

WESTERN AUSTRALIA

ANNO QUADRAGESIMO QUARTO

VICTORIÆ REGINÆ

No. 19

An Act to amend 'The Auctioneers' Act, 1873.'

[Assented to 7th April, 1881.]

WHEREAS it is expedient to amend 'The Auctioneers' Act, 1873': Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows :—

Repeal

1. 'The Auctioneers' Amendment Act, 1879,' is hereby repealed.

Prohibition of night auctions not to apply to sales of land

2. The prohibition contained in the seventh section of 'The Auctioneers' Act, 1873,' shall not apply to persons selling freehold or leasehold lands or tenements.

Auctioneers to have the privileges of a gallon license holder

3. An Auctioneer shall, without further payment or without being licensed under 'The Wines, Beer, and Spirit Sale Act, 1880,' have, in addition to the rights and privileges conferred by 'The Auctioneers' Act, 1873,' the privilege of selling in any quantity not less than one gallon on the premises on which a *bonâ fide* sale of the goods and effects of the occupier or late occupier of the said premises shall be held, all liquors which are the private stock of such occupier of the said premises, and which have been kept *bonâ fide* for the home consumption of such occupier. Provided, nevertheless, that before an Auctioneer, not being the holder of a gallon license, can or may exercise the rights and privileges hereby conferred, or any of them, he shall first obtain the written license of a Police or Resident Magistrate for that purpose, which said license the said Magistrate may grant or refuse as he may deem advisable; and every such license shall be for one day's sale only, and shall state the premises upon which the auction is to be held; and the rights and privileges hereby conferred shall extend only to the day and premises mentioned in the said license.

Proviso

Reservation of rights of auctioneer being a license holder

4. Nothing in this Act contained shall interfere with or deprive an Auctioneer, holding a license under 'The Wines, Beer, and Spirit Sale Act, 1880,' from selling liquors in accordance with the privileges conferred upon him by such license as he may hold.

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*Auctioneers' Amendment Act, 1881*

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5. An Auctioneer who is also the holder of a gallon license or of a spirit merchant's license shall have the right of selling liquor on any premises other than those in respect of which he is so licensed, but in all other respects in accordance with such license, notwithstanding anything contained in 'The Wines, Beer, and Spirit Sale Act, 1880.'

An auctioneer who holds a gallon license or a spirit merchant's license may hold sale on any premises

6. The short title of this Act shall be 'The Auctioneers' Amendment Act, 1881.'

Short title

WILLIAM C. F. ROBINSON,  
GOVERNOR.

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