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No. , 1911.

A BILL

To provide for the licensing and regulation of servants registry offices ; and for purposes incidental thereto and consequent thereon.

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 " Servants Registry Offices Act, 1911." Short title.

2. In this Act, if not inconsistent with the context—
" District " means a district as constituted for the time being under the Factories Act of 1896. Definitions. N.Z. Act, No. 174 of 1908, s. 2.

" Inspector " means an inspector of factories for a district as herein defined.

" Magistrate " means police or stipendiary magistrate.

“ Servant ” means any person engaged or seeking engagement for hire in any manual capacity, whether domestic, agricultural, pastoral, mechanical, or otherwise howsoever.

“ Servants registry office,” or “ registry office,” or “ office ” means any house or office at which is carried on the business of procuring servants for employers or employment for servants, but does not include any association or institution not carried on for the profit thereof.

3. It shall not be lawful for any person in any district directly or indirectly to keep or conduct a registry office, or to in any way hold himself out to be a keeper or conductor thereof, or to charge or recover fees for or in connection with the hiring of servants, unless he is the holder of a license in the form numbered three in the Schedule hereto.

Registry office keepers to be licensed.

Ibid. s. 3.

4. (1) The inspector for the district shall issue such license to any person who—

Application for license.

Ibid. s. 4.

(a) makes written application therefor in the form numbered one in the Schedule hereto; and

(b) forwards with such application a license-fee of ten shillings, and a certificate of character signed by a magistrate in the form numbered two in the said Schedule.

(2) Before a person applies to a magistrate for such certificate he shall give at least three days' written notice to such inspector stating the date and place, when and where, he intends to apply for the same, and the inspector shall be entitled to be heard and bring evidence in opposition to the granting of such certificate.

5. Such license, unless sooner cancelled, shall continue in force in the district for which it was issued, but not elsewhere, for one year, but may be renewed from year to year on payment of an annual fee of five shillings.

Duration of license.

Ibid. s. 5.

6. The inspector shall keep a register of all license-holders in his district, and of all indorsements and cancellations of licenses.

Register.

Ibid. s. 6.

7. A copy of any entry in such register directed to be made by the last preceding section and purporting to be signed by the inspector shall be prima-facie evidence of the truth of the matters stated in such copy.

Evidence.

Ibid. s. 7.

8. Every license-holder shall keep the following records of his business :—

Records to be kept by licensee.

Ibid. s. 8.

(a) A book containing the name of every person who pays or is charged a fee for or in connection with the hiring of servants, together with the date and the amount of the fee.

(b) A book of engagements in the form numbered four in the Schedule hereto, containing the particulars therein specified.

(c) The originals of all letters received, for a period of one year from the receipt thereof, by the license-holder relating to the hiring of servants.

9. Such books and records shall be accurately kept from day to day, and shall at all reasonable times be open to inspection by the inspector. Open to inspection. *Ibid.* s. 9.

10. Any employer or servant may at all reasonable times inspect and take copies of any entry relating to himself in such books. Copies. *Ibid.* s. 10.

11. Every license-holder shall at all times keep posted up in some conspicuous place in or on his office, so as to be easily read by the public, the words "Licensed registry office keeper". Calling to be posted up. *Ibid.* s. 11.

12. (1) It shall not be lawful for a license-holder to transfer his license to any person, or to directly or indirectly permit any person to carry on business under colour of such license. Licenses not transferable. *Ibid.* s. 12.

(2) It shall not be lawful for any person not being a license-holder to directly or indirectly hold himself out to be a license-holder.

13. The Governor may, by regulations made by him, and published in the Gazette, prescribe a scale of fees chargeable by and payable to license-holders in respect of the hiring of servants. Fees. *Ibid.* s. 13.

14. Every license-holder shall at all times keep posted up in some conspicuous place in his office, so as to be easily read by all persons, a printed copy of the scale of fees for the time being in force under this Act. Scale of fees to be posted up. *Ibid.* s. 14.

15. (1) It shall not be lawful for any license-holder to directly or indirectly demand or receive from any person, for or in respect of the hiring of any servant, any greater or other fees than those specified in such scale, and any sum received by any license-holder in breach of this section may be recovered back, with full costs of suit, by the person who paid it. Fees which may be received. *Ibid.* s. 15.

(2) No license-holder shall, directly or indirectly, take or accept any goods or chattels in payment or as security for the payment of such fees, nor shall any license-holder receive or accept any reward or other consideration in addition to the said fees.

16. (1) It shall not be lawful for any license-holder to directly or indirectly keep servants as lodgers, or have any share or interest in the keeping of a lodging-house for servants. Licensee not to keep lodging-house for servants. *Ibid.* s. 16.

(2) For the purpose of this section, a license-holder shall be deemed to have such interest as aforesaid, if any lodger or lodging-house is kept by any member of the license-holder's household.

17. Every contract or agreement made between any license-holder and any other person relating to the keeping of servants as lodgers, or of a lodging-house for such purpose, shall be illegal and void for all purposes. Illegal contract. *Ibid.* s. 17.

18. If any person, being a license-holder, fails or neglects to comply with any of the provisions of this Act, or, being a license-holder or not, commits a breach of any of the provisions of this Act, he is liable to a penalty not exceeding five pounds. Penalty. *Ibid.* s. 18.

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19. In all proceedings under section three hereof, the onus shall be on the accused to prove, by the production of his license, that he is a license-holder. Onus of proof. *Ibid.* s. 19.

20. In all proceedings under this Act against a license-holder he shall produce his license to the court. License to be produced in court. *Ibid.* s. 20.

21. Every conviction against a license-holder shall be indorsed on his license by the convicting magistrate or justices, and on a third indorsement within three years from the first indorsement within such period being made, the license shall be deemed ipso facto cancelled, and the clerk of the court shall deliver it up to the inspector. Convictions to be indorsed on license. *Ibid.* s. 21.

22. If any license-holder is convicted of any indictable offence, his license shall be deemed ipso facto cancelled. Conviction for indictable offence. *Ibid.* s. 22.

23. No person whose license has been cancelled shall be entitled to hold a license in any district until the expiration of one year from the date of such cancellation. Effect of cancellation. *Ibid.* s. 23.

24. No license-holder shall be entitled to maintain an action for the recovery of fees unless at the trial he produces his license. Recovery of fees. *Ibid.* s. 24.

25. On satisfactory proof of the loss or destruction of a license, and, on the payment of a fee of one shilling, the inspector may, at the request of the licensee, issue a duplicate (bearing all indorsements), and such duplicate shall avail for all purposes as if it were the original. Duplicate of license. *Ibid.* s. 25.

26. All fees and fines received and recovered under this Act shall be paid into the Treasury and form part of the Consolidated Revenue Fund. Fees, &c., to be paid into Consolidated Revenue Fund.

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SCHEDULE.

(1) *Application for license.*

To the inspector of factories for the district of
I, A.B., residing at _____, hereby apply for a license under the Servants
Registry Offices Act, 1911, as the keeper of a servants' registry office at the premises
situate at _____ in this district. I enclose herewith the certificate of a
magistrate, and also the prescribed fee of ten shillings.

Dated this _____ day of _____, 19 . A. B.

(2) *Certificate of magistrate.*

I, the undersigned, being a stipendiary magistrate residing or exercising
jurisdiction within the district of _____, do hereby certify that I believe
(*here state the name of the applicant*) to be a fit and proper person to keep and have the
conduct of a servants' registry office under the Servants Registry Offices Act, 1911.

Dated at _____, this _____ day of _____, 19 .
C. D.,
Stipendiary (or Police) Magistrate.

(3) *License.*

I, the undersigned, inspector of factories for the district of _____, do hereby
certify that A.B., of _____, is hereby licensed to keep and have the conduct of a
servants' registry office in this district, subject to the provisions of the Servants
Registry Offices Act, 1911. This license, unless sooner cancelled, continues in force in
this district (but not elsewhere) for one year from the date hereof, and is not transferable
in any manner whatsoever.

Dated this _____ day of _____, 19 . E. F.,
Inspector of Factories.

(4) *Book of engagements.*

Name of employer.	Address and occupation.	Name of servant.	Nature of engagement.	Rate of wages.	Terms of engagement.