

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

*House of Representatives, 4 November 1964*

Words inserted by the Committee of the Whole are shown with double rule before first line and after last line of new matter.

*Hon. Mr Hanan*

## LICENSING TRUSTS AMENDMENT

### ANALYSIS

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### A BILL INTITULED

**An Act to amend the Licensing Trusts Act 1949, the Masterton Licensing Trust Act 1947, and the Invercargill Licensing Trust Act 1950**

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

No. 105—2

*Price 6d.*

**1. Short Title**—This Act may be cited as the Licensing Trusts Amendment Act 1964.

## PART I

### LICENSING TRUSTS

**2. This Part to be read with Licensing Trusts Act 1949**— 5  
This Part of this Act shall be read together with and deemed part of the Licensing Trusts Act 1949\* (in this Part referred to as the principal Act).

**3. Remuneration of Chairman**—Section 8 of the principal Act (as substituted by section 2 (1) of the Licensing Trusts Amendment Act 1953) is hereby amended by repealing subsection (1), and substituting the following subsections: 10

“(1) A Trust may pay to the Chairman by way of remuneration for his services a sum not exceeding in any year— 15

“(a) In the cases of the Ashburton, Clutha, Mataura, and Oamaru Licensing Trusts, four hundred pounds:

“(b) In the case of any other Trust, three hundred pounds.

“(1A) No alteration in the amount of the Chairman’s remuneration shall take effect during the term of office of any Chairman. 20

“(1B) For the purposes of the foregoing provisions of this section, a person re-elected as Chairman shall be deemed to be a new Chairman.”

**4. Fee payable to Trust for booth permit**—Section 32 of 25  
the principal Act (as substituted by section 4 of the Licensing Trusts Amendment Act 1962) is hereby amended by adding to subsection (6) the words “On the grant of the permit the person to whom it is granted shall pay to the Trust a fee of such amount, not exceeding the maximum fee that may be 30  
fixed for a booth licence under paragraph (j) of subsection (2) of section 286 of the Sale of Liquor Act 1962, as may be fixed by the Magistrate in respect of that permit”.

\*1957 Reprint, Vol. 8, p. 289

Amendments: 1959, No. 39; 1961, No. 136; 1962, No. 141

**5. Expenditure in connection with New Zealand Travel and Holidays Association and South Island Publicity Association of New Zealand**—The principal Act is hereby amended by inserting, after section 38B (as inserted by section 8 of the Licensing Trusts Amendment Act 1961), the following section:

“38c. (1) It shall be lawful for the Trust to expend from time to time any sum or sums of money, either by way of membership contributions or donations, towards the funds of the New Zealand Travel and Holidays Association Incorporated or of the South Island Publicity Association of New Zealand Incorporated.

“(2) Where, pursuant to a resolution of the Trust in that behalf, any member of the Trust attends the annual conference of either of the said associations as a representative of the Trust, he shall be deemed for the purposes of section 4 of the Fees and Travelling Allowances Act 1951 to be travelling in the service of the Trust and to be transacting business of the Trust, and shall be entitled to receive payment of travelling allowances and expenses accordingly.”

**6. Unauthorised expenditure**—Section 39 of the principal Act is hereby amended by omitting the words “one hundred pounds”, and substituting the words “two hundred pounds”.

**7. Application of certain provisions of Sale of Liquor Act 1962**—(1) The First Schedule to the principal Act (as substituted by section 6 (2) of the Licensing Trusts Amendment Act 1962 and set out in the First Schedule to that Act) is hereby amended by inserting in clause 3, after the words “Parts VII and VIII”, the words “and section 249”.

(2) The First Schedule to the principal Act (as so substituted) is hereby further amended by adding the following clause:

“5. For the purposes of sections 216 to 218 and section 225 of the Sale of Liquor Act 1962, as applied by section 34A of this Act and modified by this Schedule, any fee for the time being prescribed by regulations made under the Sale of Liquor Act 1962 in respect of an application to a Magistrate for or the grant by him of a permit shall be paid to the Registrar of the Magistrate’s Court.”

## PART II

## MASTERTON LICENSING TRUST

**8. This Part to be read with Masterton Licensing Trust Act 1947**—This Part of this Act shall be read together with and deemed part of the Masterton Licensing Trust Act 1947\* 5  
(in this Part referred to as the principal Act).

**9. Remuneration of Chairman**—Section 9 of the principal Act (as substituted by section 2 (2) of the Licensing Trusts Amendment Act 1953) is hereby amended by repealing subsection (1), and substituting the following subsections: 10  
“(1) The Trust may pay to the Chairman by way of remuneration for his services a sum not exceeding in any year four hundred pounds.

“(1A) No alteration in the amount of the Chairman’s remuneration shall take effect during the term of office of 15  
any Chairman.

“(1B) For the purposes of the foregoing provisions of this section, a person re-elected as Chairman shall be deemed to be a new Chairman.”

**10. Fee payable to Trust for booth permit**—Section 32 of 20  
the principal Act (as substituted by section 13 of the Licensing Trusts Amendment Act 1962) is hereby amended by adding to subsection (6) the words “On the grant of the permit the person to whom it is granted shall pay to the Trust a fee of such amount, not exceeding the maximum fee 25  
that may be fixed for a booth licence under paragraph (j) of subsection (2) of section 286 of the Sale of Liquor Act 1962, as may be fixed by the Magistrate in respect of that permit”.

**11. Expenditure in connection with New Zealand Travel 30  
and Holidays Association and South Island Publicity Association of New Zealand**—The principal Act is hereby amended by inserting, after section 38B (as inserted by section 16 of the Licensing Trusts Amendment Act 1961), the following section: 35

“38c. The provisions of section 38c of the Licensing Trusts Act 1949 (as enacted by section 5 of the Licensing Trusts Amendment Act 1964) shall apply to the Trust.”

\*1947, No. 35

Amendments: 1953, No. 103; 1959, No. 39; 1961, No. 136; 1962, No. 141

**12. Unauthorised expenditure**—Section 39 of the principal Act is hereby amended by omitting the words “one hundred pounds”, and substituting the words “two hundred pounds”.

- 13. Application of certain provisions of Sale of Liquor Act 1962**—(1) The Third Schedule to the principal Act (as substituted by section 15 (2) of the Licensing Trusts Amendment Act 1962 and set out in the Second Schedule to that Act) is hereby amended by inserting in clause 3, after the words “Parts VII and VIII”, the words “and section 249”.
- 10 (2) The Third Schedule to the principal Act (as so substituted) is hereby further amended by adding the following clause:
- “5. For the purposes of sections 216 to 218 and section 225 of the Sale of Liquor Act 1962, as applied by section 34A of this Act and modified by this Schedule, any fee for the time being prescribed by regulations made under the Sale of Liquor Act 1962 in respect of an application to a Magistrate for or the grant by him of a permit shall be paid to the Registrar of the Magistrate’s Court.”

### PART III

#### 20 INVERCARGILL LICENSING TRUST

**14. This Part to be read with Invercargill Licensing Trust Act 1950**—This Part of this Act shall be read together with and deemed part of the Invercargill Licensing Trust Act 1950\* (in this Part referred to as the principal Act).

- 25 **15. Remuneration of Chairman**—Section 9 of the principal Act (as substituted by section 2 (3) of the Licensing Trusts Amendment Act 1953) is hereby amended by repealing subsection (1), and substituting the following subsections:
- 30 “(1) The Trust may pay to the Chairman by way of remuneration for his services a sum not exceeding in any year five hundred pounds.
- “(1A) No alteration in the amount of the Chairman’s remuneration shall take effect during the term of office of any Chairman.
- 35 “(1B) For the purposes of the foregoing provisions of this section, a person re-elected as Chairman shall be deemed to be a new Chairman.”

\*1950, No. 33  
Amendments: 1953, No. 103; 1954, No. 17; 1959, No. 39; 1961, No. 136;  
1962, No. 141

16. **Fee payable to Trust for booth permit**—Section 33 of the principal Act (as substituted by section 22 of the Licensing Trusts Amendment Act 1962) is hereby amended by adding to subsection (6) the words “On the grant of the permit the person to whom it is granted shall pay to the Trust a fee of such amount, not exceeding the maximum fee that may be fixed for a booth licence under paragraph (j) of subsection (2) of section 286 of the Sale of Liquor Act 1962, as may be fixed by the Magistrate in respect of that permit”.

17. **Expenditure in connection with New Zealand Travel and Holidays Association and South Island Publicity Association of New Zealand**—The principal Act is hereby amended by inserting, after section 39B (as inserted by section 24 of the Licensing Trusts Amendment Act 1961), the following section:

“39c. The provisions of section 38c of the Licensing Trusts Act 1949 (as enacted by section 5 of the Licensing Trusts Amendment Act 1964) shall apply to the Trust.”

*New*

17A. **Unauthorised expenditure**—Section 41 of the principal Act is hereby amended by omitting the words “two hundred pounds”, and substituting the words “three hundred pounds”.

18. **Application of certain provisions of Sale of Liquor Act 1962**—(1) The Second Schedule to the principal Act (as substituted by section 24 (2) of the Licensing Trusts Amendment Act 1962 and set out in the Third Schedule to that Act) is hereby amended by inserting in clause 3, after the words “Parts VII and VIII”, the words “and section 249”.

(2) The Second Schedule to the principal Act (as so substituted) is hereby further amended by adding the following clause:

“5. For the purposes of sections 216 to 218 and section 225 of the Sale of Liquor Act 1962, as applied by section 35A of this Act and modified by this Schedule, any fee for the time being prescribed by regulations made under the Sale of Liquor Act 1962 in respect of an application to a Magistrate for or the grant by him of a permit shall be paid to the Registrar of the Magistrate’s Court.”