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*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
20th September, 1917.*

*Right Hon. Mr. Massey.*

## SALE OF LIQUOR RESTRICTION.

### ANALYSIS.

Title. 1. Short Title. 2. Fixing hours of closing of licensed premises during continuance of war.	3. Provision for reduction of rent payable in respect of licensed premises. 4. Refund of rates by local authority in certain cases. 5. Duration of Act.
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### A BILL INTITULED

AN ACT to restrict the Hours within which Intoxicating Liquor Title.  
may be sold in Licensed Premises during the Continuance of  
the War.

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

1. This Act may be cited as the Sale of Liquor Restriction Act, Short Title.  
1917.

10 2. On the first day of November, nineteen hundred and *seventeen*, Fixing hours of  
and thereafter while this Act remains in force, the Licensing Act, closing of licensed  
1908, and its amendments, and all licenses thereunder, and all other premises during  
Acts relating to the sale of intoxicating liquor, shall, notwithstanding continuance of war  
15 following provisions were substituted for the provisions of subsection  
one of section one hundred and eighty-nine of the first-mentioned  
Act, namely,—

“ Subject as hereinafter mentioned, all licensed premises shall  
be closed as follows, that is to say:—

20 “(a.) On Saturday night, from six o'clock until nine o'clock of  
the following Monday morning:

“(b.) On the nights of all other days, from six o'clock until  
nine o'clock of the following morning.”

25 3. (1.) Every licensee of licensed premises (not being the Provision for  
owner thereof, within the meaning of the Licensing Act, 1908) may reduction of rent  
at any time before the *first* day of February, nineteen hundred and payable in respect  
*eighteen*, by notice in writing served on the owner, require the of licensed  
owner to reduce the rent payable by the licensee in respect of the premises.  
premises, pursuant to any lease, to such amount as may be specified

in the notice ; or, in the discretion of the owner, to accept a surrender by the licensee of the lease on payment to the licensee of—

- (a.) A proportionate part of any bonus or premium that may have been paid by the licensee to the owner or any other person, in consideration of the grant of the lease, calculated by reference to the proportion which the unexpired portion of the term of such lease bears to the whole term of the lease ; and 5
- (b.) The value of the furniture and stock-in-trade of the licensee, to be ascertained in case of dispute by arbitration under the Arbitration Act, 1908. 10

(2.) If the owner of the premises does not, within *fourteen* days after service on him of any such notice as aforesaid, either—

- (a.) Reduce the rent to the amount specified in the notice ; or
- (b.) Accept a surrender of the lease as aforesaid— 15

the licensee may, by notice in the prescribed form, apply to the Licensing Committee of the licensing district in which the licensed premises are situate for an order reducing the rent payable by the applicant in respect of the licensed premises on the ground that the rent as fixed by the lease is inequitable, having regard to the operation of the foregoing provisions of this Act for the reduction of the hours during which the licensed premises may be kept open. 20

(3.) Upon receipt of any such application the Clerk of the Licensing Committee shall arrange a time and place for the holding of the meeting of the Licensing Committee to deal with the application, and shall notify the applicant and the owner of the premises of the time and place fixed for such meeting. 25

(4.) On any application being made under this section, the Licensing Committee shall thereupon have jurisdiction to hear and determine the same, and may, if it thinks fit, by order, reduce the rent payable by the licensee to such amount as it deems just and equitable in the circumstances. 30

(5.) On the hearing of an application under this section a Licensing Committee shall have the same powers of summoning witnesses, and of hearing evidence on oath, as it has in respect of proceedings before it under the Licensing Act, 1908, and may make such order as it thinks proper as to the payment of costs. 35

(6.) At the hearing of any such application the applicant and the owner, and any other person or persons whom the Licensing Committee may deem to be interested in the subject-matter of the application, may appear personally or by counsel. 40

(7.) The provisions of the Licensing Act, 1908, relating to the conduct of meetings of a Licensing Committee, shall, so far as applicable, apply to meetings of the Committee for the purposes of any application under this section, and, in so far as such provisions or the provisions of any regulations under this section do not apply, the Committee may determine its own procedure. 45

(8.) Every order made by a Licensing Committee under this section shall have effect according to its tenor, and shall take effect as from the date of the service on the owner of a notice under subsection *one* hereof, and shall continue in force during the con- 50

tinuance of the lease or for the duration of this Act, which ever period is the shorter, and the terms of the lease shall be deemed to be modified accordingly.

5 (9.) For the purposes of this section the term "lease" includes an agreement for a lease and any other tenancy.

10 (10.) The Governor-General may, by Order in Council gazetted, make such regulations as may be deemed necessary prescribing forms of notices to be given under this section, for the hearing and determining of applications, and for such other matters as may be deemed necessary.

15 4. (1.) Where the rent payable in respect of any licensed premises has been reduced pursuant to the *last preceding* section, the occupier of those premises, within the meaning of the Rating Act, 1908, shall, if the premises are situated in a district in which the system of rating on the annual value is in force, be entitled to claim a refund from the local authority of a proportion of the rates paid in respect of those premises for the period elapsing between the first day of November, nineteen hundred and seventeen, and the end of the period for which such rates were levied.

Refund of rates by local authority in certain cases.

20 (2.) The refund to be made pursuant to this section shall be computed so that the amount of the refund shall bear the same proportion to the total amount of rates paid for the period aforesaid in respect of the premises as the annual amount by which the rent of the premises has been reduced bears to the total annual amount of rent as fixed by the lease.

25 (3.) If any rates in respect of the period aforesaid have not been paid, the local authority shall be entitled to recover only an amount equal to the difference between the total amount levied and the amount of the refund to which the occupier would be entitled under this section if the full amount of rates had been paid.

30 5. This Act shall remain in force during the continuance of the present war with Germany and for six months thereafter, and no longer.

Duration of Act.