

LICENSING AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill makes miscellaneous amendments to the Licensing Act 1908.

Clause 2: By section 17 of the Licensing Amendment Act 1957, the 1957 elections of Licensing Committees were postponed, and existing Licensing Committees were kept in office until the date fixed for local body elections this year. The effect of the amendment made by this clause is to keep existing Committees in office until the end of October 1960.

Clause 3: Section 76 of the principal Act prohibits the granting of a publican's licence in a borough unless the premises have a front or principal entrance separate from and in addition to the entrance to the bar or to the place where liquor not to be drunk on the premises is sold. *Subclause (1)* of this clause authorises the Licensing Committee, in special circumstances, to grant an exemption from that provision. *Subclause (2)* provides that where licensed premises do not conform to section 76 at the passing of this Act they are to be made to conform by 1 December 1961, unless an exemption is sooner granted.

Clause 4: Under section 30 of the Licensing Amendment Act 1948 the Licensing Control Commission may from time to time review the distribution throughout New Zealand of publicans', accommodation, wholesale, and tourist house licences, and must do so at least once in every ten years. The new section substituted by this clause omits the requirement of a review every ten years, and permits a general or partial review at any time in the discretion of the Commission; but the new *subsection (2)* empowers the Minister to require the Commission to make a general or partial review at any time.

Hon. Mr Mason

LICENSING AMENDMENT

ANALYSIS

Title	2. Licensing Committees to remain in office until 31 October 1960
1. Short Title	

A BILL INTITULED

An Act to amend the Licensing Act 1908

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

1. Short Title—This Act may be cited as the Licensing Amendment Act 1959, and shall be read together with and deemed part of the Licensing Act 1908 (hereinafter referred to as the principal Act).

- 10 **2. Licensing Committees to remain in office until 31 October 1960**—Section seventeen of the Licensing Amendment Act 1957 is hereby amended by omitting from subsection two the words “the date on which the general election of members of local authorities next following the passing of this Act is held
15 pursuant to subsection one of section four of the Local Elections and Polls Act 1953”, and substituting the words “the thirty-first day of October, nineteen hundred and sixty”.

3. Exemptions as to separate entrances—(1) Section seventy-six of the principal Act is hereby amended by adding the following subsection:

“(3) The Licensing Committee may from time to time, if in the special circumstances of any case it thinks fit to do so, exempt the holder of any publican’s licence, wholly or for such period, and on and subject to such terms and conditions, as it thinks fit, from the requirements of subsection one of this section so far as they relate to a front or principal entrance separate from and in addition to the entrance to the bar or to the place where liquors not to be drunk on the premises are sold.”

(2) Where at the passing of this Act any licensed premises do not conform to the requirements of the said section seventy-six relating to the front or principal entrance, the holder of the licence in respect of those premises shall, unless he is sooner granted an exemption under subsection three of that section, and subject to the terms and conditions of any such exemption, take all necessary steps to ensure that the premises are made to conform to those requirements before the first day of December, nineteen hundred and sixty-one, and until that date his licence shall not be affected by reason of the non-compliance with that section.

4. Review of distribution of licences—The Licensing Amendment Act 1948 is hereby amended by repealing section thirty, and substituting the following section:

“30. (1) The Commission may from time to time review the distribution throughout New Zealand, or within any part of New Zealand, of publicans’, accommodation, tourist house, and wholesale licences, or of any class of such licences.

“(2) Without limiting the powers of the Commission under this section, the Minister may at any time require the Commission to carry out any review that it is authorised to make under this section, and in any such case the Commission shall carry out such a review accordingly.”