

POLICE.

12° Elizabeth II., No. XLII.

 No. 42 of 1963.

AN ACT to amend the Police Act, 1892-1962.*[Assented to 25th November, 1963.]*

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Police Act Amendment Act, 1963.* Short title and citation.

(2) In this Act the Police Act, 1892-1962, is referred to as the principal Act. Reprinted. Approved for reprint 26th June, 1962 and amended by Act No. 29 of 1962.

(3) The principal Act as amended by this Act may be cited as the Police Act, 1892-1963.

S. 82
amended.

2. Section eighty-two of the principal Act is amended by inserting, immediately after the word, "fruit", in line five of paragraph (2), the passage, " , mushroom or other fungus,".

S. 82A
added.

3. The principal Act is amended by adding, after section eighty-two, the following section:

Penalty on
persons
trespassing
on enclosed
land.

82A. (1) Every person who shall, without lawful excuse, enter into the enclosed land of another person, without the consent of the owner, occupier or person in charge thereof, and shall cause damage or injury to any property such as is mentioned in section eighty-two of this Act shall pay to the party aggrieved the amount of any damage or injury done and shall be liable to a fine not exceeding five pounds.

Cr. s. 50
of this Act.

(2) The owner, occupier or person in charge of enclosed land who shall find a person on the land whom he has just cause to suspect of having entered into the land without consent may demand and require of that person his name and address, and any such person who shall neglect or refuse to give his name and address or who shall give a false name and address when applied to as aforesaid shall upon conviction be liable to a fine not exceeding five pounds.

(3) The provisions of this section shall be read and construed as in aid of, and not in derogation from, the provisions of section eighty-two of this Act and not in derogation from the rights of a person at law.

The term "enclosed land" mentioned in this section means any land, either public or private, that is enclosed or surrounded by a fence, wall or other erection, or partly by a fence, wall or other erection, and partly by some natural feature, such as a river or cliff, by which the boundaries thereof may be known or recognised; but does not include any road enclosed with the land.

4. Section eighty-four of the principal Act is ^{S. 84} amended—

- (a) by inserting, immediately after the section number, "84." the subsection designation, "(1)";
- (b) by deleting the passage, "or knowingly permit or suffer persons apparently under the age of sixteen years to enter and remain therein," in lines seven, eight and nine; and
- (c) by adding the following subsection:

(2) Every person who, being the occupier, keeper or person having the charge or control of a shop or other place of public resort, shall knowingly permit or suffer a child apparently under the age of sixteen years to enter and remain therein, under such circumstances as shall indicate that the mental, physical or moral welfare of such child is likely to be in jeopardy, shall, on conviction for every such offence, be liable to a penalty of not more than five pounds.
