

No. , 1901.

A BILL

To provide for the regulation and control of advertisements
visible from the harbour of Sydney.

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 "Sydney Harbour Advertisements Regulation Act, 1901."

2. In this Act, unless the context or subject-matter otherwise indicates or requires,—

"Advertisement" includes any announcement or direction, or any word, letter, model, sign, device, or representation in the nature of an advertisement, announcement, or direction.

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"Court"

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“Court” means a court of petty sessions.

“Regulations” means regulations made under this Act.

“The commissioners” mean the Sydney Harbour Trust Commissioners, constituted under the Sydney Harbour Trust Act, 1900.

“The harbour of Sydney” means “the port” as defined by the Sydney Harbour Trust Act, 1900.

3. From and after the commencement of this Act, the commissioners shall have the control of advertisements visible from any part of the harbour of Sydney, and may at all reasonable times enter upon any land, building, or premises, where any such advertisement is displayed, and inspect such advertisement.

4. (1) Where any such advertisement is displayed at the said date, the commissioners may at any time, by notice in writing, direct the person displaying the same or permitting the same to be displayed, to remove it within a time to be specified in such notice.

(2) Any person who fails to comply with any such direction shall be liable to a penalty not exceeding *fifty* pounds.

5. (1) No advertisement not already displayed at the said date shall be displayed unless a license under this Act has been granted by the commissioners, and is still valid.

(2) A license to display an advertisement shall only be granted upon application in the manner prescribed by the regulations, and upon approval by the commissioners of the character of the proposed advertisement and of the place where and the manner in which it is proposed to display the same.

(3) Every such license shall be valid only—

- (a) during a period to be specified therein, and
- (b) while the advertisement in respect of which it is granted is unaltered.

(4) Any person who displays or permits to be displayed any such advertisement in respect of which no valid license exists shall be liable to a penalty not exceeding *fifty* pounds.

6. (1) Where—

- (a) any person is ordered to pay any penalty under either of the two last preceding sections; or
- (b) the court is satisfied
 - (i) that an advertisement is being displayed in respect of which the commissioners desire to give notice directing the removal thereof under section four, or in respect of which there exists no valid license under section five, and
 - (ii) that the person who is displaying such advertisement or permitting the same to be displayed is unknown to the commissioners,

the court may, by order, authorise the commissioners to remove the advertisement in question. (2)

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(2) Where the court has made any such order as in the last preceding subsection provided, the commissioners may enter upon the land, building, or premises where such advertisement is displayed and remove the same and restore the place where, or the matter or thing upon which, the same was displayed to its original condition, and may do or execute all works and things necessary for any such purpose.

(3) The expenses of and incidental to any such work shall be recoverable from the person who displayed, or permitted to be displayed, such advertisement so removed, as though the same were a penalty imposed under this Act.

7. The amount of any penalty imposed under this Act shall when recovered be paid over to the commissioners.

8. (1) The commissioners may make regulations for and relating to—

- (a) the forms of notices and licenses required by this Act ;
- (b) the manner in which applications for licenses shall be made ;
- (c) the inspection of advertisements or proposed advertisements and of places where and the manner in which the same are displayed or it is proposed to display the same ;
- (d) the fees to be paid for such inspections and licenses.

(2) Every regulation shall, upon approval of the Governor, and notification in the Gazette, have the force of law, and shall be laid before Parliament within fourteen days after such notification, if Parliament be then in session, and if not, then within fourteen days after the commencement of the next ensuing session.
