

vagrancy (Amendment) Bill, 1934.

EXPLANATORY NOTE.

This Bill is designed—

- (a) to give the Police more power to take action against any suspected person found in or upon certain classes of buildings and in any place adjacent to any street or highway;
 - (b) to render persons found without lawful excuse in railway trucks containing goods or in railway yards containing laden trucks, liable to imprisonment for six months; and
 - (c) to make provision to enable any Justice to forfeit a recognizance *ex parte* upon due proof that any condition thereof has not been fulfilled.
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[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1934.

A BILL

To amend the Vagrancy Act, 1902, as amended by subsequent Acts, and other Acts; and for purposes connected therewith.

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. (1) This Act may be cited as the "Vagrancy Short title and citation. (Amendment) Act, 1934."

(2) The Vagrancy Act, 1902, as amended by subsequent Acts, including this Act, may be cited as the "Vagrancy Act, 1902-1934."

Vagrancy (Amendment).

2

2. The Vagrancy Act, 1902, as amended by subsequent Acts, is amended—

Amendment of Act No. 74, 1902.

- (a) by omitting from paragraph (g) of subsection two of section four the words “warehouse, coach-house, stable or outbuilding” and by inserting in lieu thereof the following words: “or any building within the curtilage of any dwelling-house and occupied therewith but not being part thereof, or any school-house, shop, warehouse, or counting-house, office, store, garage, pavilion, factory or workshop, or any building belonging to His Majesty or to any Government department, or to any municipal or other public authority”;
- (b) (i) by inserting in paragraph (i) of the same subsection after the words “is found in” the words “or upon”;
- (ii) by omitting from the same paragraph the words “warehouse, coach-house, stable or outhouse” and by inserting in lieu thereof the following words: “or any building within the curtilage of any dwelling-house and occupied therewith but not being part thereof, or any school-house, shop, warehouse, or counting-house, office, store, garage, pavilion, factory, or workshop, or any building belonging to His Majesty or to any Government department, or to any municipal or other public authority”;
- (c) by inserting next after paragraph (i) of the same subsection the following new paragraph:—
- (iA) without lawful excuse is found upon any railway in or upon any truck or other vehicle which contains goods or merchandise, or in any railway yard in which there is any truck or other vehicle which contains goods or merchandise;

Sec. 4 (2) (g).
cf. Crimes Act, 1900, s. 112).

Sec. 4 (2) (i).

cf. Crimes Act, 1900, s. 112.

Sec. 4 (2) (i).

(d).

Vagrancy (Amendment).

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- (d) by inserting in paragraph (j) of the same sub- Sec. 4 (2) (j).
section after the words "or place adjacent"
the words "to any street or highway";
 - (e) by adding at the end of section 8A the follow- Sec. 8A.
ing new subsection:—
 - (2) Any justice upon due proof that any
condition of a recognizance has not been
complied with may ex parte forfeit the recog-
nizance.