

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, the 2nd Day of November 1976

SALE OF LIQUOR AMENDMENT BILL (NO. 2)

Proposed Amendments

Mr WALLS, in Committee, to move the following amendments:

Clause 25: To insert in line 36 on page 24, after the words "tavern-keeper's or", the words "wholesale or, wine maker's or".

To omit from lines 36 to 39 on that page the words "or, where the premises are situated in any licensing Trust district from any person other than a licensing Trust".

Proposed clause 55c: To insert on page 47, after clause 55b, the following clause:

55c. Family lounge bar permit—The principal Act is hereby amended by inserting, after section 216b (as inserted by section 55B (1) of this Act), the following section:

"216c. (1) Notwithstanding anything in this Act, any Magistrate may from time to time, in his discretion, on application made to him in the prescribed manner, grant to the holder of any hotelkeeper's or tavernkeeper's licence, or to the manager of any premises conducted under any such licence, or to the Secretary of any chartered club, a permit authorising the holder thereof to designate any part of the hotel premises or, as the case may be, the tavern premises or the club premises as a family lounge bar, and to admit on to that part of the premises so designated, at any time when the premises are lawfully open for the sale of liquor, any person who is under the age of 18 years if that person is accompanied by his parent.

"(2) The applicant for a permit under this section shall serve a copy of his application on the member of the Police for the time being in charge of the police station nearest to the premises; and the Police may submit a report to the Magistrate in respect of any matter relating to the application.

"(3) Without limiting the discretion of the Magistrate under this section, it is hereby declared that he may decline to grant an application for a permit where in his opinion the part of the premises to which the application relates is unsuitable for the purposes of a family lounge bar.

“(4) Every such permit shall be in the prescribed form, and shall be deemed to be issued subject to the following conditions:

“(a) That no person under the age of 18 years shall be admitted on to the part of the premises to which the permit relates after such hour as the Magistrate may determine:

“(b) That such facilities and amenities (including food, non-alcoholic beverages, and entertainment) as the Magistrate may determine shall be provided in the part of the premises to which the permit applies.

“(5) Any such permit may be revoked at any time by any Magistrate.

“(6) In any prosecution for an offence against section 259 (8) of this Act it shall be a defence if the defendant proves that the bar in which he was found comprised part of any premises in respect of which a permit under this section was, at the material time, in force, and that at that time he was accompanied by his parent.”

Proposed clause 59: To insert on page 51, after clause 58, the following clause:

59. Restrictions on acquisition of licences by certain persons—The principal Act is hereby amended by inserting, after section 79A (as inserted by section 3 of the Sale of Liquor Amendment Act 1974), the following section:

“79B. **Certain licences not to be issued to manufacturers of liquor**—(1) Notwithstanding anything in this Act, where the Commission, at any time after the date of the commencement of section 59 of the Sale of Liquor Amendment (No. 2) Act 1975, authorises the issue of any hotel or tavern premises licence, or any wholesale licence, that licence shall not be granted to any person who has any financial interest in the manufacture of liquor or of any kind of liquor.

“(2) Without limiting section 299 of this Act, the Governor-General may from time to time by Order in Council make regulations prescribing particulars to be supplied to the Commission or to Licensing Committees by applicants for any hotel or tavern premises licence or wholesale licence to ensure compliance with subsection (1) of this section.”

EXPLANATORY NOTE

The amendments to *clause 25* allow the holders of general ancillary licences to purchase liquor from the holders of hotelkeeper's, tavernkeeper's, wholesale, and wine reseller's licences. At present, the Bill allows such purchases only from the holders of hotelkeeper's, tavernkeeper's, or wine reseller's licences or, where the premises are in a licensing Trust district, from a licensing Trust.

The proposed *section 55c* enables specified parts of hotels, taverns, or chartered clubs to be designated family lounge bars, the chief consequence being that parents can take their under-age children into such areas. However, the children cannot consume liquor or be supplied with it.

The proposed *clause 59* prohibits the issue of any new hotel premises, tavern premises, or wholesale licence to any person having a financial interest in the manufacture of liquor.