

1910.

THE PARLIAMENT OF THE COMMONWEALTH.
 HOUSE OF REPRESENTATIVES.

Read 1^o 12 October, 1910.

(Brought in by the Postmaster-General, the Honorable Josiah Thomas.)

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 :—

1.—(1.) This Act may be cited as the *Post and Telegraph Act* Short title and citation.
 5 1910.

(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 1901-1910*.

10 2. Section ninety-seven of the Principal Act is amended—

(a) by omitting therefrom the words "The Governor-General may make regulations for the following purposes or any of them" and inserting in their stead the words "The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and, in particular, may make regulations for all or any of the following purposes"; Amendment of s. 97.

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[C.36]—830/12.10.1910.—F.8979.

(b) by

- (b) by omitting therefrom the whole of paragraph (r); and
 (c) by omitting therefrom all words from and including the words "Such regulations shall when published in the *Gazette*" and inserting in their stead the words "The power to make regulations contained in this section shall extend to the making of regulations binding not only upon officers and persons having business with the Department, but upon all persons whatsoever, and all regulations made in pursuance of this section shall have effect as if they were enacted in this Act." 5 10

3. After section one hundred and seventeen of the Principal Act, the following section is inserted :—

Publishing
unauthorized
telephone lists.

117A.—(1.) Any person who without the authority of the Postmaster-General (the proof of which authority shall be on the person charged) prints, publishes, or circulates, any list purporting to be a list of the subscribers or persons connected with any Telephone Exchange, shall be liable to a penalty not exceeding Ten pounds. 15

(2.) Every list printed, published, or circulated, in contravention of this section shall be forfeited to the King, and shall on demand in writing by the Postmaster-General be delivered up to him. 20

4. Section one hundred and thirty-three of the Principal Act is repealed and the following section substituted in its stead :—

Breaking or
damaging
telegraph posts
or wires.

133.—(1.) Any person who breaks, injures, or damages any post, cable, insulator, or thing being part of, or used in connexion with, any telegraph shall be liable to a penalty not exceeding Twenty pounds and not less than Two pounds or to be imprisoned for any term not exceeding two months, and may be ordered to pay compensation for any repairs rendered necessary. 25

(2.) A person shall not be liable to be convicted under this section if he proves that the breaking, injury, or damage did not arise from any wilful, negligent, or unlawful act on his part. 30

(3.) Where the offender is under the age of sixteen years, the Court or a Justice may on the application of the prosecutor summon the father of the offender to appear before a Court of Summary Jurisdiction to show cause why he should not be ordered to pay compensation for the repairs rendered necessary by the offender's act, and on the hearing of the summons the Court may, if it thinks fit, order the father to pay such compensation. 35

(4.) Except to the extent of any compensation ordered to be paid, this section shall not affect the liability in civil proceedings of any person in respect of any breaking injury or damage to which this section relates. 40