

1965/89



**THE SALE OF LIQUOR REGULATIONS 1963,
AMENDMENT NO. 1**

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 9th day of June 1965

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Sale of Liquor Act 1962, 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 Sale of Liquor Regulations 1963, Amendment No. 1, and shall be read together with and deemed part of the Sale of Liquor Regulations 1963* (hereinafter referred to as the principal regulations).

2. **Amendment of extended hours or restaurant permit**—The principal regulations are hereby amended by inserting, after regulation 31, the following regulation:

“31A. (1) Where the social gathering to which any extended hours permit or restaurant permit relates is postponed to a day other than that specified in the permit, the holder of the permit may, in writing, notify the Registrar of the Magistrate’s Court of the postponement and request that the permit be amended by altering the day so specified.

“(2) On receipt of such request the Registrar shall amend the permit accordingly:

“Provided that instead of amending the permit he may refer the request to a Magistrate—

“(a) If the day to which the gathering is postponed is Sunday, Good Friday, or Christmas Day; or

“(b) If in his opinion there are special circumstances that render it desirable to do so.

“(3) Where the request is so referred to a Magistrate, he may in his discretion either refuse the request or amend the permit by altering the day, and, if he thinks fit, the hours, specified in the permit.

“(4) An amendment under this regulation may be made by endorsement on the permit or by a separate certificate in writing, signed in either case by the Magistrate or the Registrar.

“(5) The Registrar shall forthwith inform the senior member of the Police in the place or locality where the premises to which the permit relates are situated of any amendment made under this regulation; and the provisions of regulation 30 (7) of these regulations shall apply, with all necessary modifications.

“(6) No fee shall be payable in respect of any request made or document issued under this regulation.”

3. Amendment of permit for auction sale—The principal regulations are hereby further amended by inserting, after regulation 31A (as inserted by regulation 2 hereof), the following regulation:

“31B. (1) Where the sale of any liquor to which any permit for the sale of liquor at a public auction relates is postponed to a day other than that specified in the permit, the holder of the permit may, in writing, notify the Clerk of the Licensing Committee of the postponement and request that the permit be amended by altering the day specified in the permit.

“(2) On receipt of such request the Clerk shall amend the permit accordingly.

“(3) An amendment under this regulation may be made by endorsement on the permit or by a separate certificate in writing, signed in either case by the Clerk.

“(4) No fee shall be payable in respect of any request made or document issued under this regulation.”

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

EXPLANATORY NOTE

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

These regulations set out the procedure for the alteration of the day specified in an extended hours permit or restaurant permit for a social gathering, or in a permit for the sale of liquor at public auction, where the gathering or sale to which the permit relates is postponed after the issue of the permit. This procedure will avoid the necessity, in such cases, for the making of a new application, the payment of a further fee, and the issue of a new permit.

In the case of a postponed social gathering, the Registrar is to alter the day specified in the permit if he receives a request in writing from the holder; except that where the later day is Sunday, Good Friday, or Christmas Day, or where there are special circumstances, he may refer the request to a Magistrate for decision. The Police are to be notified by the Registrar of the alteration, and will have the same right of application to a Magistrate for a rehearing as they had when the permit was issued.

In the case of a postponed sale of liquor at public auction the Clerk of the Licensing Committee is to alter the day specified in the permit if he receives a request in writing from the holder.

In either case the amendment may be made by endorsement on the permit or by a signed certificate; and no fee will be payable.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 10 June 1965.

These regulations are administered in the Department of Justice.