

[CONFIDENTIAL.]  
(Rough Draft for Consideration Only.)

No. , 1928.

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A BILL

To increase the penalties provided by the Police Offences Act, 1901, for offences against sections six and seven of that Act; for that purpose to amend the said Act; and for purposes connected therewith.

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BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Police Offences Short title. (Amendment) Act, 1928."

2. The Police Offences Act, 1901, is amended by inserting immediately before section forty the following new section :—

Amendment of Act No. 5, 1901.

39A. (1) Any business agent who by any false, misleading, or deceptive statement, representation, or promise or by any wilful concealment of material facts induces or attempts to induce any person to enter into any contract relating to the sale or purchase of a business, shall be guilty of an offence.

False statements or advertisements in connection with the sale or purchase of a business.

(2) Any business agent who causes to be inserted in any newspaper any advertisement relating to the sale or purchase of a business where such advertisement contains statements or particulars which are untrue or misleading in any material respect, shall be guilty of an offence.

Where it is proved that the statements or particulars contained in any such advertisement are untrue or misleading in any material respect, the person charged may be convicted if he fails to prove that at the time when the advertisement was caused to be inserted by him he had some reasonable justification for believing that such statements or particulars were true or were not misleading in any material respect.

(3) Any person convicted of an offence under this section shall be liable to a penalty not exceeding *one hundred* pounds, or to imprisonment for any term not exceeding *twelve* months, or to both.

(4) The expression "business agent" in this section includes any person who, whether for reward or otherwise, acts or offers to act as agent in connection with the sale or purchase of any business, and also includes an employee of any such person.