

LICENSING TRUSTS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill makes miscellaneous amendments to the Licensing Trusts Act 1949.

Clause 2: At present, all members of licensing Trusts are entitled to remuneration fixed by the Minister of Finance under the Fees and Travelling Allowances Act 1951, and to travelling expenses under that Act. The effect of this clause is that, after the expiry of the terms of office of existing members, only the Chairman will receive remuneration, but all members will continue to receive travelling expenses.

Clause 3: At present, all licensing Trusts, including local Trusts, are required to bank with the Bank of New Zealand. This clause authorizes Trusts to bank with any bank.

Clause 4: This clause authorizes all licensing Trusts to contribute to the National Provident Fund, or any other fund or scheme approved by the Minister of Finance, for the purpose of providing superannuation or retiring allowances for their officers and employees. It also gives to all Trusts the same powers as local authorities have to make grants to employees on their retirement or to dependants of employees on the death of the latter.

Clause 5 makes it clear that a local licensing Trust may hold more than one licence under the Licensing Act 1908.

Hon. Mr Webb

LICENSING TRUSTS AMENDMENT

ANALYSIS

Title.	3. Bank accounts of Trust.
1. Short Title.	4. Superannuation and other benefits for employees.
2. Remuneration of Chairman and travelling expenses of members.	5. Local Trusts may hold more than one licence.

A BILL INTITULED

AN ACT to amend the Licensing Trusts Act 1949.	Title.
BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority	
5 of the same, as follows:	
1. This Act may be cited as the Licensing Trusts Amendment Act 1953, and shall be read together with and deemed part of the Licensing Trusts Act 1949 (hereinafter referred to as the principal Act).	Short Title. 1949, No. 43
10 2. (1) The principal Act is hereby amended by repealing section eight (as substituted by subsection one of section ten of the Fees and Travelling Allowances Act 1951), and substituting the following section:	Remuneration of Chairman and travelling expenses of members. 1951, No. 79
15 "8. (1) The Trust shall pay to the Chairman remuneration by way of fees, salary, or allowances in accordance with the Fees and Travelling Allowances Act 1951.	
20 "(2) The Trust shall pay to the Chairman and to each of its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951.	

“(3) The provisions of the said Act shall apply accordingly as if the Trust were a statutory Board within the meaning of that Act.”

1947, No. 35

(2) The Masterton Licensing Trust Act 1947 is hereby amended by repealing section nine (as substituted by subsection one of section ten of the Fees and Travelling Allowances Act 1951), and substituting the following section: 5

1951, No. 79

“9. (1) The Trust shall pay to the Chairman remuneration by way of fees, salary, or allowances in accordance with the Fees and Travelling Allowances Act 1951. 10

“(2) The Trust shall pay to the Chairman and to each of its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951. 15

“(3) The provisions of the said Act shall apply accordingly as if the Trust were a statutory Board within the meaning of that Act.”

1950, No. 33

(3) The Invercargill Licensing Trust Act 1950 is hereby amended by repealing section nine (as substituted by subsection one of section ten of the Fees and Travelling Allowances Act 1951), and substituting the following section: 20

“9. (1) The Trust shall pay to the Chairman remuneration by way of fees, salary, or allowances in accordance with the Fees and Travelling Allowances Act 1951. 25

“(2) The Trust shall pay to the Chairman and to each of its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951. 30

“(3) The provisions of the said Act shall apply accordingly as if the Trust were a statutory Board within the meaning of that Act.” 35

(4) Notwithstanding anything in subsections *one* to *three* of this section, every person holding office as a member of any licensing Trust at the passing of this Act shall be entitled to remuneration to the same extent and in the same manner as if this section had not been passed, until his current term of office expires or until he sooner vacates office under the principal Act or, as the case may be, under the Masterton Licensing Trust Act 1947 or the Invercargill Licensing Trust Act 1950. 40

- (5) The Fees and Travelling Allowances Act 1951 is hereby amended by repealing so much of the Second Schedule as relates to the principal Act, the Masterton Licensing Trust Act 1947, and the Invercargill Licensing Trust Act 1950.
- 5 **3.** (1) Section thirty-eight of the principal Act is hereby amended by omitting the words "such branch or branches of the Bank of New Zealand as it thinks fit", and substituting the words "such bank as it thinks fit". Bank accounts
of Trust.
- 10 (2) Section thirty-eight of the Masterton Licensing Trust Act 1947 is hereby amended by omitting the words "such branch or branches of the Bank of New Zealand as it thinks fit", and substituting the words "such bank as it thinks fit". 1947, No. 35
- 15 (3) Section thirty-nine of the Invercargill Licensing Trust Act 1950 is hereby amended by omitting the words "such branch or branches of the Bank of New Zealand as it thinks fit", and substituting the words "such bank as it thinks fit". 1950, No. 33
- 20 **4.** (1) The principal Act is hereby amended by inserting, after section thirty-eight, the following section: Superannuation
and other
benefits for
employees.
- "38A. (1) The Trust may out of its funds make payments to or subsidize the National Provident Fund or any other fund or scheme approved by the Minister of Finance for the purpose of providing superannuation or retiring allowances for its officers and employees.
- 25 "(2) The Trust shall be deemed to be a local authority for the purposes of section six of the Finance Act (No. 2) 1941." 1941, No. 27
- 30 (2) The Masterton Licensing Trust Act 1947 is hereby amended by inserting, after section thirty-eight, the following section: 1947, No. 35
- "38A. (1) The Trust may out of its funds make payments to or subsidize the National Provident Fund or any other fund or scheme approved by the Minister of Finance for the purpose of providing superannuation or retiring allowances for its officers and employees.
- 35 "(2) The Trust shall be deemed to be a local authority for the purposes of section six of the Finance Act (No. 2) 1941." 1941, No. 27
- 40 (3) The Invercargill Licensing Trust Act 1950 is hereby amended by inserting, after section thirty-nine, the following section: 1950, No. 33

“39A. (1) The Trust may out of its funds make payments to or subsidize the National Provident Fund or any other fund or scheme approved by the Minister of Finance for the purpose of providing superannuation or retiring allowances for its officers and employees. 5.

“(2) The Trust shall be deemed to be a local authority for the purposes of section six of the Finance Act (No. 2) 1941.”

Local Trusts
may hold more
than one licence.

5. It shall be lawful, and shall be deemed always to have been lawful,— 10

1950, No. 90

(a) For a local Trust to be constituted under or by virtue of section forty-six of the principal Act (as substituted by section two of the Licensing Trusts Amendment Act 1950) to hold any two or more licences, whether they are in respect of premises in the same licensing district or in respect of premises in different licensing districts: 15

(b) For a local Trust constituted under or by virtue of the said section forty-six, being the holder of a licence in respect of any premises, to apply for and have issued to it a licence in respect of any other premises, whether in the same licensing district or in any other licensing district. 20
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