

NATIVE ADMINISTRATION.4^c and 5^c GEO. VI., No. XXXVII.

No. 37 of 1940.

AN ACT to amend section forty-eight of the Native Administration Act, 1905-1936.

[Assented to 30th December, 1940.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Native Administration Act Amendment Act, 1940*, and shall be read as one with the Native Administration Act, 1905-1936, as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1936, hereinafter referred to as the principal Act.

Amendment
of s. 48.

2. Section forty-eight of the principal Act is amended as follows:—

(a) by inserting in the section after subsection (3) a new subsection, as follows:—

(3a) Any native who asks, solicits, or otherwise attempts to procure any other person whomsoever to purchase or to obtain the

supply or gift of any fermented, spirituous or other intoxicating liquor in any quantity whatsoever, either alone or mixed with any other substance, or any opium for such native, shall be guilty of an offence, and be liable on summary conviction to a penalty not exceeding five pounds or to imprisonment not exceeding one month. It shall not be a defence to a charge of an offence under this subsection that no purchase was made or that no supply or gift was obtained as requested by the native charged.

(b) by adding to the section after subsection (4) a new subsection, as follows:—

(5) In any proceedings for an offence against any of the provisions of this section, any liquor mentioned in the complaint or information as being fermented, spirituous, or other intoxicating liquor shall, until the contrary is proved, be deemed to be fermented, spirituous, or other intoxicating liquor.

3. The principal Act as amended by this Act may be cited as the Native Administration Act, 1905-1940.

Citation of
principal
Act as
amended.