

7 ELIZ. II. No. 62, 1958. *Vagrants, Gaming, Etc., Act.*

## VAGRANTS.

### An Act to Amend "The Vagrants, Gaming, and Other Offences Acts, 1931 to 1955," in certain particulars.

7 ELIZ. II.  
NO. 62.  
THE  
VAGRANTS,  
GAMING,  
AND OTHER  
OFFENCES  
ACTS  
AMENDMENT  
ACT OF 1958.

[ASSENTED TO 12TH DECEMBER, 1958.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1.) This Act may be cited as "*The Vagrants, Gaming, and Other Offences Acts Amendment Act of 1958.*" Short title.

(2.) \*"*The Vagrants, Gaming, and Other Offences Acts, 1931 to 1955,*" are in this Act referred to as the Principal Act. Principal Act.

(3.) The Principal Act and this Act may be collectively cited as "*The Vagrants, Gaming, and Other Offences Acts, 1931 to 1958.*" Collective title.

2. Section two of the Principal Act is amended— Amendments of s. 2.

(i.) By—

(a) Inserting in the definition "Obscene publication" therein, after the words "lithograph, drawing," the word "record"; and

(b) Adding to that definition, the following paragraph:—

"For the purposes of this definition a record shall be deemed to be obscene if the words or sounds capable of being reproduced therefrom are obscene;";

(ii.) By inserting therein, after the definition "Place", the following definition:—

"*Play*"—(In relation to a record) reproduce recorded words or sounds from the record by means of a gramophone or other device;"; and Play.

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(iii.) By inserting therein, after the definition "Public place", the following definitions:—

**Publish.**      "Publish"—(In relation to a record) deliver the record to any person or play the record in the hearing of any person ;

**Record.**      "Record"—Any gramophone record, wire, tape, or other thing by which words or sounds are recorded and from which they are capable of being reproduced ;".

**Amendment of s. 15 (1).**      **3.** Section fifteen of the Principal Act is amended by adding to subsection one thereof the following paragraph:—

"For the purpose of the application of this subsection to records, the warrant shall be deemed to authorise the police officer or any of his assistants making the search to play any record found in the house, shop, room, premises or other place which he believes may be obscene by means of any gramophone or other device which such police officer or any of his assistants brings with him or finds therein."

**Repeal of s. 40.**

**4. (1.)** Section forty of the Principal Act is repealed.

(2.) This section shall come into operation on the day whereon \*"*The Justices Acts Amendment Act of 1958*" comes into operation.

**Amendment of s. 43.**

**5.** Section forty-three of the Principal Act is amended—

(i.) By inserting in the first paragraph of that section, after the words "including his photograph and finger prints", the words "and palm prints"; and

(ii.) By inserting in the proviso to that section, after the words "any finger prints", the words "or palm prints".

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\* 7 Eliz. II. No. 39. Commenced 2 Feb., 1959. (Proc. pubd. Gaz. 20 Dec., 1958, p. 2140.)