

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 10 of 1936.

AN ORDINANCE

**To amend the Tobacco Ordinance 1927 as amended
by the Seat of Government (Administration)
Ordinance 1930-1933.**

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, pursuant to the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1.—(1.) This Ordinance may be cited as the *Tobacco Ordinance 1936*. Short title and citation.

(2.) The *Tobacco Ordinance 1927*, as amended by the *Seat of Government (Administration) Ordinance 1930-1933*, is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Tobacco Ordinance 1927-1936*.

2. Section three of the Principal Ordinance is amended by inserting after the definition of "Licence" the following definitions:—

" 'Registrar' means the Registrar of Tobacco Licences;

'Shop' means any place, building, stall, tent, conveyance or vehicle, boat or pack in which goods are offered or exposed for sale or in which the business of a hairdresser is carried on and includes any room in which a billiard table or bagatelle board is kept or hired for profit; "

3. Section four of the Principal Ordinance is repealed and the following section inserted in its stead:— Application of Ordinance.

"4.—(1.) The Minister may appoint an officer to be Registrar of Tobacco Licences. Registrar of Tobacco Licences.

"(2.) The Minister may appoint an officer to be Acting Registrar of Tobacco Licences during any temporary vacancy in the office of Registrar and the person so appointed shall have and may exercise all the powers and functions of the Registrar."

4. Section five of the Principal Ordinance is repealed.

Delegation.

1428.—PRICE 3d.

Grant of
licences.

5. Section six of the Principal Ordinance is amended—

- (a) by omitting the word “Commission” and inserting in its stead the word “Registrar”; and
- (b) by omitting the words “and upon payment of a fee of ten shillings, at its” and inserting in their stead the words “, at his”.

Extent of
licence.

6. Section eight of the Principal Ordinance is amended by omitting from sub-section (2.) the words “twelve months from the date upon which it was granted or renewed” and inserting in their stead the words “the period specified in the licence”.

Transfer of
Licence.

7. Section nine of the Principal Ordinance is amended by omitting the word “Commission” and inserting in its stead the word “Registrar”.

Cancellation of
licence.

8. Section eleven of the Principal Ordinance is amended by omitting the words “Commission may, if it” and inserting in their stead the words “Registrar may, if he”.

9. Section fourteen of the Principal Ordinance is repealed and the following section inserted in its stead:—

Licence to be
delivered up.

“14. Every licensee shall—

- (a) upon the expiration of his licence, deliver it to the Registrar within seven days from the date of expiration; and
- (b) upon the cancellation of his licence, deliver it to the Registrar forthwith.

Penalty: One pound.”.

10. After section fourteen of the Principal Ordinance the following sections are inserted:—

Licence fees.

“15.—(1.) The Registrar may, upon payment of the prescribed fee, grant licences for three, six or twelve months.

“(2.) The fees payable for licences shall be—

- (a) in the case of a licence for three months—Two shillings and sixpence;
- (b) in the case of a licence for six months—Five shillings; and
- (c) in the case of a licence for twelve months—Ten shillings.

Inspectors.

“16.—(1.) The Minister may appoint inspectors for the purposes of this Ordinance.

“(2.) An inspector, upon production of his certificate of appointment, may—

- (a) enter, at any reasonable hour, any premises or place of business where he has reason to believe tobacco is sold or offered for sale; and

- (b) require any shopkeeper or person apparently acting as manager of, or in charge of a shop truthfully to answer questions relating to compliance with, or breaches of, this Ordinance.

“(3.) Any person who—

- (a) obstructs an inspector in the execution of his duties under this Ordinance; or
- (b) fails to comply with any lawful requirement of an inspector, shall be guilty of an offence.

Penalty: Five pounds.

“17. Any person selling tobacco, cigars or cigarettes who, when required by the Registrar, an inspector or a member of the police force to produce his licence, fails so to do shall, unless he has a reasonable excuse and produces his licence to the Registrar within three days from the date of that failure, be guilty of an offence. Production of licence.

Penalty: One pound.

“18. Prosecutions for offences against this Ordinance may be instituted by, or in the name of, the Registrar.” Prosecutions.

11. The Schedule to the Principal Ordinance is amended— The Schedule.

- (a) by inserting after the figures “1927” (wherever occurring) the figures “-1936.”;
- (b) by omitting the words “The Secretary, Federal Capital Commission” (wherever occurring) and inserting in their stead the words “The Registrar of Tobacco Licences”;
- (c) by omitting the words “Delegate of the Federal Capital Commission” (wherever occurring) and inserting in their stead the words “Registrar of Tobacco Licences”;
- (d) by omitting from Form C the words “Federal Capital Commission” and inserting in their stead the word “Registrar”;
- (e) by omitting from Form C the words “one year”;
- (f) by inserting in Form C after the words “expiry or” the words “forthwith upon”; and
- (g) by omitting from Form D the words “Federal Capital Commission” and inserting in their stead the word “Registrar”.

Dated this first day of April, 1936.

GOWRIE

Governor-General.

By His Excellency's Command,

T. PATERSON

Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.