

**1960/198**

## THE LICENSING REGULATIONS 1949, AMENDMENT NO. 3

COBHAM, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 21st day of December 1960

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Licensing Act 1908 and the Licensing Amendment Act 1960, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

1. These regulations may be cited as the Licensing Regulations 1949, Amendment No. 3, and shall be read together with and deemed part of the Licensing Regulations 1949\* (hereinafter referred to as the principal regulations).

2. The principal regulations are hereby amended by inserting, after regulation 14, the following heading and regulation:

#### *“Conditional Licences*

“14A. (1) This regulation shall apply to every application for the grant or renewal of a conditional licence (under section 6 of the Licensing Amendment Act 1910 as amended by section 37 of the Licensing Amendment Act 1960) in respect of any race meeting in any no-licence district.

“(2) Every application to which this regulation applies shall be made to the Registrar of the Magistrate’s Court (being a Court having civil jurisdiction) nearest by the most convenient route to the place where the race meeting is to be held.

“(3) Every such application may be dealt with at any time by a Magistrate in all respects as if the application had been made to a Licensing Committee.

“(4) For the purposes of any such application the Magistrate shall have and may exercise the powers and functions of the Chairman and two members of a Licensing Committee under the Act; and, subject to the provisions of this regulation, all the provisions of the Act relating to

\*S.R. 1949/113

Amendment No. 1: S.R. 1952/39

Amendment No. 2: S.R. 1956/46

conditional licences shall apply, so far as they are applicable and with all necessary modifications, as if references therein to the Chairman and two members of a Licensing Committee were references to a Magistrate, and as if references to the Clerk of a Licensing Committee were references to the Registrar of a Magistrate's Court.

“(5) The local authority to whom the licence fee for any such licence is payable under section 140 of the Act shall be deemed to be the controlling local authority (within the meaning of section 63 of the Act) for the purpose of paying any costs and expenses lawfully incurred by any Magistrate in respect of any such application.”

T. J. SHERRARD,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations give effect to the amendment made by s. 37 of the Licensing Amendment Act 1960, under which conditional licences may be granted for race meetings in no-licence districts.

The effect of the regulations is that Magistrates may grant such licences in no-licence districts. Applications for such licences are to be made to the Registrar of the nearest Magistrate's Court of civil jurisdiction.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 December 1960.

These regulations are administered in the Department of Justice.