

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Thursday, the 19th Day of November 1953

MOTOR SPIRITS DISTRIBUTION BILL

Hon. Mr WATTS, in Committee, to move the following amendments:

Title: To omit from lines 4 and 5 the words "ensuring the equitable distribution of motor spirits".

Clause 9, subclause (2): To omit from line 28 onwards the words "possible, that members of the public in each locality where the holder of a retailer's licence carries on business have a reasonable opportunity of purchasing any motor spirits sold by the holder of a wholesaler's licence", and substitute the words "is consistent with fair and reasonable competition in the motor spirits industry, that members of the public in each locality where the holder of a retailer's licence carries on business have a reasonable opportunity of purchasing motor spirits sold by holders of wholesaler's licences."

Clause 15, subclause (1), paragraph (b): To omit from line 30 the word "all"; to add to this paragraph the words "or can be so made available within the limits of fair and reasonable competition in the motor spirits industry".

Clause 18, subclause (1), paragraph (b): To omit from lines 37 and 38 the words "or any direct or indirect interest"; to omit from line 40 the word "affecting", and substitute the words "so as to affect"; to omit the second proviso and substitute the following:

Provided also that nothing in this condition shall apply with respect to:

- (a) Any estate or interest in existence on the *fourteenth* day of March, nineteen hundred and fifty-two; or
- (b) Any variation of any such estate or interest in existence as aforesaid taking place before the date of the commencement of this Act; or
- (c) Any new estate or interest created before the date of the commencement of this Act pursuant to a contract or commitment in existence on the *fourteenth* day of March, nineteen hundred and fifty-two.

Clause 18, subclause (2), paragraph (b): To omit from line 33 the words "or any direct or indirect interest"; to omit from line 36 the word "affecting", and substitute the words "so as to affect"; to omit the second proviso and substitute the following:

Provided also that nothing in this condition shall apply with respect to:

- (a) Any estate or interest in existence on the *fourteenth* day of March, nineteen hundred and fifty-two; or
- (b) Any variation of any such estate or interest in existence as aforesaid taking place before the date of the commencement of this Act; or
- (c) Any new estate or interest created before the date of the commencement of this Act pursuant to a contract or commitment in existence on the *fourteenth* day of March, nineteen hundred and fifty-two.

Clause 23, subclause (3): To insert, after the word "person" in line 5, the words "otherwise than in conformity with section twenty-four of this Act".

Clause 25: To add the following as subclause (2):

- (2) Notice of any determination of the Licensing Authority shall be given to such persons and in such manner as may be prescribed by regulations under this Act.

Clause 31, subclause (2): To insert in line 2 of the proviso, after the word "suspend", the words "whether completely or otherwise".

Clause 31: To insert, after subclause (4), the following subclause:

- (4A) Any decision of the Supreme Court under this section shall, for the purposes of section sixty-six of the Judicature Act 1908, be deemed to be an order of that Court.

See Reprint
of Statutes,
Vol. II, p. 80

Clause 33, subclause (2); paragraph (d): To omit from line 18 in this paragraph the words "With the consent of the Appeal Authority".

Clause 34, subclause (1): To omit the proviso.

Clause 41: To add the following subclause:

- (5) The Motor Spirits Industry Account shall be audited by the Audit Office, which for that purpose shall have all such powers as it has under the *Public Revenues Act 1953* in respect of public moneys.