No. 398.

An Act to provide for and regulate Refreshment-rooms at Railway Stations.

[Assented to, November 16th, 1887.]

WHEREAS it is expedient to make provision for and regulate refreshment-rooms at railway stations—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. This Act may be cited for all purposes as "The Railway Refreshment-rooms Act, 1887."

2. The Commissioner of Railways for the time being of the province (hereinafter designated "the Commissioner") may, from time to time, demise for refreshment-rooms, for any period not exceeding seven years, upon such terms and conditions as may appear to him expedient, any premises at any railway station in the said province vested in him as such Commissioner.

3. The Treasurer may issue to any lessee under this Act a licence in the form of the Schedule A hereto, which licence shall authorise the holder thereof to sell and dispose of brandy, gin, rum, whisky, cordials containing spirits, wine, ale, porter, beer, and any other spirituous, malt, vinous, and fermented liquors (all of which are hereafter designated as "liquor"), in any quantity, at such refreshment-
refreshment-rooms upon such days and during such hours as may be
authorised by such licence, any law relating to the sale of such
liquors to the contrary notwithstanding.

4. The annual licence fee for any licence issued under this Act
shall be Ten Pounds.

5. Every such licence shall determine and become forfeited on
the holder thereof becoming insolvent, or making any assignment
for the benefit of his creditors, or on his lease becoming determined,
or on his being convicted within a period of nine months for three
several offences against this Act.

6. The Commissioner may, on the expiration or forfeiture of any
lease under this Act, by any writing under his hand, authorise any
person to take possession of the premises mentioned in such lease
on behalf of the Commissioner; and it shall be lawful for the person
so authorised and his assistants, without any further authority, to
forcibly eject any person and the goods and effects of any person in
possession or occupation of such premises, and to take possession
thereof on behalf of the Commissioner.

7. Every lessee under this Act who shall, directly or indirectly,
sell, supply, barter, or exchange by retail, or permit to be sold,
supplied, bartered, or exchanged by retail, any liquor at any time or
times not authorised by his licence, or to any railway employé,
contrary to any rule or regulation of the railway service, shall be
guilty of an offence against this Act, and on conviction thereof shall
forfeit and pay for every such offence a sum of not less than Two
Pounds nor more than Twenty Pounds.

8. Every person holding a licence under this Act shall, for the
purposes of sections 74, 82, 83, 85, and 88 of "The Licensed Vic-
tuallers Act, 1880," be deemed to be a person holding a licence
under that Act, and every conviction for any offence against any of
the above-mentioned sections, or against sections 81, 109, or 127 of
the said Act, shall be deemed to be a conviction for an offence
against this Act.

9. The Commissioner may make regulations to be observed by
every lessee under this Act for regulating the quality and variety
of the refreshments (including liquor) to be provided by such lessee:
to limit the scale of charges to be made therefor: to provide the
forms, particulars, terms, and conditions of tendering for any lease,
and to provide what covenants, conditions, and provisos shall be
inserted in any lease: to regulate the periods and hours during
which licences shall be in force, and generally for carrying this Act
into effect.

10. All such regulations shall be published in the Government
Gazette, and shall thereafter have the force of law; and all regula-
tions for the time being in force shall, for all purposes, be incorpo-
rated with and form part of this Act.

11. All
The Railway Refreshment-rooms Act.—1887.

11. All licences granted by the Treasurer before the first day of July, one thousand eight hundred and eighty-seven, in respect of any refreshment-rooms at any railway station, are hereby ratified and confirmed and declared to be of the like force and effect as if granted and issued pursuant to this Act, but no licence shall hereafter be issued pursuant to this Act unless the same shall have been previously granted by the Licensing Bench for the district, which grant, in the discretion of such Bench, may be obtained in like manner as in the case of the grant of a wine licence.

12. No licence issued pursuant to this Act shall authorise the sale of any liquor except at times to be specified in such licence, not being earlier than half an hour before the time fixed for the arrival, and to expire not later than half an hour after the departure from such station of certain trains to be specified in such licence.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. C. F. ROBINSON, Governor.

SCHEDULE
SCHEDULE A.

"Railway Refreshment-rooms Act, 1887."

I, the undersigned, Treasurer of the Province of South Australia, do hereby licence of

brandy, gin, rum, whisky, cordials containing spirits, wine, ale, porter, beer, and any other spirituous, malt, vinous, and fermented liquors, in any quantity, at the

railway refreshment-rooms at

in the

said province, subject to the provisions of the above-named Act and the Regulations

made, or to be made, thereunder.

This licence shall commence on the day of the issue hereof, and continue in force for twelve calendar months [or as the case may be], provided it be not determined or forfeited in the meantime.

Given under my hand this day of 18.

Treasurer.