

1968/129



**THE SALE OF LIQUOR REGULATIONS 1963,
AMENDMENT NO. 2**

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 23rd day of July 1968

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING 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. Title—These regulations may be cited as the Sale of Liquor Regulations 1963, Amendment No. 2, and shall be read together with and deemed part of the Sale of Liquor Regulations 1963* (hereinafter referred to as the principal regulations).

2. Renewal of publican's licence where business is suspended—

(1) Regulation 52 of the principal regulations is hereby amended by omitting from the proviso to subclause (6) the words "June 1969", and substituting the words "June 1971".

(2) The said regulation 52 is hereby further amended by adding the following subclause:

"(7) Notwithstanding anything in subclause (6) of this regulation, where pursuant to regulation 51 hereof (as applied by regulation 53 hereof) the Commission grants an application for the removal of the licence, and has notified the applicant that the order for removal will be made when the requirements (if any) lawfully imposed by the Commission as to the provision of accommodation, services, and other facilities (as the case may require) have been complied with, any period fixed or extended by the Commission under section 94 (1) of the Act (as applied by regulation 51 hereof and section 147 (2) of the Act) for compliance with those requirements may, if the Commission thinks fit, be a period ending later than the 30th day of June 1971, and in any such case the Commission may, subject to subsections (3) and (4) of the said section 94, extend for a corresponding period the currency of the licence."

P. J. BROOKS,
Clerk of the Executive Council.

*S.R. 1963/151
Amendment No. 1: S.R. 1965/89

EXPLANATORY NOTE

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

Regulation 52 of the Sale of Liquor Regulations contains transitional provisions to safeguard the position of a publican's licence where the business was lawfully suspended (under the Licensing Act 1908) at the commencement of the Sale of Liquor Act 1962. The regulation provided for the keeping in force of the licence, by annual renewal, and of the certificate of suspension, until not later than 30 June 1967, with power for the Licensing Control Commission to grant further extensions up to 30 June 1969. The purpose of the regulation was to enable the ultimate conversion of such a licence to a hotel or tavern licence when a suitable site and premises became available. A similar provision in section 317 of the Act relating to provisional licences was amended in 1965 to enable the extension of such licences until 30 June 1971, with power for the Commission to extend the period beyond that date for the purpose of enabling its requirements as to accommodation, etc., to be fulfilled.

In order to bring regulation 52 into line with the above-mentioned amendment to the Act, these regulations extend the latest expiry date of such suspended publicans' licences to 30 June 1971, and enable the Commission, on an application for removal of such a licence, to extend the currency of the licence beyond that date in order to enable the Commission's requirements to be fulfilled.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 July 1968.

These regulations are administered in the Department of Justice.