

# SUPPLEMENTARY ORDER PAPER.

## LEGISLATIVE COUNCIL.

Wednesday, the 16th Day of November, 1910.

### LICENSING AMENDMENT BILL.

Hon. Dr. FINDLAY, in Committee, to move the following amendments :—

Clause 4, subclause (2) : Omit the words “of the general election at which the poll is taken,” and substitute the words “on which the declaration of the Returning Officer of the result of the poll is published.”

Clause 5 : Omit subclauses (2) and (3).

Clause 9 : Insert before the word “day,” in line 42, the words “expiration of three months after the”; omit the word “is,” in line 42, and substitute the word “was.”

Clause 11, subclause (1) : Insert the following proviso :—

Provided that every application for a license shall, notwithstanding anything herein, be subject to all the provisions of sections eighty-three to one hundred and five (except paragraph (c) of section ninety-one and section one hundred and three) of the principal Act.

Clause 12 : Insert after the word “poll,” in line 44, the words “or by virtue of a Proclamation prohibiting the grant of licenses therein”; omit paragraph (f), and substitute the following :—

(f.) If the result of a poll so taken under section *eight* of this Act is that licenses are not to be restored in the district, the determination of the electors shall be deemed to be a determination that no licenses shall be granted in that district, and the provisions of sections *six* and *seven* hereof shall apply to the district accordingly. All licenses existing in the district at the time when the poll was taken shall, unless sooner forfeited or determined in due course of law, continue in force until the thirtieth day of June next following the taking of the poll, and shall then lapse.

Clause 15 : Omit the word “he,” in line 11, and substitute the words “or, if any error is discovered in any notice published by the Minister under the provisions of this section, the Minister”; and add the following new subclause :—

(6.) If the Attorney-General, within fourteen days after the publication of the *Gazette* notice provided in subsection *five* of this section, certifies that he is satisfied that a *prima facie* case has been established that irregularities within the meaning of section thirty-five of the principal Act have been committed in connection with such poll which might have materially affected the result of the poll, then nothing in this section shall preclude the right provided for by section thirty of the principal Act to demand an inquiry as to the conduct of the poll, and the Court shall on such inquiry have all the powers conferred by sections thirty to thirty-six of the principal Act, and the period of fourteen days mentioned in the said section thirty shall, if the Attorney-General so certifies, be extended to twenty-eight days.

Clause 16: After the words "New Zealand," in line 17, insert the words "in respect of proposals submitted under section *fourteen* hereof," and omit those words from lines 18 and 19.

Clause 23: Omit the word "he," in line 13, and substitute the words "or, if any error is discovered in any notice published by the Minister under the provisions of this section, the Minister"; and add the following new subclause:—

(6.) If the Attorney-General, within fourteen days after the publication of the *Gazette* notice provided in subsection *five* of this section, certifies that he is satisfied that a *prima facie* case has been established that irregularities within the meaning of section thirty-five of the principal Act have been committed in connection with such poll which might have materially affected the result of the poll, then nothing in this section shall preclude the right provided for by section thirty of the principal Act to demand an inquiry as to the conduct of the poll, and the Court shall on such inquiry have all the powers conferred by sections thirty to thirty-six of the principal Act, and the period of fourteen days mentioned in the said section thirty shall, if the Attorney-General so certifies, be extended to twenty-eight days.

Clause 26: Add at the end of paragraph (*d*) the words:—

Provided that every application for a license shall, notwithstanding anything herein, be subject to all the provisions of sections eighty-three to one hundred and five (except paragraph (*c*) of section ninety-one and section one hundred and three) of the principal Act.

Clause 28: Add at the end of the clause the words "or the provisions of the King Country Licenses Act, 1909."

Clause 29, subclause (1): Add the words "no such license shall be granted in respect of premises situated beyond the limits fixed by subsection four of section one hundred and twenty-seven of the principal Act."

Clause 29, subclause (2): Omit the words "at any time within two years thereafter," and substitute the words "at the first annual meeting after the forfeiture of the former license, or at the annual meeting at which a renewal of the former license might have been granted if duly applied for."

Clause 36: Omit subclause (7); subclause (8) to stand as new clause 36B; omit the words "this section," in line 31, and substitute the words "section thirty-*six* hereof or for any of the purposes mentioned in section thirty-*six* *a* hereof."

Clause 42: Insert after the word "Act," in line 51, the words "or in pursuance of any former Act."

Clause 45, subclause (1): At the end of line 45 insert the words "or the principal Act"; omit the proviso, and substitute the following:—

Provided that nothing in this Act shall apply to a brewer's ordinary bottling warehouse established prior to the carrying of no-license in the district in which such warehouse is situated.

To add the following new clauses:—

Certain districts  
are no-license  
districts.

12A. The licensing districts of Clutha, Mataura, Invercargill, Ashburton, Oamaru, Grey Lynn, Bruce, Wellington Suburbs, Wellington South, Masterton, Ohinemuri, and Eden, as the said districts respectively are now constituted, are and shall for all purposes be deemed to be and to have been from the date of the taking of the last licensing poll no-license districts, the electors whereof have duly determined in manner prescribed by the principal Act that no licenses be granted therein; and the provisions of sections *six* and *seven* of this Act shall apply to each of the said districts.

Illegal storing  
of liquor in no-  
license area.

36A. (1.) It shall not be lawful within any no-license district, or within any area to which section two hundred and seventy-three of the principal Act is applicable, for any person whomsoever to store or keep liquor for any other person, or to lease, let, hire, or permit or suffer to be used, any building or place belonging to or occupied by him, or in his possession or under his control, or any part of any such building or place, for the purpose of storing or keeping therein or thereon any liquor for or by any other person.

(2.) Every person who commits a breach of this section is liable for a first offence to a fine not exceeding *fifty* pounds, and for a second or any subsequent offence to imprisonment for any term not exceeding *three* months.

Sixth Schedule : To insert the following,—

Section 3 ...	By inserting, after the word "purposes" in paragraph (b), the words "exclusively and in accordance with regulations made by the Governor in Council in that behalf."
Section 4 ...	By inserting, after the word "nature" in the definition of "intoxicating liquor," the words "and includes medicated wines containing more than ten per centum of proof spirit."
Section 15 ..	By inserting the words "or for national prohibition or for national restoration, as the case may be," after the words "granted in the district."
Section 16 ...	By inserting the words "or for national prohibition or for national restoration, as the case may be," after the words "granted in the district."
Section 75	By repealing the section.
Section 147(1)	By adding at the end of paragraph (b) the words "and in accordance with regulations made by the Governor in Council in that behalf."
Section 189(1)	By omitting all words after the words "following morning in paragraph (b).

To omit the reference to section 33.