

AUSTRALIAN CAPITAL TERRITORY

LIQUOR ORDINANCE 1963

EXPLANATORY MEMORANDUM

No. 14 of 1963

The draft Liquor Ordinance 1963 contains amendments to the Liquor Ordinance 1929-1962 relating to the appointment of the licensing magistrate, the trading hours of licensed grocers and liquor merchants and licence fees payable by liquor merchants.

2. Under sections 8 and 8A of the Principal Ordinance the licensing magistrate and deputy licensing magistrate are appointed by the Governor-General. During any period of incapacity or absence of the licensing magistrate from the Territory it becomes necessary for the Governor-General to appoint a person to act in his stead. The effect of the repeal of these sections by clause 3 of the draft Ordinance and the insertion of the new sub-section in section 5 of the Ordinance by clause 2 will be that a stipendiary magistrate or special magistrate appointed under the Court of Petty Sessions Ordinance may exercise the powers of the licensing magistrate by virtue of his appointment under that Ordinance.

3. The Trading Hours Ordinance 1962, which prescribes the hours during which goods may be sold, does not apply to the sale of liquor. There is no current restriction on the hours during which liquor may be sold by grocers and liquor merchants. Section 26A will be amended by clause 4 of the draft Ordinance to restrict the sale of liquor by grocers to the hours during which it may be publicly sold in hotels – 10 a.m. – 10 p.m. The sale of liquor in sealed and labelled cans will also be provided for in the proposed amendment.

4. Clause 5 of the draft Ordinance will restrict the hours during which liquor may be sold or supplied by liquor merchants. Trading hours for liquor merchants will be from 6 a.m. to 10 p.m.

5. Clause 6 of the draft Ordinance will amend the provisions for the calculation of licence fees for liquor merchants as contained in section 26D. of the Principal Ordinance. Purchases made by the Australian National University, the Australian Services Canteens Organization and refreshment rooms of Parliament House will not be required to be included for the purpose of calculating licence fees. These organizations are exempted from the provisions of the Liquor Ordinance and licence fees for purchases by these organizations will not be payable.

6. It is proposed that the draft Ordinance when promulgated, will take effect from the date of notification in the Gazette of the making of the Ordinance. The provisions relating to the licence fees payable by liquor merchants will be deemed to apply to the licensing year commencing on the 1st day of January, 1963.

GORDON FREETH