

HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Friday, 19 June 1987

LAW REFORM (MISCELLANEOUS PROVISIONS) BILL (NO. 2)

*Proposed Amendments*

Right Hon. GEOFFREY PALMER, in Committee, to move the following amendments:

To add on page 55 the following heading and clauses:

*Trespass*

**133. Sections to be read with Trespass Act 1980**—This section and the next succeeding section shall be read together with and deemed part of the Trespass Act 1980\* (in that section referred to as the principal Act).

\*1980, No. 65  
Amendment: 1981, No. 99

**134. Application of Act to public bars**—The principal Act is hereby amended by inserting, after section 12, the following section:

“12A. Notwithstanding anything in sections 187 and 188 of the Sale of Liquor Act 1962 or in section 13 of this Act, this Act shall apply in respect of public bars on—

“(a) Any premises in respect of which any hotel premises licence or tavern premises licence is in force under and within the meaning of the Sale of Liquor Act 1962; or

“(b) Any premises conducted as a hotel or tavern by any licensing trust pursuant to any of the provisions of the Licensing Trusts Act 1949, the Masterton Licensing Trust Act 1947, and the Invercargill Licensing Trust Act 1950.”

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EXPLANATORY NOTE

It has been held in a number of decisions that the Trespass Act 1980 does not apply to a public bar. Broadly, a person is entitled to be in a public bar during opening hours, subject to the provisions of the Sale of Liquor Act 1962. That Act gives power to eject an unruly patron, but not to bar that person for the future. Under the Trespass Act 1980, a person may be warned off for a period of 2 years. The effect of this amendment is to extend that Act to public bars.