

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 14 of 1927.

AN ORDINANCE

Relating to the sale of Tobacco Cigars and Cigarettes.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910, as follows :—

1. This Ordinance may be cited as the *Tobacco Ordinance* 1927. Short title.

2. The *Tobacco Act* of 1884 and the *Juvenile Smoking Suppression Act* of 1903 of the State of New South Wales shall cease to apply to the Territory save as to any right, privilege, obligation or liability acquired, accrued or incurred thereunder. State Acts
to cease
to apply.

3. In this Ordinance, unless the contrary intention appears— Definitions.

“Licence” means a licence under this Ordinance to sell tobacco, cigars or cigarettes and includes a licence granted before the commencement of this Ordinance under the *Tobacco Act* of 1884 of the State of New South Wales in respect of any person and place of business in the Territory and in force for the time being ; and “licensed” has a corresponding meaning ;

“the Commission” means the Federal Capital Commission ;

“the Schedule” means the Schedule to this Ordinance.

4.—(1.) This Ordinance shall not apply to the Territory accepted by the Commonwealth in pursuance of the *Jervis Bay Territory Acceptance Act* 1915 unless and until the Commission, by notice published in the *Gazette*, declares it so to apply. Application
of Ordinance.

(2.) The Commission may by any such notice declare that this Ordinance shall so apply wholly or only to the extent specified in the notice.

C.8765.

Delegation.

5.—(1.) The Commission may delegate any of its powers and functions under this Ordinance (except this power of delegation) in relation to any matters or class of matters, so that the delegated powers and functions may be exercised by the delegate with respect to the matters or class of matters specified in the instrument of delegation.

(2.) Every delegation under this section shall be revocable at will and no delegation shall prevent the exercise of any power or function by the Commission.

Grant licence.

6. The Commission may, on receipt of an application in accordance with Form A in the Schedule and upon payment of a fee of Ten shillings, at its discretion grant or renew a licence.

Form of licence.

7. A licence shall be in accordance with Form C in the Schedule.

Extent of licence.

8.—(1.) Subject to this Ordinance, every licence shall extend only to the person named therein and his employees and in respect of a particular place of business.

(2.) Every licence shall, unless sooner cancelled, remain in force for twelve months from the date upon which it was granted or renewed.

Transfer of licence.

9.—(1.) The Commission may, on receipt of an application in accordance with Form B in the Schedule, and upon payment of a fee of Five shillings, transfer a licence from person to person and from one place of business to another.

(2.) A transfer of a licence shall be in accordance with Form D in the Schedule.

Sale to person under sixteen years.

10. Any person who sells tobacco, cigars or cigarettes to any person apparently under the age of sixteen years shall be guilty of an offence.

Penalty : Five pounds.

Cancellation of licence.

11. Where the holder of a licence is convicted of an offence against any law in force in the Territory the Commission may, if it thinks fit, cancel the licence of that person.

Sale of tobacco without licence an offence.

12. Any person who sells or offers for sale tobacco, cigars or cigarettes shall, unless licensed, be guilty of an offence.

Penalty : Twenty pounds.

Licence to hawkers.

13. A licence may be granted to the holder of a licence under the *Hawkers Ordinance* 1926 without specifying any premises in respect of which the licence is granted.

Licence to be delivered up.

14. Every licensee shall, upon the expiration or cancellation of his licence, deliver the licence to the Commission within seven days after the date of expiry or cancellation.

Penalty : One pound.

THE SCHEDULE.

Form A.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Tobacco Ordinance 1927.

FORM OF APPLICATION FOR LICENCE.

(This Form is to be used also where renewal is required.)

Fee 10s.

(a) Name in full.

(b) Address.

(c) Occupation.

I (a)

of (b)

in the Territory for the Seat of Government, (c)
 hereby apply for a licence to sell Tobacco, Cigars and Cigarettes at premises situated
 in
 street in the Territory for the Seat of Government.

(Signature).....

(Date).....

(Witness).....

(Address).....

The Secretary,
 Federal Capital Commission,
 Canberra.

Form B.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Tobacco Ordinance 1927.

APPLICATION FOR TRANSFER OF LICENCE.

Fee 5s.

(a) Name in full.

(b) Address.

(c) Occupation.

(d) Mentioned
 above or
 situated at
 as the case
 requires

I (a)

of (b)

in the Territory for the Seat of Government (c)
 hereby apply for a transfer of licence to sell Tobacco, Cigars and Cigarettes (granted
 to on the day of 19
 in respect of premises situated at street) in respect of
 premises (d)

(Signature).....

(Date).....

(Witness).....

(Address).....

The Secretary,
 Federal Capital Commission,
 Canberra.

Form C.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Tobacco Ordinance 1927.

Licence No.

LICENCE TO SELL TOBACCO CIGARS AND CIGARETTES.

Pursuant to the *Tobacco Ordinance 1927* the Federal Capital Commission hereby
 grants to of
 a licence to sell Tobacco Cigars and Cigarettes at premises situated in
 street, in the Territory for the Seat of Government for one year from the
 day of 19 .

Dated this day of 19 .

.....
 Delegate of Federal Capital Commission.

Must be returned within seven days from date of expiry or cancellation to the
 Secretary, Federal Capital Commission.

Form D.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Tobacco Ordinance 1927.

TRANSFER OF LICENCE TO SELL TOBACCO CIGARS AND CIGARETTES.

Pursuant to the *Tobacco Ordinance 1927* the Federal Capital Commission hereby
 transfers Licence No. granted to of 19
 on the day of (premises situated at or to
 to of. in respect
of premises mentioned above or situated at as the case requires).

Dated this day of 19 .

.....
 Delegate of Federal Capital Commission.

Dated this sixteenth day of June, One thousand nine hundred and
 twenty-seven.

STONEHAVEN,
 Governor-General.

By His Excellency's Command,

C. W. C. MARR,
 Minister of State for Home and Territories.

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