

1909.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1° 13 August, 1909.

(Brought from the Senate.)

A BILL

FOR

AN ACT

To amend the *Post and Telegraph Act 1901*.

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

5 1.—(1.) This Act may be cited as the *Post and Telegraph Act* Short title and citation.
1909.

(2.) The *Post and Telegraph Act 1901* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Post and Telegraph Act 1901-1909*.

10 2. The following Part and Sections are inserted after Part I. of the Principal Act:—

“PART IA.—RECORDING MACHINES.

15 “65A. In this Part, unless the contrary intention appears, ‘Recording Machine’ means a machine for the purpose of making impressions upon postal articles and telegrams, indicating the value of the postage or charges chargeable in respect of their transmission by the Department, and of recording the amounts of the values so indicated. Definition of recording machines.

20 “65B. Postal articles and telegrams, intended for transmission to places within the Commonwealth or to any other prescribed place, bearing thereon an impression, made by a lawfully issued recording machine, indicating the value of the postage or charges chargeable Impressions of postage, &c., payable to be accepted as prepayment.

[C. 26]—780/14. 8. 1909.—F. 7444.

thereon,

thereon, shall be treated as if bearing postage stamps to the value so indicated, and shall be transmissible as if the postage or charges thereon had been prepaid to that extent.

Permit to issue recording machines.

“ 65c.—(1.) The Postmaster-General may grant to any person a permit to issue recording machines of approved patterns and may at any time revoke any permit so granted. 5

(2.) An application for a permit under this section must be made in writing.

(3.) Before a permit is granted the applicant must give security by bond to the satisfaction of the Postmaster-General— 10

(a) that he will only issue recording machines of approved patterns and to approved persons and in accordance with the regulations; and

(b) that he will make good to the Postmaster-General any loss to the revenue of the Commonwealth arising from fraud in the use of any recording machine issued by him. 15

(4.) Any person who issues a recording machine, otherwise than in accordance with a permit under this Act and as allowed by the regulations, shall be liable on summary conviction to a penalty not exceeding One hundred pounds or to imprisonment for a term not exceeding six months for each recording machine so issued. 20

(5.) Every recording machine, issued otherwise than in accordance with a permit under this Act and as allowed by the regulations, shall be forfeited to the King, and may be seized by any officer or police constable acting by authority of the Postmaster-General or of any Deputy Postmaster-General. 25

Making of dies for recording machines.

“ 65d. Dies, for making impressions upon postal articles and telegrams indicating the value of the postage or charges chargeable thereon, for use in or in connexion with any recording machine, shall only be made by the authority of the Postmaster-General, and all such dies shall be the property of the Postmaster-General. 30

Making of false dies and false impressions.

“ 65e.—(1.) Any person who—

(a) without lawful authority makes or has in his possession, for use in or in connexion with a recording machine, any die capable of making impressions indicating the value of postage or charges; or 35

(b) knowingly makes or has in his possession any die, the impression of which resembles or is apparently intended to resemble an impression by a lawfully issued recording machine; or 40

(c) makes upon, or applies to, any postal article or telegram, or any envelope wrapper card form or paper intended for transmission by post or telegraph, any impression resembling or apparently intended to resemble an impression by a lawfully issued recording machine; or 45

(d) with

(d) with intent to defraud, posts or tenders for transmission by post or telegraph any postal article or telegram bearing or having applied thereto any impression resembling or apparently intended to resemble an impression by a lawfully issued recording machine,
 5 shall be guilty of an indictable offence, and shall be liable to imprisonment with or without hard labour for a term not exceeding two years.

(2.) Any die made, or had in the possession of any person, in
 10 contravention of this section shall be forfeited to the King.

“65f.—(1.) Every person who issues a recording machine in pursuance of a permit shall deliver to an officer, authorized by the Deputy Postmaster-General to receive them, all keys to the recording machine or to any part thereof, and such keys shall be the property of the Postmaster-General.
 15

Custody of key to recording machines.

(2.) Any person (not being the holder of a permit to issue recording machines, or a person lawfully acting under his authority, or an authorized officer) who makes or has in his possession any key to a recording machine or any part thereof, shall be liable on
 20 summary conviction to a penalty not exceeding One hundred pounds, or to imprisonment for a term not exceeding six months, and the key shall be forfeited to the King.

“65g.—(1.) The amount, recorded by a recording machine issued under this Act, as the value of the postage and charges impressed by that machine, shall be a debt due from the person to whom the recording machine was issued to the Commonwealth :
 25 Provided that an allowance may be made in the case of impressions made and recorded in error and proved to the satisfaction of the Deputy Postmaster-General not to have been used.

Amounts impressed by recording machines to be paid to Department.

(2.) Any authorized officer may, at any time in the daytime, inspect any recording machine, and read the record of the amount of the value of postage or charges impressed by it.
 30

(3.) The officer inspecting any recording machine for the purposes of this section shall permit the person to whom the machine was issued or his agent to have an opportunity of being present when the inspection is made.
 35

“65h. If any person to whom a recording machine has been issued is convicted of any offence against this Part of this Act, or of the regulations regulating the issue or use of recording machines, any
 40 Deputy Postmaster-General may, by writing, direct any officer to take possession of all dies in the possession of such person for use in connexion with the recording machine, and that officer may thereupon go upon any premises where the recording machine is and may take possession of and remove such dies accordingly.

Power to take possession of dies on conviction of user of machine.

“65i. Any authorized officer may at any time examine any recording machine issued under this Act, and open any part of the machine, and seal up any part thereof or any lock used to fasten any part thereof, and for those purposes may enter upon any premises where any recording machine issued under this Act is kept or used
 45 or is supposed to be.
 50 “65j. Any

Power to examine recording machines.

**Tampering
with recording
machines:**

“65j. Any person who—

- (a) wilfully obstructs any officer in the execution of any power under this Part of this Act ; or
- (b) tampers with any recording machine ; or
- (c) without authority breaks any seal placed by an officer 5
on any part of a recording machine or on any lock
used to fasten any part thereof ; or
- (d) without authority interferes with the mechanism of any
recording machine ;

shall be liable on summary conviction to a penalty not exceeding 10
Fifty pounds or to imprisonment for a period not exceeding six
months.

Regulations.

“65k. The regulations may provide for any matters necessary or
convenient to be prescribed for regulating the issue and use of
recording machines and for protecting the Department from loss 15
in connexion with their use.”

1909.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

POST AND TELEGRAPH [RECORDING MACHINES] BILL.

(Amendment to be proposed in Committee.)

By Mr. Tudor—

Clause 65c.—(1.)—

Strike out all words after "Postmaster-General" in line 4, and insert, "purchase recording machines of an approved pattern, or purchase patent rights of recording machines, and may grant permits for their use."

1st December, 1909,

Printed and Published for the GOVERNMENT of the COMMONWEALTH of AUSTRALIA
by J. KEMP, Government Printer for the State of Victoria.

[C. 42]—310/1.12.1909.—F.9160.

