

Hon. Mr. Wilson.

LICENSING ACTS AMENDMENT.

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A BILL INTITULED

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

WHEREAS it is expedient to amend "The Licensing Act, 1881," and the Acts amending the same:

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

1. The Short Title of this Act is "The Licensing Acts Amend-

Title.

Preamble.

Short Title.

10 2. The words "the said Act," wherever in this Act occurring, shall mean "The Licensing Act, 1881."

Interpretation.

15 3. The Returning Officer henceforth shall appoint the day for the taking of the poll of ratepayers, as mentioned in section forty-six of the said Act, as well as appoint the day for the election of a Licensing Committee.

Duties of Returning Officer.

4. The following provisions relating to the election of Licensing Committees shall come into operation on the passing of this Act:—

Provisions relating to election of Licensing Committees.

20 (1.) The Returning Officer shall appoint the day in the now next ensuing year for the election of members of the Licensing Committee under the provisions of subsection four of section thirteen of the said Act as if this Act had not been passed.

25 (2.) Every member of a Licensing Committee elected at such election shall come into office on his election, and shall hold office for the term of one year, or until the election of his successor under the provisions of this section.

(3.) The Returning Officer shall appoint the day in the year one thousand eight hundred and eighty-five for the taking of the poll of ratepayers in the manner provided by section

No. 120—1.

forty-six of the said Act as if this Act had not been passed, and shall appoint the same day for the election of the Licensing Committee in succession to the Committee to be elected in the now next ensuing year.

- (4.) Every member of a Licensing Committee elected in the year 5
one thousand eight hundred and eighty-five and thereafter
shall come into office on his election, and shall hold office
for *three* years, or until the election of his successor.
- (5.) From and after the year one thousand eight hundred and 10
eighty-five the elections of Licensing Committees shall
be held on the days appointed under the said Act for the
taking of the poll of ratepayers, and simultaneously there-
with once in every *third* year only.

Extraordinary
vacancies.

5. In case of any extraordinary vacancy occurring in any Com-
mittee, the Governor shall appoint a person to fill up such vacancy, 15
who shall hold office only until the next Committee is elected.

Section 13 amended.

6. The word "annually," in subsection one of section thirteen
of the said Act, the words "and thereafter in the same month in every
year," in subsection four, and the whole of subsections eight and 20
eighteen of the said section thirteen, are hereby repealed, and the said
section shall be read and construed as though the said repealed words
and subsections respectively were omitted therefrom.

Section 46 amended.

7. Section forty-six of the said Act is hereby amended by the
omission of the words "The Chairman of the Licensing Committee," 25
and the insertion, in lieu thereof, of the words "The Returning
Officer."

Auctioneers not
incapable of holding
wholesale licenses.

8. Subsection three of section twenty-eight of the said Act, so
far as it relates to persons carrying on the business of auctioneers,
shall not be deemed to apply to wholesale licenses.

Section 59 amended.

9. Section fifty-nine of the said Act is hereby amended by the 30
omission of the words "on payment of costs."

Section 150 repealed.

10. Section one hundred and fifty of the said Act is hereby
repealed, and in lieu thereof the following is enacted, that is to say,—

Record of conviction
discretionary.

Every record of an offence against any of the last four foregoing 35
sections may, in the discretion of the Committee, be indorsed on the
license of the person convicted.

Section 154
amended.

11. Section one hundred and fifty four of the said Act is hereby
amended by the omission of the last paragraph, and the substitution
of the following in lieu thereof:—

All licensed premises shall be closed on Christmas Day and Good 40
Friday, as if such days were respectively Sunday; but this provision
shall not alter the hours during which such premises shall be closed
on Sunday when Christmas Day immediately precedes or succeeds
Sunday.

Offences by
prohibited persons.

12. If any person against whom a prohibition order shall have 45
been made under section one hundred and sixty-seven of the said Act
shall be found in an intoxicated state such person shall be liable, on
conviction thereof before any two Justices, to imprisonment for any
term not exceeding one month; and, in the case of a second or any
subsequent offence, for any term not being less than one month nor 50
exceeding three months; and if any such prohibited person shall be
shown to have, while in a state of intoxication, created a disturbance

in his or her own house, or to have abused or ill-treated any member of his or her family or household, such person shall be liable, on conviction, to imprisonment with hard labour for any term not exceeding six months.

5 13. The following amendments are also made in the said Act:—

Sections 206 a amended.

10 (1.) The words "shall be proved to have been made against him," in the seventh line of the two hundred and sixth section, shall be struck out, and the words "shall have been recorded by indorsement on his license" shall be inserted in place thereof.

(2.) The word "shall" in the second and third subsections of section two hundred and seven of the said Act shall be struck out, and the words "may, in the discretion of the Licensing Committee," shall be inserted in place thereof.

15 14. This Act shall be read with and as part of "The Licensing Act, 1881."

Act to be part of "The Licensing Act, 1881."