

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 21 of 1926.

AN ORDINANCE

Relating to the Licensing of Billiard Saloons.

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 *Billiard Saloon Ordinance* short title. 1926.
2. This Ordinance shall commence on a date to be fixed by the Commencement. Commission by notice in the *Gazette*.
3. The *Billiards and Bagatelle Act, 1902*, of the State of New South Wales shall cease to apply to the Territory save as to any right, State Act to privilege, obligation or liability acquired, accrued or incurred there- cease to apply. under.
4. In this Ordinance, unless the contrary intention appears— Definitions.
 - “Billiard saloon” means any room premises or place where a billiard table is kept for the use of the public;
 - “Billiard table” means any billiard table, bagatelle table or table or board for playing games kindred to billiards or bagatelle;
 - “Licence” means a licence under this Ordinance to keep a billiard saloon, and includes a licence granted before the commencement of this Ordinance, under the *Billiards and Bagatelle Act, 1902*, of the State of New South Wales, in respect of any billiard saloon in the Territory, and in force for the time being; and “licensed” has a corresponding meaning;
 - “Licensee” means a person to whom a licence is granted or transferred;
 - “Regulations” means regulations under this Ordinance;
 - “The Commission” means the Federal Capital Commission;
 - “The Schedule” means the Schedule to this Ordinance.

C.17415.

Delegation by
Commission.

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.

Licences may
be granted
renewed or
transferred.

6. The Commission may, upon receipt of an application made as prescribed, and upon payment of the prescribed fee, grant, renew, or approve of the transfer of a licence.

Form of
application for
grant, &c.,
of licence.

7.—(1.) Every application for the grant, renewal or transfer of a licence shall be made in duplicate in accordance with Form A or B in the Schedule, whichever is applicable to the case.

(2.) Every application for the grant or transfer of a licence shall be accompanied by a certificate from the senior member stationed in the Territory of the police force performing police duties in the Territory that the applicant is an adult of good character and a fit and proper person to hold a licence.

8. Every licence shall—

Licences.

- (a) extend only to the person, premises and number of tables specified in the licence, or any transfer of the licence ;
- (b) be in accordance with Form C in the Schedule ; and
- (c) unless sooner cancelled, continue in force for a period of twelve months from and including the date of its grant or renewal.

Transfer of
licence.

9.—(1.) A licence may be transferred from person to person and from place to place.

(2.) If a licence is transferred, the Commission shall endorse on the licence a certificate in accordance with Form D in the Schedule.

Keeping
billiard saloon
without licence.

10. Any person who keeps a billiard saloon—

- (a) without a licence so to do ; or
- (b) otherwise than in accordance with his licence, shall be guilty of an offence.

Penalty: For the first offence, Twenty pounds and for each subsequent offence, Fifty pounds.

Betting or
gaming on
licensed
premises.

11. The Commission may cancel the licence of any person who—

- (a) is convicted of an offence against this Ordinance or the regulations, or against the Criminal law, where the offence was committed on the premises in respect of which he holds a licence ; or
- (b) ceases, in the opinion of the Commission, to be a fit and proper person to hold a licence.

12. Any licensee whose licensed premises are kept in such a manner as to become a nuisance to the public shall be guilty of an offence. Billiard saloon creating a nuisance.

13. A licence shall not be held by any female other than a widow. Licence to female.

14.—(1.) The fee payable in respect of the grant or renewal of a licence shall be Five pounds in respect of each table specified in the licence : Fees.

Provided that the maximum fee payable in respect of a licence shall be Twenty-five pounds :

Provided further that the Commission may, in respect of the grant or renewal of any licence, where, having regard to the circumstances of the case and the locality in which the billiard saloon is to be kept, it is satisfied that it is in the public interest so to do, reduce the fee payable under this sub-section.

(2.) The fee payable upon the transfer of a licence shall be One pound.

15. Every licensee shall, upon the expiration or cancellation of his licence, deliver the licence to the Commission within seven days from the date of the expiration or cancellation. Licence to be delivered up.

Penalty : Twenty pounds.

16.—(1.) Every licensee shall display and keep displayed in a manner, style and size approved by the Commission, on the front or entrance door of every room in which the licensee keeps a billiard table, or in such other position as the Commission directs, his name in full, with the words "Licensed to keep Billiard Tables". Name of licensee to be exhibited.

(2.) Any person who fails to comply with the requirements of this section shall be guilty of an offence.

Penalty : For the first offence, Two pounds, and for any subsequent offence, Ten pounds.

17. Any licensee who knowingly permits any person under the age of eighteen years to play on any billiard table in any billiard saloon kept by the licensee shall be guilty of an offence. Persons under eighteen years of age not to play billiards in billiard saloon.

Penalty : Thirty pounds.

18. Any member of the police force performing police duties in the Territory may, at such times as he thinks fit, enter into any billiard saloon. Right of member of police force to enter billiard saloons.

19. Any person who commits an offence against or contravenes any provision of this Ordinance shall, where no other penalty is provided, be liable to a penalty not exceeding Fifty pounds. Penalty.

20. The Commission may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular for prescribing penalties not exceeding Fifty pounds for any breach of the regulations. Regulations.

THE SCHEDULE.

Form A.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Billiard Saloon Ordinance 1926.

FORM OF APPLICATION FOR LICENCE.

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

(a) Name in full. I, (a) of (b) hereby apply for a
 (b) Address. in the Territory for the Seat of Government, (c) licence to keep Billiard Tables or Bagatelle Boards (d) in premises situated in
 (c) Occupation. street in the Territory for the Seat of Government.
 (d) Cross out words not applicable. Amount due
 £ : :
 No. of tables in the Saloon

(Signature)

(Date)

(Witness)

(Address)

The Secretary,

Federal Capital Commission,
Canberra.

CERTIFICATE OF MEMBER OF POLICE FORCE.

I, being the senior member stationed in the Territory of the police force performing police duties in the Territory hereby certify that the applicant, the said

- (1) is of the full age of 21 years,
- (2) is a person of good character, and
- (3) is a fit and proper person to hold a licence under the *Billiard Saloon Ordinance 1926.*

(Signature)

Form B.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Billiard Saloon Ordinance 1926.

APPLICATION FOR TRANSFER OF LICENCE TO CONDUCT A BILLIARD SALOON.

(a) Name in full. I, (a) of (b) hereby apply for the
 (b) Address. in the Territory for the Seat of Government (c) approval of the Federal Capital Commission to the transfer of the licence No.
 (c) Occupation. granted to me on the day of 19 in respect
 (d) Person or place (as case requires) to which transfer desired. of premises situated at street to (d)
 Dated this day of 19
 (Signature)

CERTIFICATE OF MEMBER OF POLICE FORCE.

I, being the senior member stationed in the Territory of the police force performing police duties in the Territory hereby certify that the said

- (1) is of the full age of 21 years;
- (2) is a person of good character; and
- (3) is a fit and proper person to hold a licence under the *Billiard Saloon Ordinance 1926.*

(Signature)

THE SCHEDULE—continued.

Form C.

The Territory for the Seat of Government.

FEDERAL CAPITAL COMMISSION.

Billiard Saloon Ordinance 1926.

LICENCE TO CONDUCT A BILLIARD SALOON.

Whereas _____ residing at _____ has satisfied the Federal Capital Commission that he is a fit and proper person to hold a licence under the *Billiard Saloon Ordinance 1926* And whereas the said _____ has paid the sum of _____ as the fee payable in respect of that licence, Now the Federal Capital Commission hereby grants to the said _____ a licence to keep a billiard saloon in premises situated at _____ street, but not elsewhere, to be used during lawful hours, and to set up and maintain in the said premises _____ billiard tables (or _____ bagatelle boards).

And this licence shall commence upon the _____ day of _____ and continue in force for the period of twelve months commencing on that date unless sooner cancelled.

Dated this _____ day of _____ 192 .

Delegate of Federal Capital
Commission.

Issued subject to the *Billiard Saloon Ordinance 1926* and any amendments thereof and the Regulations for the time being in force thereunder.

If not cancelled *must be returned on date of expiry* to the Secretary, Federal Capital Commission.

Licence No. _____ granted under the *Billiard Saloon Ordinance 1926* on the _____ day of _____ 19 _____ in respect of premises situated at _____ is hereby transferred to premises situated at _____ (or to (a) _____ of _____ in respect of premises _____ situated at _____). (a) Insert name of person to whom transferred.

Dated this _____ day of _____ 19 _____ .

Delegate of Federal Capital
Commission.

Dated this twenty-fourth day of November, One thousand nine hundred and twenty-six.

STONEHAVEN,
Governor-General.

By His Excellency's Command,

T. W. GLASGOW,
Minister of State for Home and Territories.