



Western Australia.

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VICTORIÆ REGINÆ.

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No. XV.

AN ACT for the Licensing of Refreshment Rooms on Railways and at Theatres.

[Assented to, 11th September, 1895.]

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

1. THIS Act may be cited as "The Railway and Theatre Refreshment Rooms Licensing Act, 1895," and is divided into parts, as follows:— Short title.

PART I.—REFRESHMENT ROOMS AT THEATRES.

PART II.—RAILWAY REFRESHMENT ROOMS.

2. IN this Act the expression "Principal Act" shall mean "The Wines, Beer, and Spirit Sale Act, 1880," and any Act amending the same. Interpretation.

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### PART I.—REFRESHMENT ROOMS AT THEATRES.

Incorporation with  
"Wines, Beer, and  
Spirit Sale Act, 1880,"  
and its amendments.

3. THIS part of this Act shall be incorporated with and read as part of the Principal Act.

Theatre Refreshment  
Room License.

4. IN addition to the licenses mentioned in Section 4 of the Principal Act, there may be granted a theatre refreshment room license in the First Form of the First Schedule to this Act.

Annual Fee.

5. THE annual fee for such license shall be Fifteen pounds, and Section 15 of the Principal Act shall be read to include such license and fee in addition to the licenses and fees therein mentioned.

To whom License  
may be granted.

6. ANY such license may be granted to the owner, lessee, or occupier of any theatre, or to any other person with the consent of such owner, lessee, or occupier, and the notice of application for the same shall be made in the Second Form of the First Schedule to this Act.

Effect of License.

7. THE person so licensed may sell liquor at a refreshment room at the theatre, and shall, for that purpose, enjoy the same rights and privileges as the holder of a publican's general license; Provided that liquor shall not be sold at such theatre save on the occasion of a concert or theatrical or other public performance at the theatre, and not on the Lord's Day, Christmas Day, or Good Friday.

Licensed premises.

8. ANY room or rooms in which liquor is sold by any such licensee shall be deemed to be the licensed premises within the meaning of the Principal Act.

### PART II.—RAILWAY REFRESHMENT ROOMS.

Interpretation.

9. IN this part of this Act the word "Commissioner" shall mean the Commissioner of Railways for Western Australia for the time being, and the words "General Manager," the General Manager for the time being of any private railway.

Repeal of part of  
s. 37 of 42 Vict., No.  
31.

10. IN Section thirty-seven of the Act 42 Victoria, No. 31, all the words which follow the word "refreshments," to the end of the Section, are repealed.

Railway refreshment  
rooms.

11. (1.) ON the application of the lessee or occupier of any refreshment room or stand at a railway station (which application shall be made in writing in the First Form of the Second Schedule to this Act), and upon payment of a fee, to be fixed, in the case of

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a public railway, by the Commissioner, and in the case of a private railway, by the Colonial Treasurer, of not less than Five pounds and not more than Thirty pounds, the Commissioner in the first of such cases and the Colonial Treasurer in the second may grant to the applicant a license in the Second Form of the same Schedule for the sale of liquor at the refreshment room or stand for the period of one year from the date of the license.

(2.) The person so licensed may sell liquor at such refreshment room or stand, and shall for that purpose enjoy the same rights and privileges as the holder of a publican's general license; provided that liquor shall be sold at such room or stand only within a reasonable time before and after the arrival or departure of any passenger train at or from such station; but this proviso shall not render illegal a sale to any person who may be a *bonâ fide* lodger in any premises let at any such station for the accommodation of travellers.

**12.** THE Commissioner, in the case of a public railway, and the General Manager in the case of a private railway, may from time to time make, alter, or repeal such regulations for the proper ordering and maintenance of any railway refreshment rooms or stands as he may deem necessary, and the Commissioner or the Colonial Treasurer may at any time cancel any license issued by them respectively under the provisions of this Act.

Power to make  
regulations and  
cancel licenses.

In the name and on behalf of the Queen I hereby assent  
to this Act.

ALEX. C. ONSLOW, Administrator.

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## *The Railway and Theatre Refreshment Rooms Licensing Act, 1895.*

### First Schedule.

#### REFRESHMENT ROOMS AT THEATRE.

#### Form No. I.—*License (59 Vict., No. 15).*

WESTERN AUSTRALIA, }  
TO WIT. }

Section 4.

WHEREAS A.B., of \_\_\_\_\_, hath deposited in my office a Certificate from the major part of the Licensing Magistrates assembled at the Quarterly Licensing Meeting, held at \_\_\_\_\_, on the day of \_\_\_\_\_, in the year of our Lord, 189\_\_\_\_, authorising the issue to the said A.B. of a Theatre Refreshment Room License for the Theatre situated in [*describe position*]: AND WHEREAS the said A.B. hath paid into my office the sum of £ \_\_\_\_\_ as the fee on such License: Now, I do hereby license the said A.B. to sell liquor in any quantity in the room or rooms set apart for that purpose in the said Theatre, but not elsewhere; and this license shall commence upon the first day of \_\_\_\_\_ next, and continue in force until the 31st day of December next ensuing, both days inclusive, provided it be not forfeited in the meantime.

Given under my hand and seal at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_.

C.D. (l.s.),  
Collector of Internal Revenue.  
[*or other person, as the case may be*].

#### Form No. II.—*Notice of Application for License.*

Section 6.

To the Worshipful the Licensing Justices acting in and for the District of \_\_\_\_\_, in Western Australia.

I, A.B., of \_\_\_\_\_, being the owner (*or lessee, or occupier*) *or* (with the consent of C.D., of \_\_\_\_\_, the owner *or lessee or occupier*) of the \_\_\_\_\_ Theatre at \_\_\_\_\_, do hereby give notice of my intention to apply, at the next Licensing Meeting to be holden for this district, for a Refreshment Room License at the said Theatre.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.

A.B.

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## *The Railway and Theatre Refreshment Rooms Licensing Act, 1895.*

### Second Schedule.

#### Form No. I.—*Application for License for Railway Refreshment Rooms.*

To the Commissioner of Railways for Western Australia (or the Colonial Treasurer).

I, A.B., being the lessee (or occupier) of the Railway Refreshment Room (or stand) at the station on the railway, do hereby apply for a license for the sale, by retail, of liquor under the provisions of "The Railway and Theatre Refreshment Rooms Licensing Act, 1895." Section 11.

Dated the day of , 189

A.B.

#### Form No. II.—*License (59 Vict., No. 15).*

Whereas A.B., being the lessee (or occupier) of the Railway Refreshment Room (or stand) at the station on the railway, has applied to me for a license to sell liquor, by retail, at the said station under the provisions of "The Railway and Theatre Refreshment Rooms Licensing Act, 1895," and has paid the sum of £ being the fee fixed by me under the said Act as payable for such license for the said station: Now I, the undersigned, being the Commissioner of Railways for Western Australia (or the Colonial Treasurer, as the case may be), do hereby license the said A.B. to sell liquor, by retail, at the said Refreshment Room (or stand). This license shall remain in force for a year, unless earlier revoked by me. Section 11.

Given under my hand this day of , 189

(Signature)

Commissioner of Railways  
(or Colonial Treasurer).