

Supplementary Order Paper.

LEGISLATIVE COUNCIL.

Friday, the 2nd Day of December, 1927.

LICENSING AMENDMENT BILL.

Right Hon. Sir FRANCIS BELL, in Committee, to move the following further amendments :—

Clause 32 : To omit subclause (5).

To add the following new clauses :—

No consideration other than rent to be demanded or accepted by owner of licensed premises in respect of lease or other disposition thereof.

18B. (1) It shall not be lawful for the owner or landlord of any licensed premises to demand or receive any fine, payment, bonus, premium, or other consideration for a lease or other like disposition of the licensed premises in addition to the rent reserved by the lease or other instrument of disposition.

(2) Any moneys received by an owner or landlord in breach of the provisions of this section shall be recoverable as a debt due to the person who paid the same from such owner or landlord.

(3) The question whether or not any amount has been paid to or received by an owner or landlord by way of fine, bonus, premium, or otherwise in addition to the rent reserved, shall be a question of fact to be determined by the Court in which any proceedings for the recovery thereof may be taken. In determining any such question the Court may take into account the terms and conditions of all contracts and agreements incidental to the lease or other disposition of the licensed premises, and may in its discretion determine with respect to any such contract or agreement that the consideration or any part of the consideration purported to be given therefor is in fact in the nature of a premium, bonus, or fine paid or agreed to be paid in consideration of the lease or other disposition of the licensed premises as aforesaid.

Register of barmaids to be transferred by Secretary of Labour to Commissioner of Police.

32A. (1) The Register required to be kept by the Secretary of Labour pursuant to section thirty-six of the Licensing Amendment Act, 1910, shall, forthwith after the passing of this Act, be transferred to the Commissioner of Police, and thereafter the duties imposed by subsections six, seven, and eight of the said section on the Secretary of Labour shall be imposed on and performed by the Commissioner of Police.

(2) Every woman, not being a woman duly registered as a barmaid under the said section thirty-six, or not being exempted from the operation of that section by virtue of the provisions of subsection three thereof, commits an offence, and is liable to a fine of *ten* pounds for every day on which such offence is committed or continues, who is employed or serves in any capacity in or about any public or private bar on licensed premises at any time while the bar is open for the sale of liquor.

Consequential amendment of section 36 of Amendment Act, 1910.

(3) Section thirty-six of the Licensing Amendment Act, 1910, is hereby amended by omitting from subsections six, seven, and eight thereof the words "Secretary of Labour," and substituting the words "Commissioner of Police."
