

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

Hon. Mr Thomson

SALE OF LIQUOR AMENDMENT (NO. 2)

ANALYSIS

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A BILL INTITULED

An Act to amend the Sale of Liquor Act 1962

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

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1. Short Title—This Act may be cited as the Sale of Liquor Amendment Act (No. 2) 1975, and shall be read together with and deemed part of the Sale of Liquor Act 1962* (hereinafter referred to as the principal Act).

New

1. Short Title and commencement—(1) This Act may be cited as the Sale of Liquor Amendment Act 1976, and shall be read together with and deemed part of the Sale of Liquor Act 1962* (hereinafter referred to as the principal Act).

*Reprinted 1969, Vol. 4, p. 2795

Amendments: 1970, No. 35; 1971, No. 2; 1971, No. 77; 1972, No. 101; 1974, No. 13; 1974, No. 120; 1975, No. 7

New

(2) Sections 25 to 42 of this Act so far as they relate to general ancillary licences shall come into force on the 1st day of April 1977.

5 (3) Sections 50 and 51 of this Act and the Fourth Schedule to this Act shall come into force on the 1st day of January 1977.

(4) Except as provided in subsections (2) and (3) of this section, this Act shall come into force on the date 7 days after
10 the date on which it receives the Governor-General's assent.

Lowering Drinking Age

2. Supply of liquor to minors—(1) Section 259 of the principal Act (as substituted by section 2 (1) of the Sale of Liquor Amendment Act 1969) is hereby amended by—

- 15 (a) Omitting from subsection (1) the expression “20 years”, and substituting the expression “18 years”;
- (b) Omitting from subsection (2) the expression “20 years”, and substituting the expression “18 years”;
- 20 (c) By omitting from subsection (4) the expression “20 years” in both places where it occurs, and substituting in each case the expression “18 years”;
- (d) By omitting from subsection (5) the expression “20 years”, and substituting the expression “18 years”;
- (e) By repealing subsection (6) (a);
- 25 (f) By omitting from subsection (6) (b) the expression “20 years”, and substituting the expression “18 years”;
- (g) By omitting from subsection (7) (b) the expression “20 years”, and substituting the expression “18 years”;
- 30 (h) By omitting from subsection (8) the expression “20 years” in both places where it occurs, and substituting in each case the expression “18 years”;
- (i) By omitting from subsection (9) the expression “20 years”, and substituting the expression “18 years”.
- 35 (2) The said section 259 is hereby further amended by—
- (a) Omitting from subsection (1) the expression “\$20”, and substituting the expression “\$200”;
- (b) By omitting from subsection (2) the expression “\$20”, and substituting the expression “\$50”;
- 40 (c) By omitting from subsection (5) the expression “\$50”, and substituting the expression “(\$100) \$200”;
- (d) By omitting from subsection (8) the expression “\$50”, and substituting the expression “(\$100) \$200”.
- 45 (3) The said section 259 is hereby further amended by repealing subsection (3), and substituting the following subsection:

“(3) It shall be a defence to a charge under subsection (1) or subsection (2) of this section to prove that the person actually supplying the liquor—

“(a) Believed on reasonable grounds that the person to whom he supplied it was of or over the age of 18 years; or

“(b) Received from the person to whom he supplied the liquor evidence purporting to show that that person was of or over the age of 18 years, and that it was reasonable to and he did accept that evidence as correct.”

(4) The said section 259 is hereby further amended by omitting from subsection (9) the words “If there is reasonable ground to suppose that any particulars so given by him are false, the person demanding the particulars may require him to supply satisfactory evidence of the correctness thereof.”, and substituting the words “The person demanding the particulars may also demand such reasonable evidence of the correctness of any such particulars as he may specify.”

Struck Out

(5) The said section 259 is hereby further amended by repealing subsection (10), and substituting the following subsection:

“(10) If any person refuses to give particulars of his age, name, and address or, without cause, fails to supply satisfactory evidence of any such particulars when required to do so under this section, any member of the Police may caution him and, if he persists in such refusal or failure, may arrest him without warrant.”

New

(5) The said section 259 is hereby further amended by inserting, after subsection (9), the following subsection:

“(9A) If any person fails to supply such reasonable evidence of the fact that he is of or over the age of 18 years as may be required of him under this section the person requiring that evidence may order him to leave the premises; and in such a case the provisions of subsections (6) and (6A) of section 188 of this Act, so far as they are applicable and with the necessary modifications, shall apply.”

3. Wilful or reckless supply of liquor to minors—The principal Act is hereby amended by repealing section 260, and substituting the following section:

“260. (1) Every person commits an offence and is liable to a fine not exceeding \$1,000 who, being the holder of a licence of

any description under this Act, or the holder of a brewer's licence under Part III of the Finance Act 1915, or a manager, or an employce of any such licensee, otherwise than in a case to which any of the provisions of subsections (6) to (7A),
 5 of section 259 of this Act apply, supplies any liquor, or allows it to be supplied, on or from any licensed premises, whether by sale or otherwise, to any person who is under the age of 18 years if he knows or has good reason to believe that that person is under that age."

10 *New*

“(2) Nothing in this section shall apply to—
 “(a) The supply of liquor to any person for consumption
 15 by him as part of a meal of which he is partaking on the premises in accordance with this Act, if that person is accompanied by his spouse (being a person of or over the age of 18 years) or by his parent; or
 “(b) The supply of liquor to any person pursuant to and in accordance with the terms of a general ancillary
 20 licence; or
 “(c) The supply of liquor to the spouse or any member of the family of the licensee or manager or to the spouse of a lodger who is of or over the age of 18 years.”

25 **4. Refusal to supply liquor**—Section 187 of the principal Act (as amended by section 4 of the Sale of Liquor Amendment Act 1969) is hereby amended by omitting from the proviso to subsection (4) (b) the expression “20 years”, and substituting the expression “18 years”.

30 **5. Sending minors for liquor**—(1) Section 261 of the principal Act (as amended by section 3 of the Sale of Liquor Amendment Act 1969) is hereby amended by omitting the expression “20 years”, and substituting the expression “18 years”.

35 (2) The said section 261 (as amended by section 7 of the Decimal Currency Act 1964) is hereby further amended by omitting the expression “\$20”, and substituting the expression “\$50”.

40 (3) Section 3 of the Sale of Liquor Amendment Act 1969 is hereby consequentially repealed.

6. Employment of minors in bars—(1) Section 191 of the principal Act (as amended by section 5 of the Sale of Liquor Amendment Act 1969) is hereby amended—

(a) By omitting from subsection (1) the expression “20 years”, and substituting the expression “18 years”: 5

Struck Out

(b) By omitting from the proviso to that subsection the words “; or to any person of or over the age of 18 years taking part as a performer in any musical entertainment,”. 10

New

(b) By omitting from the proviso to that subsection the words “of or over the age of 18 years”.

(2) Section ~~(5)~~ 5 (a) of the Sale of Liquor Amendment Act 1969 is hereby consequentially repealed. 15

7. Drinking by minors in public conveyances and public places—(1) Section 3E of the Police Offences Act 1927 (as inserted by section 3 (1) of the Police Offences Amendment Act (No. 2) 1960 and amended by section 7 of the Sale of Liquor Amendment Act 1969) is hereby amended by omitting from subsection (2) the expression “20 years”, and substituting the expression “18 years”. 20

(2) Section 7 of the Sale of Liquor Amendment Act 1969 is hereby consequentially repealed.

8. Lowering age qualification for objections—(1) The provisions of the principal Act specified in the first column of the First Schedule to this Act are hereby amended in the manner indicated in the second column of that Schedule. 25

(2) The Local Elections and Polls Amendment Act 1970 is hereby consequentially amended by repealing so much of the First Schedule as relates to the principal Act. 30

Offences, Penalties, Enforcement, and Closure of Premises

9. Maximum penalties increased—The provisions of the principal Act specified in the first column of the Second Schedule to this Act are hereby amended in the manner indicated in the second column of that Schedule. 35

10. Using licensed premises as brothel—Section 247 (2) of the principal Act (as amended by section 7 of the Decimal Currency Act 1964) is hereby amended by omitting the words “imprisonment for a term not exceeding 3 months or to a fine not exceeding \$200, or to both,”, and substituting the words “a fine not exceeding \$2,000”. 40

11. Sales by unlicensed persons—Section 262 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

5 “(1) Every person, not being authorised under or by virtue of this Act or of any other Act to sell liquor, who sells or exposes or keeps for sale any liquor commits an offence and is liable to imprisonment for a term not exceeding 3 months or a fine not exceeding \$5,000, or both.”

12. Removal of persons from licensed premises—(1) Section 188 (1) of the principal Act is hereby amended by adding the following paragraph:

New

15 “(c) Any person appearing to be under the age of 18 years, if that person fails to supply such reasonable evidence of the fact that he is of or over that age as the licensee or manager may request.”

(2) Section 188 of the principal Act is hereby amended by inserting, after subsection (6), the following subsection:

20 “(6A) Every person who, having been removed from any premises under subsection (6) of this section, on the same day enters or attempts to enter the premises commits an offence against this Act, and any member of the Police may arrest him without warrant.”

13. Selling or supplying spirits otherwise than in a glass prohibited—The principal Act is hereby amended by inserting, after section ~~(257)~~ 257A (as inserted by section 21 of the Sale of Liquor Amendment Act 1964), the following section:

30 “(257A.) 257B. (1) Every holder of a hotelkeeper’s or tavernkeeper’s licence, and every manager of any premises conducted under any such licence, and every employee of any such licensee commits an offence and is liable to a fine not exceeding \$200 who sells or supplies any spirits to any person, for consumption (*by that person*) on the premises, otherwise than in a glass (*and in an amount not exceeding 40 millilitres*) of a capacity not exceeding 300 millilitres.

40 “(2) The provisions of subsection (1) of this section shall apply to every chartered club, so far as they are applicable and with the necessary modifications, in the same manner as if the club were the holder of a hotelkeeper’s or tavernkeeper’s licence, and as if the club’s premises were premises conducted under such a licence.

“(3) Nothing in this section shall apply to the supply of any spirits pursuant to a permit issued under section 216 or section 217 of this Act.

“(4) For the purposes of this section ‘spirits’ means any distilled or spirituous liquor other than fortified wine.”

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Struck Out

14. Defence to charge of being found in bar—The principal Act is hereby amended by inserting, after section 269, the following section:

“269A. In any case where any person is charged with being found in a bar on any licensed premises (other than any premises conducted under a hotelkeeper’s licence) in contravention of any of the provisions of this Act it shall be a defence to prove that at the time at which he was found in the bar all facilities for the sale and supply of liquor therein were securely locked away and that no liquor was exposed for sale in any part of the bar.”

15. Time for laying information extended—Section 274 (2) of the principal Act is hereby amended by omitting the expression “3 months”, and substituting the expression “6 months”.

16. Suspension of licence for non-compliance with public health or fire precaution requirements—(1) Section 212 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsections:

“(4) If, after hearing the licensee and every person on whom a copy was so served, or such of them as appear, the Committee is satisfied that the licensee has failed to comply with any standard or requirement referred to in subsection (1) of this section, it may order the licensee to carry out all such work as may be necessary to meet those requirements within such reasonable time as it may specify, and, in the case of default, may suspend the licence until those requirements have been met.

“(4A) Notwithstanding anything in subsection (4) of this section, if, in any case to which that subsection applies, the Committee is satisfied that, because of the licensee’s failure to comply with any standard or requirement referred to in subsection (1) of this section, the health of persons using the premises to which the application relates is likely to be injured or their safety is likely to be endangered, the Committee shall suspend the licence until it is satisfied that all work necessary or desirable to remedy the default has been carried out.”

(2) Section 228 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) Every decision to suspend a licence made by any Licensing Committee under subsection (4A) of section 212 of this Act shall have effect according to its tenor pending the final determination of the appeal.”

(3) The said section 228 is hereby further amended by inserting in subsection (3), after the words “the decision appealed against”, the words “(not being a decision to which subsection (2A) of this section applies)”.

(4) Section 229 of the principal Act is hereby amended by inserting, after subsection (10), the following subsection:

“(10A) Every decision to suspend a licence made by the Commission on the ground set out in subsection (4A) of section 212 of this Act shall have effect according to its tenor pending the final determination of the appeal.”

(5) The said section 229 is hereby further amended by inserting in subsection (11), after the words “the decision appealed against”, the words “(not being a decision to which subsection (10A) of this section applies)”.

17. Enforcement of responsibilities of holder of licence (other than premises licence)—

(1) The principal Act is hereby amended by inserting, after section 212 (as amended by section 10 (1) of the Sale of Liquor Amendment Act 1970), the following section:

“212A. (1) The Commission may at any time on the application of an Inspector review the services and facilities provided on any premises in respect of which any licence other than a hotel, tourist-house, or tavern premises licence is in force, whether or not, under section 11 of this Act, it has prescribed minimum standards applicable to those premises.

“(2) On any such review the Commission may make an order directing the holder of the licence to cause to be carried out—

“(a) Such additions, alterations, repairs, or improvements in or to any services or facilities provided on the premises that under this Act it is the responsibility of that licensee to provide, as the Commission may stipulate:

“(b) The provision of any services or facilities that under this Act it is the responsibility of that licensee to provide:

“(c) The doing of such other acts or things as the Commission thinks proper in respect of the services and facilities.

“(3) The Licensing Committee may at any time in like manner review the services and facilities provided on any premises in respect of which any such licence is in force. 5

“(4) On any such review the Committee may, subject to any order made by the Commission under this section, make an order directing the holder of the licence to cause to be carried out any of the matters referred to in subsection (2) 10 of this section.

“(5) Where the Commission or the Committee makes an order under this section it shall have, in respect of any licence to which this section applies, the same power to cancel or suspend the licence as the Commission has under section 210 15 of this Act.

“(6) The provisions of subsections (3) to (10) of section 210 of this Act, so far as they are applicable and with the necessary modifications, shall extend and apply to any proceedings of the Commission or the Committee under this 20 section.”

(2) Section 229 (1) of the principal Act is hereby amended—

(a) By inserting in paragraph (b), after the words “section 210”, the words “or section 212A”: 25

(b) By omitting from that paragraph the words “any premises licence”, and substituting the words “any licence”:

(c) By inserting in paragraph (c), after the words “section 211”, the words “or section 212A”: 30

(d) By omitting from that paragraph the words “that section”, and substituting the words “either of those sections”:

(e) By omitting the words “the premises licence”, and substituting the words “the licence”. 35

(3) Section 229 (2) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraph:

“(a) Under section 210 or section 212A of this Act, cancels or suspends any licence; or”. 40

(4) Section 229 (2) (b) of the principal Act is hereby amended by inserting, after the words “section 211”, the words “or section 212A”.

18. Cancellation or suspension of licence (other than premises licence) following conviction—(1) The principal Act is hereby amended by inserting, after section 212A (as inserted by section 17 of this Act), the following section:

5 “212B. (1) Where the holder of any licence other than a hotel, tourist-house, or tavern premises licence—

“(a) Is convicted of any offence against this Act or the Licensing Act 1908; or

10 “(b) Is convicted of any offence against the Health Act 1956 or the Food and Drug Act 1969, or any regulations made thereunder, in relation to the conduct or state of the licensed premises; or

“(c) Is convicted of any offence and sentenced to imprisonment, or is convicted of any offence involving moral turpitude or dishonesty; or

15 “(d) Is convicted of an offence against section 86 (1) (c) of the Distillation Act 1971—

and the Court in which the conviction is entered makes a recommendation that the licence be cancelled or suspended, 20 the Registrar of the Court shall notify the Licensing Committee of the conviction and the Court’s recommendation.

“(2) In any case to which subsection (1) of this section applies the Committee shall make an order either—

“(a) Cancelling the licence; or

25 “(b) Suspending the licence for such period not exceeding 12 months as it thinks fit—

unless it is satisfied, having regard to the matters referred to in subsection (4) of this section, that it would be unjust or unduly harsh to make such an order:

30 “Provided that the Committee shall not make an order under this section until it has afforded the licensee an opportunity to be heard in relation to the matter.

“(3) Subject to subsection (1) of this section, where the holder of any licence other than a hotel, tourist-house, or 35 tavern premises licence, is convicted of any offence referred to in that subsection, the Licensing Committee may serve a notice on the licensee calling upon him to appear before the Committee at the time and place so appointed to show cause why his licence should not be cancelled or suspended. If, after 40 hearing the licensee and any other interested persons, the Committee is not satisfied that there are good and sufficient reasons why the licence should not be cancelled or suspended it shall make an order either—

“(a) Cancelling the licence; or

“(b) Suspending the licence for such period not exceeding 12 months as it thinks fit.

“(4) In deciding whether to cancel or suspend a licence under this section the Committee shall have regard to the character and conduct (including any previous convictions for any offence referred to in subsection (1) of this section) of the licensee, the extent to which the licensee was personally responsible for the offence of which he was convicted, the nature and seriousness of the offence, the comments (if any) of the Court by which the licensee was convicted relating to the character and conduct of the licensee and the possibility of his licence being cancelled or suspended, and all the circumstances of the case.”

(2) Section 227 (1) of the principal Act is hereby amended by inserting in paragraph (c), after the words “set out in”, the words “section 212B or”.

(3) Section 229 (2) of the principal Act is hereby amended by inserting in paragraph (c), after the word “under”, the words “section 212B or”.

19. Cancellation or suspension of licence (other than premises licence) in other cases—(1) Section 213 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsections:

“(1) An Inspector or any member of the Police may at any time apply in the prescribed form to the Licensing Committee for the cancellation or suspension of any licence other than a hotel, tourist-house, or tavern premises licence, on any one or more of the following grounds:

“(a) That the licensee has failed to conduct the licensed premises in a proper manner, or has been openly and repeatedly intoxicated, or has allowed the premises to be frequented by disorderly or disreputable persons; or

“(b) That drunkenness or riotous or disorderly conduct is allowed on the licensed premises; or

“(c) That the licensee has committed a breach of any condition of his licence; or

“(d) That the licensee has failed to fulfil his responsibilities under any of the provisions of sections 183, 184, and 195 to 197 of this Act, so far as they are applicable to him.

“(1A) Subject to subsection (2) of this section, if, on an application made to it under subsection (1) of this section, the Committee is satisfied that the complaint is well-founded it shall make an order either—

- 5 “(a) Cancelling the licence; or
“(b) Suspending the licence for such period not exceeding 12 months as it thinks fit—

unless it is satisfied, having regard to the matters referred to in subsection (4) of this section, that there are good and sufficient reasons why it should not make such an order.”

10 (2) Section 213 (2) of the principal Act is hereby amended by omitting the words “(except paragraph (e))”, and substituting the words “(except paragraph (d))”.

15 (3) Section 213 (3) of the principal Act is hereby amended by omitting the words “In any case”, and substituting the words “Notwithstanding anything in subsection (1A) of this section, in any case”.

20 (4) Section 213 (4) of the principal Act is hereby amended by omitting the words “or for any offence of which he was convicted”.

(5) Section 213 (8) of the principal Act is hereby consequentially repealed.

25 (6) The Distillation Act 1971 is hereby consequentially amended by omitting so much of the First Schedule as relates to section 213 (1) of the principal Act.

(7) Section 11 (2) of the Sale of Liquor Amendment Act 1974 is hereby consequentially repealed.

20. Temporary closure of bar in event of disaster, etc.—

30 The principal Act is hereby amended by inserting, after section 288, the following sections:

“288A. **Licensee may close public bar in event of emergency, etc.**—(1) Where, because of any sudden damage or threat of damage to any premises in respect of which a hotel premises or tavern premises licence is in force by earthquake, tempest, 35 flood, or other unavoidable accident, or because of any sudden and unavoidable loss of power supply or other essential service, or because of any other circumstances beyond the control of the licensee or manager, the licensee or manager believes on reasonable grounds that it is necessary or expedient 40 to close any public bar on the premises, he may do so and order any person to leave any part of those premises.

“(2) As soon as practicable after closing any public bar under this section the licensee or manager shall notify the

(*senior member of the Police for the time being acting in the locality*) member of the Police for the time being in charge of the police station nearest to the premises of the fact that he has closed the bar and of his reasons for doing so, and that Police officer shall notify the Chairman of the Licensing Committee of the closure. 5

“(3) The Chairman of the Committee may, at his discretion, confirm the closure or order the licensee or manager to re-open the bar forthwith. In every case the licensee or manager, whether or not he is required to do so 10 by the Chairman, shall re-open the bar as soon as practicable.

“(4) In any prosecution for an offence alleged to have been committed against section 187 of this Act in relation to the supply of liquor in public bars, the burden of proving that at the time of the alleged offence the public bar was lawfully 15 closed in accordance with this section shall be on the person alleging that fact.

“288B. **Police may order closure of bar in event of disaster, etc.**—(1) In any case to which subsection (1) of section 288A of this Act applies (*the senior member of the Police for the time being acting in the locality*) any member of the Police may order the licensee or manager to close any bar on the premises for the sale of liquor and order any person to leave any part of the premises if he believes on reasonable grounds that it is necessary or expedient to do so. 20 25

“(2) The provisions of subsections (2) and (3) of section 289 and subsection (2) of section 289A of this Act, so far as they are applicable and with the necessary modifications, shall apply in respect of orders given under this section.”

21. Temporary closure of bar in case of fighting or serious disorder—The principal Act is hereby amended by inserting, after section 289, the following section: 30

“289A. (1) Where fighting or serious disorder breaks out, or there are reasonable grounds for believing that fighting or serious disorder is about to break out, in any bar on any premises in respect of which a hotel premises or tavern premises licence is in force, (*the senior member of the Police for the time being acting in the locality*) any member of the Police may order the licensee or manager to close the bar for the sale of liquor until the said officer is satisfied that good 35 40 order has been restored, and may order any person to leave any part of the premises:

“Provided that no order to close a bar given under this section shall subsist beyond the expiration of the day on which it is given.

5 “(2) As soon as any order has been given under this section the licensee or manager may apply to any Magistrate or any two or more Justices for the revocation of the order. The Magistrate or, as the case may require, the Justices may revoke the order either unconditionally or subject to such conditions as he or they may think fit to impose, or refuse
10 to revoke the order.

“(3) The provisions of subsections (2) and (3) of section 289 of this Act, so far as they are applicable and with the necessary modifications, shall apply in respect of orders given under this section.”

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Hours of Sale

22. Except in case of hotelkeeper’s or tavernkeeper’s licence, specified hours not obligatory—The principal Act is hereby amended by inserting, after section 54, the following section:

20 “54A. (1) Subject to any conditions imposed either generally or in a particular case by the Commission, every licence, other than a hotelkeeper’s or tavernkeeper’s licence, shall authorise but not oblige the licensee to keep his premises open for the sale of liquor at any time during the permitted hours specified in respect of that licence by or
25 under this Act.

“(2) Notwithstanding subsection (1) of this section, every licensee who intends to keep his premises open for the sale of liquor otherwise than at all times at which and on all days on which he is authorised by his licence to do so shall display
30 and keep displayed in a prominent place on his premises, so as to be easily read by persons outside his premises, a public notice of the times at which he intends to keep his premises open for the sale of liquor.

35 “(3) Every licensee commits an offence against this Act who, being required to display or keep displayed a public notice under subsection (2) of this section, fails to do so.”

23. Usual hours for sale of liquor—(1) The provisions of the principal Act specified in the first column of the Third Schedule to this Act are hereby amended in the manner
40 indicated in the second column of that Schedule.

(2) The following enactments are hereby consequentially repealed:

- (a) So much of the Schedule to the Sale of Liquor Amendment Act (No. 2) 1967 as relates to section 217 (1) of the principal Act:
- (b) Section 14 (1) of the Sale of Liquor Amendment Act (No. 2) 1969: 5
- (c) Section 18 (1) and section 19 of the Sale of Liquor Amendment Act (No. 2) 1971.

24. Variation of usual hours for sale of liquor in hotel and tavern premises—(1) The principal Act is hereby amended by repealing section 221A and the heading to that section (as inserted by section 3 of the Sale of Liquor Amendment Act (No. 2) 1967), and substituting the following heading and sections: 10

“Variation of Usual Hours for Sale of Liquor

- “221A. Licence holder may apply for variation of hours—** 15
- (1) In this section, unless the context otherwise requires,—
- “‘Hotel or tavern premises’, or ‘premises’, means premises in respect of which a hotel or tavern premises licence is in force; and includes premises in respect of which a provisional hotel premises licence is in force: 20
- “‘Usual hour’ means—
- “(a) In relation to the opening of hotel or tavern premises, 11 o’clock in the morning:
- “(b) In relation to the closing of hotel or tavern premises, 10 o’clock in the evening: 25
- “References to the opening or closing of premises are references to the opening or closing of those premises for the sale of liquor to the public on any day other than a day on which licensed premises are required to be closed for the sale of liquor. 30
- “(2) Notwithstanding anything in this Act, but subject to the provisions of this section, the holder of a hotelkeeper’s or tavernkeeper’s licence may from time to time apply in writing to the Licensing Committee for an order fixing hours other than the usual hours for the opening or closing of the hotel premises or tavern premises for the sale of liquor to the public. 35
- “(3) The applicant shall forthwith send a copy of the application to the local authority in whose district the premises are situated and (if the applicant is not the holder of the hotel or tavern premises licence) to the holder of the premises licence. 40

“(4) An order under this section may make provision for any one or more of the following, namely:

- “(a) The closing of the premises before the usual hour of closing:
- 5 “(b) The opening of the premises before the usual hour of opening:
- “(c) The opening of the premises after the usual hour of opening:
- 10 “(d) The closing of the premises for any period or periods during the day:
- “(e) The closing of the premises after the usual hour of closing on any Friday or Saturday or on Christmas Eve, but not later than 11 o'clock in the evening, *(for the sale of liquor for consumption only on the premises)*:
- 15 “(f) The closing of the premises after the usual hour of closing on New Year's Eve, but not later than *(midnight, for the sale of liquor for consumption only on the premises)* 0.30 o'clock in the morning of New Year's Day.
- 20

“(5) No such order shall provide for the keeping open of the premises for the sale of liquor to the public for more than *(11 hours on any day)*—

New

- 25 “(a) Eleven hours on any Monday, Tuesday, Wednesday, or Thursday (not being Christmas Eve or New Year's Eve):
- “(b) Twelve hours on any Friday or Saturday (not being New Year's Eve), or on Christmas Eve:
- 30 “(c) Thirteen and one half hours on New Year's Eve.
- “(5A) For the purposes of subsection (5) of this section, the period commencing at midnight on New Year's Eve and ending at 0.30 o'clock in the morning of New Year's Day shall be deemed to be part of New Year's Eve and not part
- 35 of New Year's Day.
- “(6) Any such order may—
- “(a) Make different provision for different periods of the year or for different weekdays in every week of the year or of any such period; or
- 40 “(b) Make provision to take effect for particular periods only, or for particular weekdays in every week of the year or any such period.

“(7) In any such order the Committee shall specify the times of day at which the licensed premises are to be closed and opened, and any period or periods for which the licensed premises are to be closed during the day.

“(8) ~~(The)~~ Except in a case to which section 221B of this Act applies, the Committee shall grant an application under this section unless it is satisfied that it would be contrary to the public interest to do so. 5

“(9) For the purpose of considering whether the granting of an application would be contrary to the public interest, the Committee shall hold a public sitting, of which public notice shall be given and at which all interested persons shall be entitled to be heard. 10

“(10) In determining whether it is in the public interest to grant an application under this section the Committee shall have regard to the requirements of the public and to such other matters as it considers relevant. 15

“(11) If the applicant, or any local authority that appeared at the hearing, is dissatisfied with the Committee’s decision, the applicant or that local authority may appeal to the Commission against the Committee’s decision. Every such appeal shall be by way of rehearing of the original proceedings. 20

“(12) Subject to subsection (11) of this section, the provisions of section 228 of this Act shall apply, so far as they are applicable and with the necessary modifications, with respect to the appeal, except that subsection (5) of section 230 of this Act (as applied by the said section 228) shall not apply. 25

“(13) Forthwith after the making of any decision under this section the Clerk of the Licensing Committee or, as the case may require, the Secretary of the Commission shall give notice in writing of the decision to the Secretary for Justice, who shall cause notice of the terms of any final order made to be published in the *Gazette* as soon as practicable after— 30

“(a) The expiry of the time prescribed for giving notice of appeal, if there is no appeal; or 35

“(b) The giving of the decision of the Commission, if there is an appeal and the order is not reversed or the matter is not referred back to the Committee.

“(14) An order under this section shall take effect on the day after the date of publication of the said notice in the *Gazette*. 40

“(15) On the taking effect of the order, and while it continues in force, the provisions of this Act, and of any licence for the time being in force to which the order applies, shall be read subject to the provisions of the order and to such
5 modifications as are necessary to give effect to it.

“(16) The Committee may at any time, on its own motion or on application by the Police, if it is satisfied that it is in the public interest to do so, make an order varying or revoking any order made under the foregoing provisions of this section.

10 “(17) While any order is in force under this section in respect of any premises (being an order fixing hours other than the usual hours) the times fixed by the order shall be set out on a notice fixed in a conspicuous place in the premises. If this subsection is not complied with, the licensee commits an
15 offence against this Act.

“(18) (The) In respect of the closing of the premises after the usual hour of closing, the foregoing provisions of this section shall apply to every chartered club, so far as they are applicable and with the necessary modifications, in the same
20 manner as if the club were the holder of a hotelkeeper’s or tavernkeeper’s licence, and as if the club’s premises were premises conducted under such a licence.

New

“221B. **Special provisions relating to later closing—**

25 (1) Where an application is made under section 221A of this Act for an order authorising the closing of the premises after the usual hour of closing on any Friday or Saturday or on Christmas Eve or New Year’s Eve the applicant shall forthwith send a copy of his application to the member of the
30 Police for the time being in charge of the police station nearest to the premises.

“(2) Before deciding whether or not to grant any application to which subsection (1) of this section applies the Committee shall consider any report submitted by the Police
35 and any submissions made by any interested persons, and shall have regard to the degree, if any, to which granting the application is likely—

40 “(a) To lead to an increase in the commission of offences by persons who resort or might reasonably be expected to resort to the premises for the purchase and consumption of liquor;

New

- “(b) To lead to an increase in the incidence of traffic accidents in the locality of the premises, or to an increase in the incidence of such accidents elsewhere involving persons who resort or might reasonably be expected to resort to the premises for the purchase and consumption of liquor: 5
- “(c) To have any prejudicial effect on the residents in the immediate neighbourhood of the premises. 10
- “(3) On granting any application to which subsection (1) of this section applies the Committee may— 10
- “(a) Specify any bar or bars on the premises to which the order is or is not to apply:
- “(b) Attach to the granting of the application such conditions, whether relating to the provision of food or otherwise, as it thinks fit. 15
- “(4) The provisions of this section shall apply notwithstanding anything in section 221A of this Act; but, subject to the provisions of this section, the provisions of that section shall apply to any application for an order authorising the closing of the premises after the usual hour of closing on any Friday or Saturday or on Christmas Eve or New Year’s Eve and to any such order in the same manner and to the same extent as they apply to any application for any other order under that section and to any such order.” 25

“(221B.) 221c. Variation of usual hours on Licensing Committee’s own motion or local authority’s application— (1) The Licensing Committee may also from time to time either of its own motion or on an application in writing made by any local authority whose district is wholly or partly within the licensing district, if it is satisfied that it is in the public interest to do so, make an order fixing hours other than the usual hours for the opening or closing of any hotel or tavern premises for the sale of liquor to the public. 30

“(2) An order made under this section may be made in respect of— 35

“(a) All hotel or tavern premises in the licensing district or in any specified part of, or area or locality or place in, the district; or

“(b) Any one or more hotel or tavern premises. 40

“(3) If of its own motion the Committee proposes to consider making an order under this section the Clerk shall forthwith send notice in writing of the Committee’s intention to the holder of the hotelkeeper’s licence or tavernkeeper’s
5 licence for the premises and (if the holder of that licence is not the holder of the premises licence) to the holder of the premises licence and to the local authority in whose district the premises are situated.

“(4) If a local authority applies for an order under this
10 section it shall forthwith cause a copy of the application to be sent to the holder of the hotelkeeper’s or tavernkeeper’s licence for the premises and (if the holder of that licence is not the holder of the premises licence) to the holder of the premises licence.

15 “(5) Subject to the foregoing provisions of this section, the provisions of (section 221A) sections 221A and 221B of this Act shall apply, so far as they are applicable and with the necessary modifications, to the making of orders under this section.”

20 (2) Section 3 of the Sale of Liquor Amendment Act (No. 2) 1967 is hereby consequentially repealed.

(General Ancillary Licences) Caterers’ Licences and General Ancillary Licences

25. (General ancillary licence) Caterer’s licence and general ancillary licence—(1) The principal Act is hereby amended
25 by inserting, after section 65c (as inserted by section 33 (1) of the Sale of Liquor Amendment Act (No. 2) 1971), the following (section) sections:

New

30 “65D. **Caterer’s licence**—(1) Subject to the provisions of this section, a caterer’s licence shall authorise the licensee, at any time between the hours of 9 o’clock in the morning of any day (except Good Friday) and 1 o’clock in the morning of the following day,—

35 “(a) To sell and dispose of liquor for consumption on the premises described in the licence by persons attending any social reception, function, or other gathering, organised by any person or association of persons (not being the holder of the licence); and

New

“(b) To sell and deliver liquor from the premises described in the licence for consumption on any other premises by persons attending any social reception, function, or other social gathering. 5

“(2) The Commission shall not grant any application for a caterer’s licence unless it is satisfied that the sale and supply of liquor by the holder pursuant to the licence will be at all times incidental to the sale and supply of food by him.

“(3) A caterer’s licence shall be deemed to be issued subject to the following conditions— 10

“(a) That the premises described in the licence shall at all times conform to the minimum standards (if any) prescribed by the Commission in respect of premises of that class: 15

“(b) That liquor shall be sold and supplied pursuant to the licence only for consumption by persons attending any social reception, function, or other gathering, and that the sale and supply of liquor shall be incidental to the sale and supply by the holder of the licence of food for consumption by those persons at that reception, function, or gathering: 20

“(c) That, except in a case to which paragraph (b) of subsection (1) of this section applies, every bottle or other container in which liquor is supplied in the premises, and every drinking vessel used for the consumption of liquor, shall be cleared away immediately after the expiration of 30 minutes after the time at which the premises are to be closed for the sale of liquor— 30

and to such other conditions as the Commission may in its discretion impose.”

“(65d.) 65E. General ancillary licence—(1) Subject to the provisions of this section, a general ancillary licence shall authorise the licensee to sell and dispose of liquor for consumption on the premises described in the licence at any time during the time specified in the licence on any day when the premises are being used for any purpose (hereinafter referred to as the principal activity) specified in subsection (2) of this section. 35 40

“(2) A general ancillary licence shall not be granted in respect of any premises unless those premises are used or are to be used regularly for any of the following purposes:

Struck Out

- “ (a) Holding social receptions and functions, including wedding breakfasts, and birthday and anniversary celebrations:
- 5 “ (b) Taking part **(whether as active participants or as spectators or otherwise)** in any sporting or recreational activity:
- 10 “ (c) Taking part **(whether as active participants or as spectators or otherwise)** in any live entertainment of a lawful character, other than the game commonly known as housie or any other activity the carrying on of which on any licensed premises is prohibited by section 248 of this Act:
- 15 “ (d) Holding social gatherings of persons sharing a common occupational, educational, technical, sporting, recreational, or cultural interest:
- “ (e) Holding gatherings of cultural, ethnic, national, or regional associations.
- 20 “ (3) A general ancillary licence shall not be granted in respect of any premises unless, in the opinion of the Commission,—
- “ (a) Because of the nature of the principal activity to be undertaken on the premises, or the days on which or the times at which the principal activity is to be undertaken on the premises, or any other relevant circumstances the prospective licensee is not entitled under this Act to any other licence **(or to a club charter)** or to a permit that would authorise the sale and supply of liquor on the premises on the days on which and during the times at which the premises are or will be used for the purposes of the principal activity; and
- 25 “ (b) The supply and consumption of liquor on the premises will be incidental to the undertaking of the principal activity; and
- 30 “ (c) Proper facilities for the sale, disposal, and consumption of liquor are or will be available on the premises; and
- 35 “ (d) During the times at which the principal activity will be carried on the premises will not be readily accessible to persons other than those who are attending for the purpose of the principal activity.
- 40

New

“(3A) Nothing in paragraph (a) of subsection (3) of this section shall prohibit the issue of a general ancillary licence to the holder of a winemaker’s licence.”

“(4) The Commission shall not grant an application for a general ancillary licence made by or on behalf of any club or association unless it is satisfied that the club or association has existed for the purposes of the principal activity for a period of at least 2 years: 5

“Provided that in any particular case the Commission may dispense with this requirement if it is satisfied that there are special circumstances that would justify such a dispensation. 10

New

“(4A) Where an application for a general ancillary licence is made by or on behalf of an unincorporated association of persons the Commission may, at its discretion, require the association, as a condition of the granting of the application, to become incorporated. 15

“(4B) The Commission shall not refuse to grant an application for a general ancillary licence by reason only of the fact that, if the application were granted, any person or persons might gain financially from the sale of liquor pursuant to the licence. 20

“(5) A general ancillary licence shall be deemed to be issued subject to the following conditions— 25

“(a) That the premises shall at all times conform to the (general) minimum standards (if any) prescribed by the Commission in respect of premises of that class and to such minimum standards (if any) prescribed by the Commission in respect of those particular premises: 30

New

“(aa) That no liquor intended for sale or supply pursuant to the licence shall be purchased or acquired from any person who is not the holder of a hotelkeeper’s or tavernkeeper’s or wine reseller’s licence, or, where the premises are situated in any licensing Trust district from any person other than a licensing Trust: 35

“(b) That liquor shall be sold and supplied pursuant to the licence only on the days on which the premises are being used in good faith for the purpose of the principal activity: 40

“(c) That liquor shall be consumed on the premises only by those persons who are participating in the principal activity and their invited guests:

5 “(d) That every bottle or other container in which liquor is supplied in the premises, and every drinking vessel used for the consumption of liquor, shall be cleared away immediately after the expiration of 30 minutes after the time at which the premises are to be closed for the sale of liquor—

10 and to such other conditions as the Commission may in its discretion impose.”

New

15 “(6) Without limiting subsection (5) of this section, the Commission may, on granting any application for a general ancillary licence, impose as a condition of the licence that the holder shall keep such records, and file with the Commission such returns, relating to the purchase and sale of liquor pursuant to the licence as the Commission may specify.”

20 (2) Section 10 (1) of the principal Act (as amended by section 2 of the Sale of Liquor Amendment Act (No. 2) 1974) is hereby amended by inserting in paragraph (db), after the words “cabaret licences”, the words “, caterers’ licences, and general ancillary licences”.

25 (3) Section 11 (1) of the principal Act (as amended by section 33 (3) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by omitting the words “or cabaret”, and substituting the words “cabaret, caterer’s, or general ancillary”.

30 (4) Section 54 (2) of the principal Act (as amended by section 33 (4) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after paragraph (ac), the following ~~(paragraph)~~ paragraphs:

Struck Out

“(ad) General ancillary licences:”.

New

35 “(ad) Caterers’ licences:

“(ae) General ancillary licences:”.

40 **26. Management**—(1) Section 66 of the principal Act is hereby amended by adding, as subsection (2), the following subsection:

“(2) A caterer’s or general ancillary licence shall authorise the licensee to conduct the sale and supply of liquor (*in the premises*) under the licence himself or to appoint a manager for the purpose in accordance with Part VI of this Act.”

(2) Section 176 (1) of the principal Act is hereby amended by adding the following paragraph: 5

“(d) The holder of any caterer’s or general ancillary licence may from time to time appoint a manager to conduct the sale and supply of liquor under the licence.” 10

(3) Section 176 of the principal Act is hereby further amended by inserting, after subsection (2), the following subsection:

“(2A) Notwithstanding anything in paragraph (d) of subsection (1) of this section, every holder of a general ancillary licence that is an association or body of persons (whether incorporated or unincorporated) shall from time to time appoint a manager to conduct the sale and supply of liquor under the licence.” 15

New

“(3A) The principal Act is hereby further amended by inserting, after section 176A (as inserted by section 20 of the Sale of Liquor Amendment Act (No. 2) 1969), the following section: 20

“176B. **Holder of general ancillary licence may appoint more than one manager**—(1) Any holder of a general ancillary licence may appoint more than one manager to conduct the sale and supply of liquor under the licence. 25

“(2) For the purposes of this Act, where any holder of a general ancillary licence has appointed more than one manager as aforesaid each of the managers, while he is for the time being conducting the sale and supply of liquor under the licence, shall be subject to all the duties, responsibilities, and liabilities of a manager under this Act in respect of that sale and supply; and references in this Act to the manager shall be construed accordingly.” 30 35

“(4) The principal Act is hereby amended by inserting, after section 275, the following section:

“275A. **Liability of manager under general ancillary licence**—Notwithstanding anything in this Act, where the holder of any general ancillary licence is an unincorporated association or body of persons the person for the time being appointed as manager under the licence shall, for the purposes of the provisions of sections 238, 243 to 250, 255, 257, 259, 260, and 269 of this Act, be deemed to be the licensee.” 40 45

(5) Section 177 (5) of the principal Act (as added by section 18 of the Sale of Liquor Amendment Act 1964 and amended by section 34 (3) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after the words "or of an airport", the words "or of the premises described in any caterer's or general ancillary licence".

27. Caterers' and general ancillary licences in licensing trust districts and no-licence districts—(1) Section 29 (2) of the principal Act (as amended by section 35 (1) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after the words "a cabaret licence," the words "a caterer's licence, a general ancillary licence,".

(2) Section 232 (1) of the principal Act (as amended by section 35 (3) (a) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after the words "a cabaret licence," the words "a caterer's licence, a general ancillary licence,".

(3) Section 232 (2) of the principal Act (as amended by section 35 (3) (b) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by omitting the words "or a cabaret licence", and substituting the words "a cabaret licence, a caterer's licence, or a general ancillary licence".

(4) Section 35 (3) (b) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby consequentially repealed.

28. New sections (relating to caterers' and general ancillary licences) inserted—(1) The principal Act is hereby amended by inserting, after section 112J (as inserted by section 36 of the Sale of Liquor Amendment Act (No. 2) 1971), the following heading and sections:

30

New

"Caterer's Licence

"112K. Application for caterer's licence, reports, objections, hearing, and issue of licence—The provisions of sections 107, 108, 109, 111, and 112 of this Act, so far as they are applicable and with the necessary modifications, shall apply with respect to every application for a caterer's licence as if—

(a) References to a restaurant licence or to a restaurant were references to a caterer's licence or to the premises to which the application relates:

New

“(b) For the words “carry on the restaurant business” in section 107 (1) there were substituted the words “sell and supply liquor”.

“112L. **Circumstances to be taken into account**—In determining whether to grant any application for a caterer’s licence the Commission shall have regard to—

“(a) The requirements of the public in the area or areas in which the applicant carries on or proposes to carry on the business of a caterer on or from the premises:

“(b) Any prejudicial effect that the licensing of the premises might have on residents in the immediate neighbourhood of the premises:

“(c) The suitability of the premises or proposed premises and the facilities and services provided or to be provided on the premises:

“(d) The experience of the applicant in the conduct of the business of a caterer and his character and reputation, and any convictions of the applicant for offences against this Act or the Licensing Act 1908:

“(e) Such other considerations as the Commission thinks fit to take into account.”

(2) The principal Act is hereby further amended by inserting, after section 112L (as inserted by subsection (1) of this section), the following heading and sections:

“General Ancillary Licence

(112K.) 112M. Application for general ancillary licence, reports, objections, hearing, and issue of licence—The provisions of sections 107, 108, 109, 111, and 112 of this Act, so far as they are applicable and with the necessary modifications, shall apply with respect to every application for a general ancillary licence as if—

“(a) References to a restaurant licence or to a restaurant were references to a general ancillary licence or to the premises to which the application relates:

“(b) For the words “carry on the restaurant business” in section 107 (1) there were substituted the words “sell and supply liquor”.

(112L.) 112N. Circumstances to be taken into account— (1) In determining whether to grant any application for a general ancillary licence the Commission shall have regard to—

5 “(a) The support given or likely to be given to the principal activity undertaken by the members of the club or association in whose name or on whose behalf the application is made, or, as the case may require, by the public in the area or areas from which persons resort or might reasonably be expected to resort to the premises or proposed premises for the purpose of the principal activity:

10 “(b) The nature of the principal activity conducted or to be conducted on the premises, and the class or classes (including the age groups) of persons who participate or are likely to participate in that activity on the premises:

15 “(c) The suitability of the premises or proposed premises and the facilities and services provided or to be provided on the premises for the purpose of the principal activity:

20 “(d) Any prejudicial effect that the licensing of the premises might have on residents in the immediate neighbourhood of the premises:

“(e) The character and reputation of the applicant, and any convictions of the applicant for offences against this Act or the Licensing Act 1908:

“(f) The public interest generally:

25 “(g) Such other considerations as the Commission thinks fit to take into account.

“(2) The Commission shall not be obliged to grant any application.

“(112M.) 112O. Commission to fix hours of sale—

30 (1) Wherever the Commission grants any application for a general ancillary licence it shall fix the time or times at which the sale and supply of liquor under the licence may commence and the time or times at which it shall cease.

35 “(2) The Commission shall not in any case fix a time earlier than 9 o'clock in the morning nor a time later than 10 o'clock in the evening of any day, unless it is satisfied in a particular case that, because of the nature of the employment in which the persons who use or are likely to use the premises are engaged, or because of the time or times at
40 which the principal activity is usually conducted on the premises, or for any other special reasons, it should authorise the sale and supply of liquor under the licence at any other time or times on any day.

“(3) Different times may be so fixed in respect of different periods of the year, or different days of every week or of any such period.

“(4) Nothing in this section shall prevent the Commission from requiring the premises to be closed for the sale and supply of liquor on any day, or during any period or periods of the year. 5

“(5) The Commission shall not, in any case to which subsection (1) of this section applies, fix the time at which the sale and supply of liquor may commence on any day earlier than 30 minutes before the commencement of the principal activity on that day. 10

“(6) In fixing a time at which the sale and supply of liquor shall cease on any day the Commission shall have regard to the time at which the principal activity is likely to be concluded on that day. 15

“(7) In any case to which this section applies, the Commission shall notify the Licensing Committee of the times fixed by it in accordance with this section, and the Chairman of the Licensing Committee shall ensure that the times so fixed are specified in the licence before it is issued.” 20

29. Duration of general ancillary licence—Section 122 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) Every general ancillary licence issued under this Act, unless it is sooner cancelled, and subject to any suspension pursuant to this Act and to the payment of the prescribed fee, shall continue in force— 25

“(a) Until the close of the 30th day of June next following its issue, or such earlier date as the Commission, on granting the application for the licence may specify; and 30

“(b) If an application for its renewal is made pursuant to this Act, until the application is disposed of; and

“(c) If it is renewed, until the close of the 30th day of June next following the renewal.” 35

Struck Out

30. Renewal of general ancillary licence—(1) Section 123 of the principal Act is hereby amended by adding, as subsection (2), the following subsection: 40

New

5 **30. Renewal of licences**—(1) Section 123 of the principal Act is hereby amended by inserting, after paragraph (dd) (as inserted by section 37 (1) of the Sale of Liquor Amendment Act (No. 2) 1971), the following paragraph:

“(ddd) Caterer’s licences:”.

(2) The said section 123 is hereby further amended by adding, as subsections (2) and (3), the following subsections:

10 “(2) Except where the Commission, on granting an application for a general ancillary licence, otherwise determines, every general ancillary licence shall also be renewable by the Licensing Committee under the succeeding provisions of this Part of this Act.”

15 (2) “(3) The provisions of sections 124 to 127 except subsection (1) of section 126 of this Act, so far as they are applicable and with the necessary modifications, shall apply with respect to every application for the renewal of a general ancillary licence as if for the words ‘carry on the business of the licensee’ in section 124 (2) there were substituted the
20 words ‘sell and supply liquor’.”

31. Transfer of (general ancillary licence) licences—

(1) Section 128 of the principal Act is hereby amended by inserting, after paragraph (aa) (as inserted by section 38 (1) of the Sale of Liquor Amendment Act (No. 2) 1971), the
25 following (paragraph) paragraphs:

“(ab) General ancillary licences:”.)

“(ab) Caterer’s licences:

“(ac) General ancillary licences:”.

30 (2) Section 129 (1) of the principal Act is hereby amended by inserting, after the words “under the licence”, the words “or, in the case of a caterer’s licence or a general ancillary licence, to sell and supply liquor under the licence”.

35 (3) Section 131 (1) of the principal Act (as amended by section 38 (2) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by omitting the words “a licensed restaurant or cabaret”, and substituting the words “licensed premises”.

40 (4) Section 279 (1) of the principal Act (as amended by section 38 (3) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after the word “theatre,”, the words “caterer’s general ancillary,”.

(5) Section 38 (2) of the Sale of Liquor Amendment Act (No. 2) 1971 is hereby consequentially repealed.

32. Removal of (general ancillary licence) licences—

(1) Section 136 (1) of the principal Act (as amended by section 39 (1) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by repealing paragraph (dd), and substituting the following paragraphs: 5

“(da) Cabaret licences:

“(db) *General ancillary licences*:.”) 10

“(db) Caterers’ licences: 10

“(dc) General ancillary licences:.” 10

(2) Section 141A of the principal Act (as inserted by section 5 of the Sale of Liquor Amendment Act 1964 and amended by section 39 (2) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by omitting from subsections (1) and (3) the words “or cabaret”, and substituting in each case the words “, cabaret, caterer’s, or general ancillary”. 15

(3) The said section 141A (as so amended) is hereby further amended by omitting from subsection (4) the words “restaurant or cabaret”, and substituting the word “premises”. 20

(4) Section 144 of the principal Act (as amended by section 39 (3) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by omitting the words “or cabaret”, in both places where those words occur, and substituting in each case the words “, cabaret, caterer’s, or general ancillary”. 25

(5) Section 39 of the Sale of Liquor Amendment Act (No. 2) 1971 is hereby consequentially repealed.

33. Temporary authority to sell and supply liquor (under general ancillary licence)—Section 135 of the principal Act (as amended by section 7 of the Sale of Liquor Amendment Act 1970) is hereby amended by adding the following subsection: 30

“(7) This section, so far as it is applicable and with the necessary modifications, shall apply with respect to a caterer’s licence or a general ancillary licence as if references to the conduct or carrying on of any business under the licence were references to the selling and supplying of liquor under the licence.” 35

5 **34. Responsibilities of licensee or manager (under general ancillary licence)**—(1) The principal Act is hereby amended by inserting, after section 195c (as inserted by section 40 of the Sale of Liquor Amendment Act (No. 2) 1971), the following heading and section:

["General Ancillary Licences]

"Caterers' Licences and General Ancillary Licences"

10 "195d. The provisions of section 195 of this Act, so far as they are applicable and with the necessary modifications, shall apply with respect to a caterer's licence or a general ancillary licence and the premises to which that licence relates in the same manner as they apply to a restaurant licence and to a restaurant."

15 (2) Section 202 of the principal Act (as amended by section 8 (2) of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby amended by repealing subsection (3), and substituting the following subsection:

20 "(3) Nothing in this section shall apply to any premises in respect of which a theatre, cabaret, caterer's, or general ancillary licence is in force:

"Provided that the Commission may, on granting any application for a general ancillary licence or at any time thereafter, direct that this section shall apply to the premises to which the application relates."

25 (3) The following enactments are hereby consequentially repealed:

(a) Section 8 (2) of the Sale of Liquor Amendment Act (No. 2) 1969:

30 (b) Section 40 (2) of the Sale of Liquor Amendment Act (No. 2) 1971.

35. Inspection—Section 205 of the principal Act (as amended by section 9 of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby amended—

35 (a) By inserting in subsection (1) (a), after the words "and on the licensed premises of any theatre," the words "and on the premises in respect of which any caterer's or general ancillary licence is in force,":

40 (b) By inserting in subsection (2) (a) (i), after the words "or on the licensed premises of any theatre," the words "or on any premises in respect of which (a) any caterer's or general ancillary licence is in force,".

36. Cancellation or suspension of (general ancillary licence) licences—(1) Section 212 of the principal Act (as amended by section 42 (1) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended—

- (a) By omitting from subsections (1) and (5) the words “or cabaret”, and substituting in each case the words “, cabaret, caterer’s, or general ancillary”:
- (b) By inserting in subsection (3), after the words “or cabaret”, the words “or any premises in respect of which **(a) any caterer’s or general ancillary licence** is in force”.

(2) Section 213 (7) of the principal Act (as substituted by section 42 (2) of the Sale of Liquor Amendment Act (No. 2) 1971 and amended by section 11 (1) of the Sale of Liquor Amendment Act 1974) is hereby amended by adding to paragraph (c) the word “; and”; and also by inserting, after that paragraph (as so amended) the following **(paragraph) paragraphs**:

“(d) A general ancillary licence—”.

“(d) A caterer’s licence; and

“(e) A general ancillary licence—”.

37. Notice of prohibition order—Section 237 of the principal Act (as amended by section 13 of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby amended by inserting, after the word “theatre”, the words “, caterer’s, general ancillary,”.

38. Allowing consumption of liquor outside authorised hours—(1) Section 249 (2) of the principal Act (as amended by section 45 (2) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by omitting the words “or cabaret,” and substituting the words “cabaret, caterer’s, or general ancillary”.

(2) Section 249 of the principal Act is hereby further amended by inserting, after subsection (4c) (as inserted by section 45 (1) of the Sale of Liquor Amendment Act (No. 2) 1971), the following subsection:

“(4D) Every holder of a caterer’s licence or a general ancillary licence, and every manager conducting the sale and supply of liquor under the authority of such a licence, commits an offence who allows the consumption of liquor on the premises at any time when the premises are required to be closed for the sale of liquor.”

39. **Unlawfully consuming liquor, etc., on licensed premises**—Section 253 of the principal Act (as amended by section 46 of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after subsection (2B),
5 the following subsection:

“(2c) Every person commits an offence who, on any premises in respect of which a caterer’s licence or a general ancillary licence is in force, at any time when the premises are required to be closed for the sale of liquor—

10 “(a) Consumes or procures or attempts to procure any liquor; or

“(b) Enters or is on the premises for the purpose of consuming or procuring any liquor; or

15 “(c) Is found in possession of any liquor with intent to consume it there.”

40. **Supply of liquor to minors**—(1) Section 259 of the principal Act (as substituted by section 2 (1) of the Sale of Liquor Amendment Act 1969) is hereby amended by inserting, after subsection (6), the following subsection:

20 “(6A) Nothing in subsections (1) to (5) of this section shall apply to the supply of liquor to or its consumption or possession by any person if the liquor is supplied to that person under a caterer’s licence or a general ancillary licence in accordance with this Act, and that person is accompanied by
25 his spouse (being a person of or over the age of 18 years) or by his parent.”

(2) The said section 259 is hereby further amended by inserting in subsection (8) (as amended by section 15 (1) of the Sale of Liquor Amendment Act 1970), after the words
30 “or of an airport” the words “, or of any premises in respect of which a caterer’s licence or a general ancillary licence is in force”.

(3) The said section 259 is hereby further amended by adding to subsection (9) (c) (as amended by section 13 (2)
35 of the Sale of Liquor Amendment Act 1970) the words “, or of any premises in respect of which a caterer’s licence or a general ancillary licence is in force”.

41. **Fees**—Section 286 (2) of the principal Act (as amended by section 47 of the Sale of Liquor Amendment Act (No. 2)

40

Struck Out

1971) is hereby amended by inserting, after paragraph (gg), the following paragraph:

“(ggg) For every general ancillary licence, and every renewal thereof, \$150:”.

New

1971) is hereby amended by repealing paragraph (gg), and substituting the following paragraphs:

- “(ga) For every cabaret licence, and every renewal thereof, \$150: 5
 “(gb) For every caterer’s licence, and every renewal thereof, \$150:
 “(gc) For every general ancillary licence, and every renewal thereof, \$150:”.

(2) Section 286 of the principal Act is hereby further 10 amended by inserting, after subsection (7), the following subsection:

“(7A) Where, on granting an application for a general ancillary licence, the Commission fixes a date on which the licence is to expire (being a date earlier than the 30th day of 15 June next following the date of the issue of the licence), the fee for that licence shall be reduced by one-twelfth for every complete month between the date on which the licence is to expire and the 30th day of June next following that date.”

(3) Section 47 of the Sale of Liquor Amendment Act (No. 2) 20 1971 is hereby consequentially repealed.

42. Alterations in premises (conducted under general ancillary licence)—(1) Section 291 of the principal Act (as amended by section 18 of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby amended by repealing subsection 25 (3A), and substituting the following subsection:

“(3A) Before the holder of a theatre, cabaret, caterer’s, or general ancillary licence makes any substantial alterations to any part of the licensed premises he shall obtain the consent in writing of the Commission or the Chairman thereof.” 30

(2) The following enactments are hereby consequentially repealed:

- (a) Section 18 of the Sale of Liquor Amendment Act (No. 2) 1969:
 (b) Section 48 of the Sale of Liquor Amendment Act (No. 35 2) 1971.

Provisions Relating to Sale of Wine

43. Vineyard bar permit—(1) The principal Act is hereby amended by inserting, after section 154, the following section:

“154A. (1) Notwithstanding anything in this Act, on the 40 grant of a winemaker’s licence, or at any subsequent time (whether the licence was granted before or after the commencement of this section), the Licensing Committee may in its discretion, on application, and subject to such conditions as it thinks fit, grant to the holder of the licence a 45 vineyard bar permit in accordance with this section.

“(2) Every vineyard bar permit shall be in writing and shall authorise the holder to sell and dispose of wine made by him, for consumption on the premises described in the permit, at any time between the hours of 9 o’clock in the morning and 9 o’clock in the evening on any day other than a day on which licensed premises are required by section 71 of this Act to be closed for the sale of liquor.

New

“(2A) Notwithstanding anything in subsection (2) of this section, a vineyard bar permit shall be granted only in respect of any premises—

- “(a) That comprise the whole or part of the premises described in the applicant’s winemaker’s licence; or
- “(b) Comprise the whole or part of a vineyard owned by the applicant in which he grows grapes for use in the manufacture of his wine.

“(3) Public notice of every application for a vineyard bar permit shall be given by the applicant. The notice shall—

- “(a) Specify the name and address of the applicant, and the premises in respect of which the application is made;
- “(b) State that any person who wishes to object to the grant of a vineyard bar permit in respect of the premises may, not later than 14 days after the first publication of the notice, file notice of his objection, and of the ground thereof (being the ground set out in subsection (5) of this section), with the Clerk of the Committee.

“(4) If the application for a vineyard bar permit is included in or combined with an application for the grant of a winemaker’s licence, it shall be sufficient compliance with subsection (3) of this section if the public notice of application for the grant, given by the applicant under section 153 (4) of this Act, states that a vineyard bar permit is also being applied for in respect of the premises or proposed premises, and contains the statement required by subsection (3) (b) of this section.

“(5) Within 14 days after the first publication of notice of the making of an application for a vineyard bar permit, or within such further time as the Chairman of the Committee may allow, any person of or over the age of 18 years who is resident in the immediate neighbourhood of the premises or proposed premises may, by notice in writing filed with the

Clerk of the Committee, object to the grant of the permit on the ground that the grant would have a prejudicial effect on residents within the immediate neighbourhood of the premises.

“(6) If no objections to the grant of the permit are filed within the time prescribed by or allowed under this section, the Committee may, in its discretion either grant the application for the permit or deal with it at a public sitting. If any such objection is so filed the Committee shall deal with the application at a public sitting. 5

“(7) In determining whether to grant any application for a vineyard bar permit the Committee shall have regard to— 10

“(a) The suitability of the premises or proposed premises and the facilities and services to be provided, including facilities for sit-down drinking and the provision of snacks or light meals: 15

“(b) Any prejudicial effect that the grant of the permit might have on residents in the immediate neighbourhood of the premises:

“(c) Such other considerations as the Committee thinks fit to take into account. 20

“(8) The Committee may from time to time in its discretion—

“(a) Vary any conditions subject to which a vineyard bar permit is granted:

“(b) Revoke the permit, or suspend it for such period as it thinks fit. 25

“(9) For the purposes of this section, ‘premises’ includes any land whether or not any building is erected on it.”

(2) Section 11 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection: 30

“(1A) The Commission may, in like manner prescribe minimum standards to be complied with as aforesaid in premises in respect of which a vineyard bar permit is in force. For the purposes of the succeeding provisions of this section any such premises shall be deemed to be licensed premises.” 35

(3) Section 259 of the principal Act (as inserted by section 2 (1) of the Sale of Liquor Amendment Act 1969) is hereby amended by inserting, after subsection (7), the following subsection:

“(7A) Nothing in subsections (1) to (5) of this section shall apply to the consumption or possession of wine by any person who is under the age of 18 years while that person— 40

“(a) Is on any premises in respect of which a vineyard permit is in force; and

“(b) Is accompanied by his spouse (being a person of or over the age of 18 years) or by his parent.” 45

44. Hearing of applications for wine reseller's licence—

(1) Section 157c of the principal Act (as inserted by section 6 of the Sale of Liquor Amendment Act 1965) is hereby amended by inserting, after subsection (4), the following subsections:

Struck Out

“(4A) No application for a wine reseller's licence shall be granted if the applicant is the holder of at least 10 such licences.”

10 (2) The said section 157c is hereby further amended by inserting, after subsection (6), the following subsection:

“(6A) Except in special circumstances, no such application shall be granted in respect of premises situated within one half of a mile of any other premises in respect of which a wine reseller's licence is in force.”

(3) The said section 157c is hereby further amended by inserting, after subsection (7), the following subsection:

“(7A) Notwithstanding anything in subsection (7) of this section, no such application shall be granted in respect of premises that will be used for the conduct of business under a wholesale licence.”

(4) The said section 157c is hereby further amended by inserting in subsection (8), after the words “subsection (7) of this section”, the words “but subject to the provisions of subsection (7A) of this section”.

New

“(4A) If it appears to the Committee that the granting of the application might result in an undue aggregation of control, whether direct or indirect, of businesses conducted under wine resellers' licences, in the hands of any one person or body corporate or any one group of persons or bodies corporate, it shall decline to deal with the application and shall refer it, with the accompanying documents and all notices of objection, to the Commission for determination.

“(4B) In such a case the provisions of subsections (6) and (7) of section 159 of this Act, so far as they are applicable and with the necessary modifications, shall apply.”

45. **Transfer of wine reseller's licence**—Section 159 of the principal Act (as amended by section 12 (1) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by inserting, after subsection (2), the following **(subsections) subsection:**

5

Struck Out

“(2A) No application for the transfer of a wine reseller's licence shall be granted if the applicant is the holder of at least 10 such licences.

“(2B) (2A) Except in special circumstances, no such application shall be granted if the licence has been removed to the premises to which the application relates at any time within the preceding period of 3 years.”

46. **Removal of wine reseller's licence**—(1) Section 160 of the principal Act (as substituted by section 8 of the Sale of Liquor Amendment Act 1965 and amended by section 9 (2) of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended by repealing subsections (1A) and (2), and substituting the following subsections:

“(2) No wine reseller's licence shall be removed from the premises in respect of which it was granted to any other premises situated more than 50 miles from the first-mentioned premises.

“(3) Notwithstanding anything in subsection (2) of this section, no such licence shall be removed from the premises in respect of which it was granted to any other premises situated more than 2 miles from the first-mentioned premises if the applicant has not held the licence for a period of at least 3 years:

“Provided that the Commission may in its discretion authorise the removal of any such licence under this subsection to premises situated more than 2 miles but not more than 5 miles from the first-mentioned premises, if the Commission is satisfied that the proposed new premises will serve substantially the same area as that served by the first-mentioned premises.

Struck Out

“(4) No such licence shall be removed to premises in which business will be conducted under a wholesale licence.

“(5) Except in special circumstances, no wine reseller's licence shall be removed to premises situated within one half of a mile of any other premises conducted under such a licence.

Struck Out

“(6) The Commission may determine a fair price to be paid on the making of an order for the removal of any such licence.

5 “(7) In respect of any such removal the fair price shall be such sum as in the opinion of the Commission will represent the difference between the value of the licence before its removal and what will be the value of the licence if it is removed, increased or reduced by such sum as the Commission
10 may consider fair and equitable in the circumstances.

“(8) When the Commission has fixed a fair price it shall forthwith cause notice thereof to be given to the applicant.

“(9) Whenever the Commission makes an order for the removal of a wine reseller’s licence it shall send the order
15 to the Chairman of the Licensing Committee for the district in which the licensed premises are situated, and the provisions of section 94 of this Act, so far as they are applicable and with the necessary modifications, shall apply. On being satisfied that the Commission’s requirements (if any) have been
20 complied with or that provision for compliance therewith has been made to the satisfaction of the Committee, and that the fair price (if any) fixed by the Commission has been paid to the Licensing Fund or that payment thereof has been secured in the prescribed manner, the Chairman shall endorse
25 the licence in the prescribed form.

“(10) Subject to the foregoing provisions of this section, the provisions of sections 139, 140, 141B, 142, 145, and 147 (except subsection (2)), so far as they are applicable and with all necessary modifications, shall apply to the removal of any
30 such licence as if the reference in the said section 141B to a wholesale licence were a reference to a wine reseller’s licence.”

(2) Subsections (2) and (3) of section 9 of the Sale of Liquor Amendment Act (No. 2) 1971 are hereby consequentially repealed.

35 **47. Appeal against grant or refusal to grant wine reseller’s licence abolished**—Section 228 (1) of the principal Act is hereby amended by inserting, after the words “not being”, the words “a decision to grant or refuse to grant an application for a wine reseller’s licence under section 157c of this
40 Act, or”.

Provisions Relating to Club Charters

48. Club charter may be granted in respect of proposed premises, etc.—Section 166 of the principal Act is hereby amended by repealing subsection (1), and substituting the
45 following subsections:

“(1) No club charter shall be granted or renewed under this Part unless the Commission is satisfied that the following conditions are or will be met, namely:

“(a) That the club provides or will provide reasonable facilities for the purposes for which it is established: 5

“(b) That the club is conducted in good faith as a club:

“(c) That the club’s premises and the facilities provided therein are or will be suitable for the purposes of the club:

“(d) That correct accounts and books are kept showing the financial affairs of the club and the particulars usually shown in books of account of a like nature. 10

“(1A) If the Commission grants any application for a charter it shall forthwith notify the applicant that the application has been granted, and that a charter will be issued when all the requirements of the Commission (being requirements lawfully imposed) as to the provision of accommodation, services, and other facilities (as the case may require) have been complied with.” 15

49. Commission may impose conditions on grant or renewal of club charters—Section 166 of the principal Act is hereby amended by adding the following subsection: 20

“(4) On granting or renewing a club charter the Commission may impose such conditions, not inconsistent with this Act or any regulations made under this Act, and whether as to compliance with any minimum standards prescribed by the Commission or as to the maximum number of members that the club may have or otherwise, as it thinks fit.” 25

Provisions Relating to Fees

50. Licence fees increased—Section 286 of the principal Act (as amended by section 7 of the Decimal Currency Act 1964 and by section 47 of the Sale of Liquor Amendment Act (No. 2) 1971) is hereby amended in the manner indicated in the Fourth Schedule to this Act. 30

51. Fees for club charters increased—(1) Section 164 (5) of the principal Act (as amended by section 7 of the Decimal Currency Act 1964) is hereby amended by— 35

(a) Omitting the expression “\$20”, and substituting the expression “\$150”:

(b) Omitting the expression "\$80", and substituting the expression "~~(\$200)~~ \$250":

(c) Omitting the expression "\$60", and substituting the expression "~~(\$150)~~ \$100".

5

New

(2) Section 175 (1) of the principal Act (as amended by section 7 of the Decimal Currency Act 1964) is hereby amended—

10 (a) By omitting the expression "\$20", and substituting the expression "\$150":

(b) By omitting the expression "\$80", and substituting the expression "\$250":

(c) By omitting the expression "\$60", and substituting the expression "\$100".

15 **52. Fee on conversion of hotel premises licence to tavern premises licence**—Section 286B of the principal Act, as inserted by section 5 (1) of the Sale of Liquor Amendment Act (No. 2) 1967) is hereby amended by inserting after the words "where under", the words "section 101 or".

20

*Miscellaneous Provisions**New*

52A. Licensed restaurant may sell all kinds of liquor for consumption before, during, or after meal—(1) Section 65 (1) of the principal Act is hereby amended—

25 (a) By omitting the words "table wine, beer, and stout", and substituting the word "liquor":

(b) By omitting the words "as part off", and substituting the words "before, during, or after".

30 (2) Section 217A of the principal Act (as inserted by section 3 of the Sale of Liquor Amendment Act 1965) is hereby repealed.

(3) Section 3 of the Sale of Liquor Amendment Act 1965 is hereby consequentially repealed.

35 **53. Booth licence**—(1) Section 69 of the principal Act (as amended by section 2 of the Sale of Liquor Amendment Act (No. 2) 1967) is hereby amended by (adding to subsection (1) the following proviso:) repealing subsection (1), and substituting the following subsection:

“(1) A booth licence shall authorise the licensee to sell and dispose of liquor, for consumption only on the booth premises (which may include more bars than one), on the days (not being Good Friday) and during the hours specified in the licence, not being before 9 o’clock in the morning or after 10 o’clock in the evening on any day, and not being more than 11 hours on any day:” 5

“Provided that if, in any case, the Chairman of the Licensing Committee is satisfied that the booth premises will be used for a private gathering and will not be accessible to the general public he may fix any time for the closure of the premises for the sale of liquor pursuant to the licence on any day, not being later than 11.30 o’clock in the evening.” 10

New

“(1A) Section 69 (3) of the principal Act is hereby amended by inserting, after the word “tavernkeeper’s”, the words “or general ancillary”.” 15

(2) Section 69 (4) of the principal Act is hereby amended by adding the following paragraphs:

“(c) Any seminar or other gathering held for educational or informative purposes; or 20

“(d) Any celebration of any centennial, jubilee, or anniversary, or any other commemorative occasion; or

“(e) Any festival of the arts or similar cultural event; or

“(f) Any international, national, regional, annual, or other conference.” 25

(3) The said section 69 (4) is hereby further amended by adding to paragraph (b) the word “; or”.

New

“(4) The Sale of Liquor Amendment Act (No. 2) 1967 is hereby amended by repealing so much of the Schedule as relates to section 69 (1) of the principal Act.” 30

54. Special site objections abolished—Section 92 of the principal Act is hereby amended by repealing subsections (4) to (12). 35

55. Application for removal of licence—(1) Section 145 of the principal Act (as amended by section 9 (3) of the Sale of Liquor Amendment Act 1974) is hereby amended by repealing the proviso to subsection (1).

(2) The said section 145 is hereby further amended by inserting, after subsection (2), the following subsection:

“(2A) Notwithstanding the foregoing provisions of this section, the Commission shall not grant any application for
5 removal unless it is satisfied that the licence is not necessary or desirable in its present locality.”

(3) Section 9 (3) of the Sale of Liquor Amendment Act 1974 is hereby consequentially repealed.

New

10 **55A. Permit allowing meetings in bars and taverns**—The principal Act is hereby amended by inserting, after section 216, the following section:

15 “216A. (1) Notwithstanding anything in this Act, any Magistrate may from time to time, in his discretion, on application made to him in the prescribed manner, grant to any society, association, or other body a permit authorising it to hold a meeting in any bar on any hotel or tourist-house premises or any premises of a chartered club, or in any tavern premises, at any time on any day.

20 “(2) Any such permit may relate to the whole of the premises described in the hotel, tourist-house, or tavern premises licence, or the whole of the chartered club’s premises, as the case may be, or to any part of the premises specified in the permit.

25 “(3) Any such permit may be issued in respect of one meeting only, or in respect of a series of meetings to be held within any period not exceeding 12 months.

30 “(4) Notwithstanding any of the foregoing provisions of this section, no permit issued under this section in respect of any public bar on any hotel or tavern premises shall authorise the holding of a meeting otherwise than at a time at which those premises are required to be closed for the sale of liquor.

35 “(5) A Magistrate shall not grant an application for a permit under this section unless he is satisfied that the holder of the hotelkeeper’s or tourist-house keeper’s or tavern-keeper’s licence, or the manager of the premises, or the secretary of the chartered club, as the case may be, has consented to the application.

40 “(6) A Magistrate shall not grant a permit under this section unless he is satisfied—

New

- “(a) That the applicant society, association, or body intends to use the premises in good faith for the purposes of a meeting: 5
- “(b) That the premises are suitable for that purpose: 5
- “(c) That the design of the premises is such that all facilities for the sale and supply of liquor therein can be securely locked away while the meeting is being held.
- “(7) Every permit issued under this section shall be in the prescribed form, and shall be deemed to be issued subject to the following conditions: 10
- “(a) That all facilities for the sale, supply, and consumption of liquor in the premises shall be securely locked away while the meeting is being held, and that no liquor shall be exposed for sale, supplied, or consumed, on the premises while the meeting is being held: 15
- “(b) That no person shall be admitted to the premises except the officers and members of the society, association, or body holding the meeting and any guests specially invited thereto. 20
- “(8) Where any Magistrate grants an application for a permit under this section he shall cause a copy of the permit to be forwarded to the member of the Police for the time being in charge of the police station nearest to the premises to which the permit relates. 25
- “(9) Any Magistrate may at any time, at his discretion, revoke any permit issued under this section.
- “(10) In any case where any person is charged with being found in a bar on any hotel or tourist-house premises or the premises of any chartered club, or on any tavern premises, in contravention of any of the provisions of this Act it shall be a defence to prove that at the material time— 30
- “(a) He was attending a meeting being held on the premises pursuant to a permit under this section; and 35
- “(b) All facilities for the sale, supply, and consumption of liquor on the premises were securely locked away and that no liquor was exposed for sale in any part thereof. 40
- “(11) For the purposes of subsections (6) and (7) and paragraphs (a) and (b) of subsection (10) of this section, where any permit or any application for a permit under this section relates to part only of any hotel, tourist-house, or 45

New

tavern premises, or of the premises of any chartered club, the term 'premises' means the part of the premises to which the permit or the application relates."

5 55B. Permits for holders of general ancillary licences—

(1) The principal Act is hereby amended by inserting, after section 216A (as inserted by section 55A of this Act), the following section:

10 216B. Extended hours permit for holder of general ancillary licence—(1) Notwithstanding anything in this Act, any Magistrate may from time to time, in his discretion, on application made to him in the prescribed manner, grant to the holder of a general ancillary licence a permit authorising the holder thereof to sell and supply liquor, for consumption
15 on the premises to which the general ancillary licence relates, at any time when the premises would otherwise be required to be closed for the sale of liquor on the day specified in the permit, to persons actively participating in the principal activity being conducted on the premises and their invited
20 guests.

"(2) A Magistrate shall not grant a permit under this section in respect of a particular day unless he is satisfied that, because of some special event, occasion, or reason, the principal activity to be conducted on the premises on that
25 day is likely to continue beyond the time at which it usually concludes.

"(3) Every such permit shall be in the prescribed form, and shall be deemed to be issued subject to the condition that liquor shall not be sold or supplied or consumed after such
30 hour (whether before or after midnight) as the Magistrate may determine."

(2) Section 217 of the principal Act is hereby amended by inserting, after subsection (1A) (as inserted by section 13 of the Sale of Liquor Amendment Act 1965), the following
35 subsection:

"(1B) Notwithstanding anything in this Act, the Commission may at any time, in its discretion, grant to the holder of a general ancillary licence a special permit authorising the holder thereof from time to time to supply liquor, for consumption
40 on the premises to which the general ancillary licence relates, after such time on any day as may be specified in the permit, to persons attending social gatherings of any kind or kinds specified in the permit. Any such permit may at any time be revoked by the Commission."

Struck Out

56. Post-prandial drinks in licensed restaurants—Section 217A of the principal Act (as inserted by section 3 of the Sale of Liquor Amendment Act 1965) is hereby amended by omitting from subsection (2) (a) the words “before or as part of the meal”, and substituting the words “before, during, or after the meal”.

New

56A. Caterer’s permit—The principal Act is hereby amended by inserting, after section 217A (as inserted by section 3 of the Sale of Liquor Amendment Act 1965), the following section:

“217B. (1) Notwithstanding anything in this Act, any Magistrate may from time to time, in his discretion, on application made to him in the prescribed manner, grant to any person who is the holder of a caterer’s licence a permit authorising the holder to deliver liquor from the premises described in the licence and sell it on any other premises for consumption on those other premises by persons attending any social reception, function, or other social gathering on the day specified in the permit.

“(2) A Magistrate shall not grant any application for a caterer’s permit unless he is satisfied that the sale and supply of liquor by the holder pursuant to the permit at the reception, function, or gathering will be incidental to the sale and supply of food by him for consumption by persons attending the reception, function, or gathering.

“(3) Every such permit shall be in the prescribed form, and shall be deemed to be issued subject to the following conditions:

“(a) That liquor shall be sold and supplied pursuant to the permit only for consumption by persons attending the reception, function, or gathering, and that the sale and supply of liquor shall be incidental to the sale and supply by the holder of the permit of food for consumption by those persons at that reception, function, or gathering:

“(b) That liquor shall not be sold or supplied after such hour (whether before or after midnight) as the Magistrate may determine.

New

“ (4) Where the holder of a caterer’s licence is charged with an offence against section 257 (a) of this Act it shall be a defence if he proves that the sale or exposure for sale of liquor was authorised by a permit issued under this section.

“ (5) For the purposes of sections 259 (1) and 260 of this Act the premises on which the reception, function, or gathering is being held shall, while it is being held, be deemed to be licensed premises.”

10 **57. Liquor permit for unlicensed restaurant**—(1) The principal Act is hereby amended by inserting, after section 218, the following section:

“218A. (1) The Chairman of the Licensing Committee (or, where the restaurant is situated in a licensing Trust district, the Chairman of the Licensing Committee of any adjoining licensing District) may at any time grant to any person conducting the business of a restaurateur in any unlicensed restaurant (in this section referred to as the restaurateur) a permit authorising the consumption of liquor in the restaurant by any person who is there for the purpose of partaking of a meal and who brings the liquor with him into the restaurant, at any time between 12 noon on any day and **(10.30 o’clock) 11.30 o’clock** in the evening of that day.

New

25 “ (1A) The applicant for a permit under this section shall serve a copy of his application on the member of the Police for the time being in charge of the police station nearest to the premises; and the Police may submit a report to the Magistrate in respect of any matter relating to the application.

30 “ (2) The Chairman may decline to grant a permit if, in his opinion, having regard to the standard of the premises and facilities, the character of the applicant, the conduct of his business, and such other matters as the Chairman thinks relevant, the grant of a permit would not be justified.

35 “ (3) Every such permit shall be in the prescribed form, and shall be deemed to be issued subject to the following conditions:

40 “ (a) That no charge shall be made by the restaurateur for the provision of glasses, the corking, storing, opening, or disposal of bottles of liquor, the

serving of liquor, or any other service facilitating or incidental to the consumption of liquor pursuant to the permit:

“(b) That liquor shall be consumed only by persons partaking of a meal and seated at tables: 5

“(c) That every bottle or other container in which liquor has been brought into the restaurant by any person for consumption by him pursuant to the permit, and every drinking vessel used for the consumption of liquor, shall be removed from the dining room of the restaurant immediately after 10.30 o'clock in the evening. 10

“(4) Every holder of a permit issued under this section commits an offence and is liable to a fine not exceeding \$200 who allows any person who is under the age of 18 years to be in possession of or to consume any liquor in the restaurant. 15

“(5) Every person commits an offence and is liable to a fine not exceeding \$200 who, being under the age of 18 years, consumes or is found in possession of any liquor in any restaurant in respect of which a permit is in force under this section. 20

“(6) Nothing in subsection (4) or subsection (5) of this section shall apply to the consumption or possession of any liquor by any person who—

“(a) Is the spouse or any member of the family of the restaurateur; or 25

“(b) Is accompanied by his spouse (being a person of or over the age of 18 years) or by his parent.

“(7) For the purposes of section 209 of this Act any premises in respect of which a permit is in force under this section shall be deemed to be licensed premises. 30

“(8) The provisions of sections 212, 212B, and 213 of this Act, so far as they are applicable and with the necessary modifications, shall apply so as to authorise the cancellation or suspension of a permit granted under this section as if— 35

“(a) References to the Licensing Committee were references to the Chairman of that Committee:

“(b) References to the licensee were references to the restaurateur:

“(c) References to the licence were references to the permit: 40

“(d) References to the licensed premises were references to the restaurant premises.

“(9) Notwithstanding anything in any bylaw or in any proposed or operative district planning scheme prepared by any local authority under and for the purposes of the Town and Country Planning Act 1953 made by any local authority,

5 no restaurant shall be deemed to be licensed premises for the purposes of any such bylaw or scheme by reason of the fact that a permit is in force in respect of that restaurant under this section.”

(2) Section 266 of the principal Act is hereby amended—

10 (a) By omitting from subsection (1) the words “, at any time between the hours of 6 o'clock in the evening of any day and 9 o'clock in the morning of the next day, or at any time on any day when licensed premises are required to be closed for the sale of

15 liquor,”:

(b) By omitting from subsection (2) the words “at any such time as aforesaid”.

(3) Section 266 (3) of the principal Act is hereby amended by inserting, after paragraph (b), the following paragraph:

20 “(bb) Any person pursuant to a permit granted under section 218A of this Act:”.

58. Employment of barmaids—(1) Section 192 of the principal Act is hereby repealed.

(2) Section 6 of the Sale of Liquor Amendment Act 1969 is hereby consequentially repealed.

(3) Section 193 of the principal Act is hereby repealed.

SCHEDULES

Section 8

FIRST SCHEDULE

PROVISIONS OF PRINCIPAL ACT AMENDED BY LOWERING SPECIFIED AGE

| Provision | Amendment |
|---|--|
| Section 104 (1) (a) (as amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting the expression "20 years", and substituting the expression "18 years". |
| Section 109 (1) (as amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting the expression "20 years", and substituting the expression "18 years". |
| Section 112E (as inserted by section 4 of the Sale of Liquor Amendment Act 1970) | By omitting from subsection (1) the expression "20 years", and substituting the expression "18 years". |
| Section 112r (as inserted by section 36 of the Sale of Liquor Amendment Act (No. 2) 1971) | By omitting from subsection (5) the expression "20 years", and substituting the expression "18 years". |
| Section 115 (1) (as amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting the expression "20 years", and substituting the expression "18 years". |
| Section 131 (1) (as amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting the expression "20 years", and substituting the expression "18 years". |
| Section 141A (as inserted by section 5 of the Sale of Liquor Amendment Act 1964 and amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting from subsection (1) the expression "20 years", and substituting the expression "18 years". |

FIRST SCHEDULE—*continued*

PROVISIONS OF PRINCIPAL ACT AMENDED BY LOWERING SPECIFIED AGE—*continued*

| Provision | Amendment |
|---|--|
| Section 141B (as inserted by section 6 of the Sale of Liquor Amendment Act 1964 and amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting from subsection (1) the expression "20 years", and substituting the expression "18 years". |
| Section 157B (as inserted by section 6 of the Sale of Liquor Amendment Act 1965 and amended by section 2 of the Local Elections and Polls Amendment Act 1970) | By omitting from subsection (1) the expression "20 years", and substituting the expression "18 years". |
| Section 220A (as inserted by section 21 of the Sale of Liquor Amendment Act (No. 2) 1971) | By omitting from subsection (6) the expression "20 years", and substituting the expression "18 years". |

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Section 9

SECOND SCHEDULE

PROVISIONS OF PRINCIPAL ACT AMENDED BY INCREASE IN MAXIMUM PENALTIES

| Provision | Amendment |
|--|--|
| Section 67 (5) (as added by section 14 of the Sale of Liquor Amendment Act 1964 and amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$400". |
| Section 155 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$400", and substituting the expression "\$1,000". |
| Section 180 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 187 (5) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$100", and substituting the expression "\$300". |
| Section 189 (4) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$100", and substituting the expression "\$200". |
| Section 201 (2) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$100", and substituting the expression "\$300". |
| Section 207 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| | By omitting from subsection (1) the expression "\$100", and substituting the expression "\$300". |
| | By omitting from subsection (2) the expression "\$400", and substituting the expression "\$1,000". |
| | By omitting from subsection (3) the expression "\$400", and substituting the expression "\$1,000". |
| Section 223 (7) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$500". |
| Section 224 (5) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$100", and substituting the expression "\$300". |

SECOND SCHEDULE—*continued*PROVISIONS OF PRINCIPAL ACT AMENDED BY INCREASE IN MAXIMUM PENALTIES—*continued*

| Provision | Amendment |
|--|---|
| Section 233 (4) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$500". |
| Section 238 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting from subsection (1) the expression "\$100", and substituting the expression "\$200". By omitting from subsection (2) the expression "\$20", and substituting the expression "\$50". |
| Section 239 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 240 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$40", and substituting the expression "\$100". |
| Section 241 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting from subsection (1) the expression "\$20", and substituting the expression "\$50". By omitting from subsection (2) the expression "\$20", and substituting the expression "\$50". |
| Section 243 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting from subsection (1) the expression "\$100", and substituting the expression " (\$500) \$1,000". By omitting from subsection (2) the expression "\$20", and substituting the expression " (\$100) \$200". |
| Section 244 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$500". |
| Section 245 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$100", and substituting the expression " (\$300) <u>\$500</u> ". |
| Section 246 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$40", and substituting the expression "\$100". |

SECOND SCHEDULE—*continued*PROVISIONS OF PRINCIPAL ACT AMENDED BY INCREASE IN MAXIMUM PENALTIES—*continued*

| Provision | Amendment |
|---|--|
| Section 247 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$400". |
| Section 248 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$400". |
| Section 249 (9) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$100", and substituting the expression "\$300". |
| Section 250 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 251 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 252 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 252A (as inserted by section 14 (1) of the Sale of Liquor Amendment Act 1970) | By omitting from subsection (1) the expression "\$20", and substituting the expression "\$50". |
| Section 253 (4) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 254 (4) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Section 257 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$500". |
| Section 258 (1) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression "\$200", and substituting the expression "\$500". |

SECOND SCHEDULE—continued

PROVISIONS OF PRINCIPAL ACT AMENDED BY INCREASE IN MAXIMUM
PENALTIES—continued

| Provision | Amendment |
|--|--|
| Section 264 (4) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression “\$40”, and substituting the expression “ (\$100) <u>\$200</u> ”. |
| Section 264 (5) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression “\$20”, and substituting the expression “ (\$50) <u>\$100</u> ”. |
| Section 266 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting from subsection (1) the expression “\$20”, and substituting the expression “\$50”. By omitting from subsection (2) the expression “\$100”, and substituting the expression “\$300”. |
| Section 273 (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression “\$40”, and substituting the expression “\$100”. |
| Section 289 (3) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression “\$200”, and substituting the expression “\$500”. |
| Section 291 (4) (as amended by section 7 of the Decimal Currency Act 1964) | By omitting the expression “\$100”, and substituting the expression “\$300”. |

Section 23

THIRD SCHEDULE

AMENDMENTS RELATING TO HOURS OF SALE

| Provision | Amendment |
|---------------------------|---|
| Section 60 (c) | By omitting the words "9 o'clock in the morning and 11.30 o'clock at night on any day", and substituting the words "9 o'clock in the morning of any day and 1 o'clock in the morning of the following day". |
| Section 61 (a) (ii) | By omitting the words "9 o'clock in the morning and 11.30 o'clock at night on any day", and substituting the words "9 o'clock in the morning of any day and 1 o'clock in the morning of the following day". |
| Section 62 (a) (ii) | By omitting the words "9 o'clock in the morning and 11.30 o'clock at night on any day", and substituting the words "9 o'clock in the morning of any day and 1 o'clock in the morning of the following day". |
| Section 63 (b) | By omitting the words "9 o'clock in the morning and 11.30 o'clock at night on any day", and substituting the words "9 o'clock in the morning of any day and 1 o'clock in the morning of the following day". |
| Section 65 (1) | By omitting the words "12 noon and 2.30 o'clock in the afternoon, and between the hours of 6 o'clock in the evening and 11.30 o'clock at night, on any day", and substituting the words "12 noon on any day and 1 o'clock in the morning of the following day". |
| Section 65 (2) (c) | By omitting the words "3 o'clock in the afternoon, or immediately after 12 o'clock at night, as the case may require", and substituting the words "1.30 o'clock in the morning". |

THIRD SCHEDULE—*continued*AMENDMENTS RELATING TO HOURS OF SALE—*continued*

| Provision | Amendment |
|--|--|
| Section 65A (as inserted by section 2 (1) of the Sale of Liquor Amendment Act (No. 2) 1969) | <p>By omitting from subsection (1) (a) the words “between 7 o’clock in the evening and 10 o’clock in the evening on any day (except Sunday and Good Friday)”, and substituting the words “during the period commencing <u>(30 minutes) 2 hours</u> before the start of the first performance on any day <u>(except Good Friday)</u> and ending one hour after the completion of the last performance commencing on that day”.</p> <p>By inserting, after subsection (1), the following subsection: “(1A) Notwithstanding anything in <u>subsection (1)</u> of this section, a theatre licence shall not authorise the sale or disposal of liquor at any time between the hours of 1 o’clock in the morning of any day and 12 noon on that day.”</p> |
| Section 65c (as inserted by section 33 (1) of the Sale of Liquor Amendment Act (No. 2) 1971) | <p>By omitting from subsection (1) the words “6 o’clock in the evening and 11.30 o’clock at night, on any day except Sunday and Good Friday”, and substituting the words “6 o’clock in the evening of any day <u>(except a Sunday or Good Friday, and 1 o’clock)</u> <u>(except Good Friday)</u> and 3 o’clock in the morning of the following day.”</p> |
| | <p>By omitting from subsection (3) (d) the words “12 o’clock at night”, and substituting the words “<u>(1.30 o’clock) 3.30 o’clock</u> in the morning”.</p> |
| Section 152 (2) (a) (as amended by section (2) of the Sale of Liquor Amendment Act (No. 2) 1967) | <p>By omitting the words “8 o’clock in the morning and 7 o’clock in the evening”, and substituting the words “9 o’clock in the morning and 9 o’clock in the evening”.</p> |
| Section 168 (2) | <p>By omitting the words “9 o’clock in the morning and 11.30 o’clock in the evening on any day”, and substituting the words “9 o’clock in the morning of any day, and 1 o’clock in the morning of the following day”.</p> |
| | <p>By omitting the words “so served for consumption as part of an evening meal on any day may consume the liquor at any time not later than midnight on that day”, and substituting the words “lawfully served for consumption as part of a meal before 1 o’clock in the morning of any day may consume the liquor at any time not later than 1.30 o’clock in the morning of that day”.</p> |

THIRD SCHEDULE—*continued*AMENDMENTS RELATING TO HOURS OF SALE—*continued*

| Provision | Amendment |
|-----------------------|---|
| Section 215 (3) | By omitting the words "later than 11.30 o'clock at night, on any day", and substituting the words "being between the hours of 1 o'clock in the morning and 8 o'clock in the morning of any day". |
| Section 216 | <p>By repealing subsection (1), and substituting the following subsection:</p> <p>"(1) Notwithstanding anything in this Act, any Magistrate may from time to time, in his discretion, on application made to him in the prescribed manner, grant to the holder of any hotelkeeper's licence or tavernkeeper's licence, or to the manager of any premises conducted under any such licence, or to the secretary of any chartered club, a permit authorising the holder thereof to supply liquor, for consumption on the hotel premises (including the house or bar premises conducted under a special hotelkeeper's licence, or the hotel or extended premises conducted under an extended hotelkeeper's licence) or, as the case may be, the tavern premises or club premises,—</p> <p>"(a) In the case of a hotel or tavern, at any time when the premises are required to be closed for the sale of liquor; and</p> <p>"(b) In the case of a club, at any time after 6 o'clock in the evening or when the premises are required to be closed for the sale of liquor—</p> <p>to persons attending any social gathering, being a gathering to be held on a day specified in the permit, held or promoted by any person or body of persons (whether incorporated or not) or by the committee of the chartered club."</p> |
| Section 217 | <p>By repealing subsection (1), and substituting the following subsection:</p> <p>"(1) Notwithstanding anything in this Act, the Commission may at any time, in its discretion, grant to the holder of any hotelkeeper's licence or tavernkeeper's licence a special permit authorising the holder thereof from time to time to supply liquor for consumption on the hotel premises (including the house or bar premises conducted under a special hotelkeeper's</p> |

THIRD SCHEDULE—*continued*

AMENDMENTS RELATING TO HOURS OF SALE—*continued*

| Provision | Amendment |
|--|--|
| Section 217— <i>continued</i> | <p>licence, or the hotel or extended premises conducted under an extended hotel-keeper's licence), or, as the case may be, the tavern premises at any time when the premises are required to be closed for the sale of liquor, to persons attending social gatherings of any kind or kinds specified in the permit. Any such permit may at any time be revoked by the Commission."</p> <p><i>Struck Out</i></p> |
| Section 249 (2) (a) (as amended by section 2 of the Sale of Liquor Amendment Act (No. 2) 1967) | By omitting the expression "10.15", and substituting the expression "10.30". |
| Section 249 (3) | By omitting the words "midnight on any day and 9 o'clock in the morning of the next day", and substituting the words "1.30 o'clock in the morning of any day and 9 o'clock in the morning of that day". |
| Section 249 (4) — | By omitting the words "3 o'clock in the afternoon and 6 o'clock in the evening on any day or between the hours of midnight on any day and 12 noon of the next day, or at any time on any day when the restaurant is required to be closed for the sale of liquor", and substituting the words "1.30 o'clock in the morning of any day and 12 noon on that day". |
| Section 249 (as amended by section 14 (1) of the Sale of Liquor Amendment Act (No. 2) 1969) | <p>By repealing subsection (4A), and substituting the following subsection:</p> <p>"(4A) Every holder of a theatre licence, and every manager conducting the licensed premises of any theatre under the authority of such a licence, commits an offence who allows the consumption of liquor on the licensed premises of the theatre at any time while the premises are required to be closed for the sale of liquor:</p> <p>"Provided that it shall not be an offence against this subsection to allow the consumption on the premises, at any time within 30 minutes after any time when the premises are required to be so closed, of liquor that was lawfully supplied to the person consuming it before the last-mentioned time."</p> |

THIRD SCHEDULE—*continued*AMENDMENTS RELATING TO HOURS OF SALE—*continued*

| Provision | Amendment |
|--|--|
| Section 249 (as amended by section 13 (1) of the Sale of Liquor Amendment Act 1970) | By omitting from subsection (4B) the expression "15 minutes", and substituting the expression "30 minutes". |
| Section 249 (as amended by section 45 (1) of the Sale of Liquor Amendment Act (No. 2) 1971) | By omitting from subsection (4C) the words "midnight on any day and 6 o'clock in the evening of the next day," and substituting the words "1.30 o'clock in the morning of any day and 6 o'clock in the evening of that day." |
| Section 250 (3) (b) | By omitting the words "11.30 o'clock in the evening on", and substituting the words "1 o'clock in the morning of". By omitting the words "midnight on", and substituting the words "1.30 o'clock in the morning of". <i>Struck Out</i> |
| Section 250 (3) (c) as amended by section 2 of the Sale of Liquor Amendment Act (No. 2) 1967) | By omitting the expression "10.15", and substituting the expression "10.30". |
| Section 251 (2) (b) | By omitting the words "11.30 o'clock in the evening on", and substituting the words "1 o'clock in the morning of". By omitting the words "midnight on", and substituting the words "1.30 o'clock in the morning of". <i>Struck Out</i> |
| Section 252 (2) (d) (as amended by section 2 of the Sale of Liquor Amendment Act (No. 2) 1967) | By omitting the expression "10.15", and substituting the expression "10.30". |
| Section 252A (as inserted by section 14 (1) of the Sale of Liquor Amendment Act 1970) | By omitting from subsection (2) (c) the expression "15 minutes", and substituting the expression "30 minutes". |
| Section 253 (1) | By omitting the words "3 o'clock in the afternoon and 6 o'clock in the evening on any day, or between midnight on any day and 12 noon of the next day", and substituting the words "1.30 o'clock in the morning of any day and 12 noon on that day". |
| Section 253 (2) | By omitting the words "12 noon and 3 o'clock in the afternoon, or between the hours of 6 o'clock in the evening and midnight, on any day", and substituting the words "12 noon on any day and 1.30 o'clock in the morning of the following day". |

THIRD SCHEDULE—*continued*

AMENDMENTS RELATING TO HOURS OF SALE—*continued*

| Provision | Amendment |
|---|--|
| Section 253 (2A) (as inserted by section 15 of the Sale of Liquor Amendment Act (No. 2) 1969) | By omitting the words "between the hours of 10.30 o'clock in the evening on any day and 7 o'clock in the evening of the next day, or at any time on any day". |
| Section 253 (2B) (as inserted by section 46 of the Sale of Liquor Amendment Act (No. 2) 1971) | By omitting the words "midnight on any day and 6 o'clock in the evening of the next day," and substituting the words "1.30 o'clock in the morning of any day and 6 o'clock in the evening of that day". |
| Section 253 (3) | By adding the following paragraph: "(d) Any person on the licensed premises of a theatre, or on any premises in respect of which a general ancillary licence is in force who has lawfully been supplied with liquor before any time at which the licensed premises are required to be closed for the sale of liquor, and is found on the premises or consumes the liquor not later than 30 minutes after that time." By adding to paragraph (c) the word "; or". |

Section 50

FOURTH SCHEDULE

AMENDMENTS TO SECTION 286 OF THE PRINCIPAL ACT

| Provision | Amendment |
|-----------------------|---|
| Subsection (1) (a) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Subsection (1) (b) | By omitting the expression "\$20" in both places where it occurs, and substituting in each case the expression "\$50". |
| Subsection (1) (c) | By omitting the expression "\$20" in both places where it occurs, and substituting in each case the expression "\$50". |
| Subsection (1) (d) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Subsection (1) (e) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Subsection (2) (a) | By omitting the expression "\$80", and substituting the expression "\$100". |
| Subsection (2) (b) | By omitting the expression "\$40", and substituting the expression "\$50". |
| Subsection (2) (c) | By omitting the expression "\$80", and substituting the expression "\$100". |
| Subsection (2) (c) | By omitting the expression "\$80" in both places where it occurs, and substituting in each case the expression "\$100". |
| Subsection (2) (d) | By omitting the expression "\$20", and substituting the expression "\$30". |
| Subsection (2) (g) | By omitting the expression "\$100", and substituting the expression "\$150". |
| (Subsection (2) (gg)) | By omitting the expression "\$100", and substituting the expression "\$150". |
| Subsection (2) (h) | By omitting the expression "\$200", and substituting the expression "\$500". |
| Subsection (2) (i) | By omitting the expression "\$40", and substituting the expression "\$50". |
| Subsection (2) (j) | By omitting the expression "\$40", and substituting the expression "\$50". |
| Subsection (2) (k) | By omitting the expression "\$100", and substituting the expression "\$250". |
| Subsection (2) (l) | By omitting the expression "\$20", and substituting the expression "\$40". |
| Subsection (2) (m) | By omitting the expression "\$20", and substituting the expression "\$50". |
| Subsection (2A) | By omitting the expression "\$100", and substituting the expression "\$150". |
| Subsection (3) (a) | By omitting the expression "\$100", and substituting the expression "\$150". |
| Subsection (3) (b) | By omitting the expression "\$100", and substituting the expression " (\$150) \$250". |