
this Act, be deemed to mean the Superintendent of Telegraphs for the
time being.

Telephonic Communication.

A.D. 1882.

Construction of lines of telephonic or telegraphic communication by the Government.

3 The Superintendent, or any person from time to time authorised in that behalf by the Governor in Council, may construct, maintain, or enter into any contract for the construction and maintenance of lines of telephonic or telegraphic communication; and the Governor in Council or the Superintendent, and all officers, clerks, and servants employed by or under the Superintendent, shall, so far as is consistent with this Act, have the like powers respectively, so far as relates to the superintendence, construction, establishment, maintenance, and protection of such lines of telephonic communication, as they may have under any laws for the time being in force in reference to lines of communication by electric telegraph.

Agreement may be made for construction or maintenance and use of telephonic or telegraphic lines.

4 The Superintendent may from time to time, with the approval of the Governor in Council, enter into an agreement with any person, upon such terms and conditions as he may think fit, to construct or maintain lines of telephonic or telegraphic communication for such person in any district or places named in such agreement.

Every line of telephonic or telegraphic communication shall be used exclusively for the business or private affairs of such person or of any other person approved by the Superintendent.

Rents and charges to be set out in agreement.

5 Every person entering into such agreement shall pay to the Superintendent, in advance, such periodical rents or charges as shall be named in such agreement: Provided however, that such rents and charges shall be in accordance with a scale to be fixed from time to time by the Governor in Council.

Power to prohibit and prevent use of telephonic or telegraphic lines.

6 The Superintendent may, in such manner as may be convenient, and without being subject to pay compensation to any person, prohibit and prevent the use of any line of telephonic or telegraphic communication by any person who makes use or permits the use of such line for other purposes than his own business or private affairs, or the rents or charges in respect of which line have not been paid to the Superintendent.

Application of provisions of 20 Vict. No. 22 to telephonic lines.

7 The provisions of the said Act shall apply to all lines of telephonic communication to be constructed under the provisions of this Act as fully and effectually for all purposes whatsoever (including the dealing with and punishment of offenders) as if such lines were lines of communication by electric telegraph within the meaning of the said Act, either by express reference therein or by implication.

Penalty for erection and maintenance of lines of telegraphic or telephonic communication by private persons.

8 Any person who shall set up, maintain, or use in or on any lands of the Crown, except on lands leased by the person desiring to set up, maintain, or use the same, or in or on any public road, street, or highway, any line of private telegraphic or telephonic communication, or who shall wilfully use any such line heretofore set up and neglect to comply with any notice from the Superintendent to pay such charges in respect of any such line heretofore set up as may from time to time be fixed by the Governor in Council, shall, on conviction of any such offence, forfeit and pay a sum not exceeding Five Pounds for every day during which any such line shall be or continue to be so set up, maintained, or used contrary to the provisions of this Act; and the Superintendent may at any time authorise any person to take absolute possession of, cut down, or destroy the whole or any part of any such line.

Power to remove private lines.

Telephonic Communication.

9 The Governor in Council may from time to time make regulations prescribing the terms and conditions on which lines of telephonic or telegraphic communication will be constructed and maintained, or on which the exclusive use of any line of telegraphic or telephonic communication may be granted or let to any person for his own business or private affairs only, and generally for the purpose of carrying out the objects of this Act. A.D. 1882.
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Regulations.

Copies of all such regulations shall be published in the *Gazette*, and laid before both Houses of Parliament within Fourteen days from the date thereof, if Parliament shall be then sitting, and if not sitting, then within Fourteen days after the next meeting of Parliament.

10 If any person shall commit any of the following offences he shall upon conviction be liable to a penalty not exceeding Fifty Pounds, or else to be imprisoned for any period not exceeding Six months, at the discretion of the convicting Justices :— Penalty for
injuring lines of
communication or
works, or stopping
same, &c.

Wilfully or negligently injure, molest, or destroy, or wilfully or negligently permit to be injured or molested, any line of telephonic or telegraphic communication, or any of the wires, cords, insulations, posts, piers, abutments, apparatus, or works belonging to or connected therewith, or any part thereof, or the material or property relating thereto.

Wilfully or negligently disturb, obstruct, or interrupt the free use or working of any such line of communication or any works connected therewith.

Wilfully and unlawfully obstruct, hinder, or prevent the forming, constructing, completing, or maintaining any such line of communication or any part thereof.

11 The said Act as amended by this Act, and this Act, shall be read and construed together as one Act. Acts to be read
together.

12 This Act may be cited as “The Telephone Act, 1882.” Short title.

