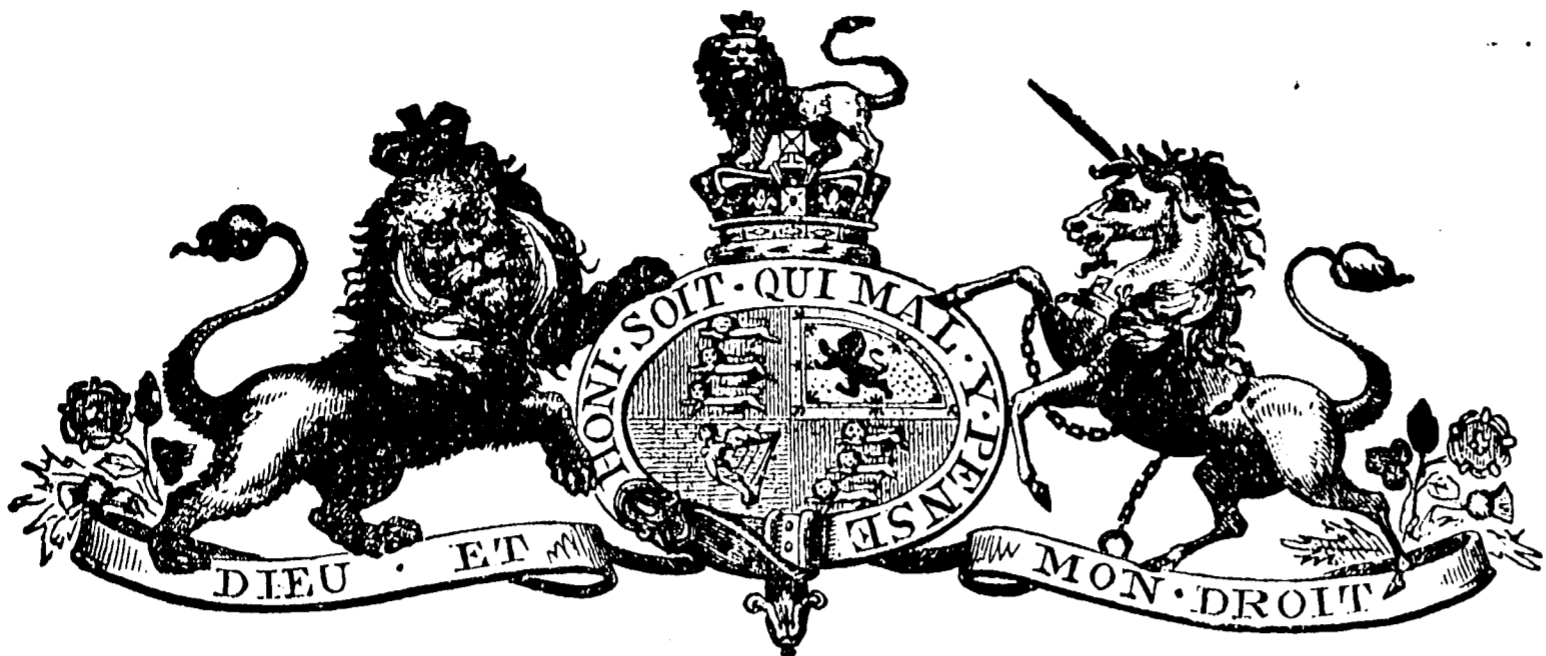


VICTORIA.



ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. DCCCCXCVI.

An Act to amend "*The Sales by Auction Statute 1864.*"

[22nd *December* 1888.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may for all purposes be cited as "*The Sales by Auction Amending Act 1888,*" and shall be read and construed with "*The Sales by Auction Statute 1864*" hereinafter called the "*Principal Act.*"

Short title and construction.

2. The Governor in Council may from time to time appoint any place which has been appointed for the holding of Courts of Petty Sessions to be a place for the issue of certificates authorizing the issue of a general auctioneer's licence (although such place is not within the police district of Melbourne or Geelong), and any such appointment may at any time revoke.

Additional places may be appointed for the issue of certificates for general auctioneers' licences.

3. When any place has been so appointed any person desirous of obtaining a general auctioneer's licence may deliver his application to the Clerk of the Court of Petty Sessions at such place; and the provisions of the Principal Act shall apply to such application and the granting of a certificate authorizing the issue of a general auctioneer's licence in all respects as though such court were held in the police district of Melbourne or Geelong.

Application of No. 203 to places appointed under this Act.

4. Where

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Provision as to applications for renewal of auctioneer's licence.

4. Where any person who is the holder of a general auctioneer's licence or a district auctioneer's licence (as the case may be) has given notice in accordance with the provisions of the Principal Act as amended by this Act of his intention to apply for such a licence for the ensuing year the certificate authorizing the issue of such licence shall, unless notice of objection be given as hereinafter provided, be issued by the Court of Petty Sessions as of course and although the applicant do not appear personally or by any one on his behalf before such Court of Petty Sessions.

Objector to give notice and make deposit.

5. Notwithstanding anything contained in the Principal Act no person shall object to the issue of a general auctioneer's licence or a district auctioneer's licence to any applicant who is at the time of making application therefor the holder of such a licence unless such person objecting have sent by a prepaid registered post letter to the applicant notice of his intention to object to his application, nor unless such letter have been posted and a deposit of Five pounds sterling made with the Clerk of the Court of Petty Sessions at which the application is to be heard at least eight clear days before the day on which such application is disposed of by the Court of Petty Sessions.

Objector's deposit may be awarded to applicant as costs.

6. The Court of Petty Sessions on hearing any such application and objection may if in the opinion of the court the objection is frivolous or vexatious and made without sufficient reason order that the whole or any part of the sum so deposited by the person objecting shall be paid to the applicant as costs. So much of such deposit as is not ordered to be paid to the applicant shall be returned to the person objecting after the application has been disposed of.

Certificate of character unnecessary where application for renewal of licence is made.

7. The provisions of the Principal Act relating to the delivery to the Clerk of the Court of Petty Sessions of a certificate of character and to the posting of the same inside and outside the building in which the Court of Petty Sessions is held shall not apply in any case where the person applying for a general auctioneer's licence or a district auctioneer's licence is at the time of making application therefor already the holder of such a licence and it shall not be necessary for any such person to obtain such a certificate of character.

MELBOURNE:

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