

Hon. Mr. Dick.

LICENSING ACT AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Governor may alter or abolish districts.</p> <p>4. Local body to appoint Returning Officer. Amended provisions as to holding of licensing meetings.</p> <p>5. Annual election of Assessors for Native licensing districts. Resignations.</p> <p>6. Assessors within new districts or to supply vacancies.</p>	<p>7. Expenses of election to be paid by local bodies.</p> <p>8. Local body to appoint Presiding Officer at poll.</p> <p>9. Expenses of poll to be paid by local body.</p> <p>10. Applications for renewal of license need not be advertised.</p> <p>11. Grant of licenses within mining districts, &amp;c.</p> <p>12. Temporary transfer of license to be registered. License not to be retained.</p> <p>13. Application of fees.</p>
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A BILL INTITULED

AN ACT to amend "The Licensing Act, 1881."

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** The Short Title of this Act is "The Licensing Act Amendment Act, 1882." It shall be read subject to the interpretations of "The Licensing Act, 1881" (herein referred to as "the said Act").
- 2.** "Local body" has the same meaning as is attached thereto in "The Regulation of Local Elections Act, 1876."
- 10    **3.** The Governor may abolish and re-constitute any district constituted under the said Act, as well as alter or re-define the boundaries thereof.
- Whenever any district is altered but not abolished, or the boundaries thereof re-defined, it shall not be necessary to make new appointments therein, but the Licensing Committee and all officers duly acting in the district before the
- 15    alteration or re-definition thereof shall continue to act in and for the district as altered or re-defined.
- 4.** Subsections two, three, six, nine, and fifteen of section thirteen of the said Act are hereby repealed, and in lieu thereof it is enacted as follows:—
- 20    (1.) The local body having jurisdiction within any licensing district shall appoint the Returning Officer for such district in manner provided by "The Regulation of Local Elections Act, 1876;" and sections six to nine, both inclusive, of the Act last named shall apply in respect to every Returning Officer so appointed.
- 25    (2.) The result of every election of a Licensing Committee shall be notified in manner provided by section thirty-five of "The Regulation of Local Elections Act, 1876," by the Returning Officer; who by the same notification shall appoint the time and place at which each Licensing Committee shall meet for the first time for the purpose of electing their Chairman, and such time shall be as soon as conveniently may be and within fourteen days from the time of such
- 30    notification.
- (3.) All costs and expenses incident to the election of any Licensing Committee shall be paid by the local body having jurisdiction within the district where the election takes place.

- (4.) The Returning Officer appointing the time for the holding of licensing meetings shall also appoint the place, not being licensed premises, at which such meetings shall be respectively held; but if there be in the district any place used as a courthouse by the Resident Magistrate having jurisdiction in the district, then such meetings shall be held at such courthouse. 5
- (5.) The places at which licensing meetings are held need not necessarily be within the limits of the licensing district to which such meetings relate, if such meetings can be more conveniently, and no less effectually, held outside of such limits. 10

Annual election of Assessors for Native licensing districts.

5. Section nineteen of the said Act is hereby repealed, and in lieu thereof it is hereby enacted as follows:—

In every Native licensing district there shall be elected annually as many Assessors as there are Licensing Committees of ordinary licensing districts having jurisdiction within the Native licensing district. 15

Such annual election shall be held in the month of February in each year, and such Assessors shall be elected by a majority of the inhabitants qualified to vote for Maori representatives in Parliament, in the same manner as the members of the House of Representatives for the Maori electoral districts are elected under "The Maori Representation Act, 1867," and its amending Acts, or under any Act which may hereafter be passed in substitution thereof. 20

Resignations.

Any Assessor may resign his office at any time by letter to the Governor.

Assessors within new districts, or to supply vacancies.

6. Where a Native licensing district is newly constituted, or any vacancy occurs in any such district by the death or resignation of any Assessor, the Governor shall appoint the time, mode, and place of holding the necessary election of Assessors for such district in the manner hereinbefore prescribed. 25

The Governor may from time to time make all necessary appointments and regulations for the conduct of any such election under such Act.

The provisions of section twenty of the said Act shall apply in respect of all Assessors elected as in this Act is provided. 30

Expenses of election to be paid by local bodies.

7. All expenses incident to the election of Assessors shall be defrayed in the same manner as provided with respect to the elective members of the Licensing Committees.

Local body to appoint Presiding Officer at poll.

8. The Presiding Officer at any poll of ratepayers to be taken under the said Act shall be appointed by the local body having jurisdiction within the district wherein such officer is to preside, and not by the Chairman as is provided in the forty-seventh section of the said Act. 35

Expenses of poll to be paid by local body.

9. Section fifty-three of the said Act is hereby repealed, and in lieu thereof it is enacted as follows:—

All costs and expenses incident to the taking of any poll of ratepayers under the said Act shall be paid by the local body having jurisdiction within the district wherein such poll is taken. 40

Applications for renewal of license need not be advertised.

10. All persons applying for the renewal of a license shall conform with the requirements of section fifty-six of the said Act, as if the application were for an original license, excepting as in the said section mentioned, and excepting also that it shall not be necessary to advertise such applications in the newspapers as is required in the said section. 45

Grant of licenses within mining districts, &c.

11. Section seventy-four of the said Act is hereby repealed, and in lieu thereof it is hereby enacted as follows:—

In any place or district where, owing to a sudden increase of population or otherwise, the necessity for the immediate grant of publicans' licenses exists, the Governor may appoint some person or persons to exercise 50

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a special authority in the granting of such licenses, and shall define the limits within which such authority may be exercised.

The persons so appointed may hear and determine at any time applications for publicans' licenses in respect of premises situate within such limits as aforesaid.

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The license to be granted in the first instance under the provisions of this section shall be a conditional license, but the same fee shall be paid for the same as for a publican's license.

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No license granted under the provisions of this section shall be renewed or transferred; but it shall be necessary for the licensee, in respect of the following year, to apply for a publican's license to the Licensing Committee of the district at the annual licensing meeting held in the month of June, in the same manner as if he were not a licensed person.

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12. When a license having a temporary transfer indorsed thereon is deposited with the Clerk of the Licensing Committee, under the provision of section ninety-one of the said Act, the said Clerk shall enter the particulars of such transfer in the register of licenses, and return the license to the person entitled thereto, instead of retaining it as in the aforesaid section is provided.

Temporary transfer of license to be registered. License not to be retained.

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13. In section one hundred and nine of the said Act the words "out of such fees" are hereby repealed.

Application of fees.