

AUSTRALIAN CAPITAL TERRITORY.

No. 5 of 1948.

AN ORDINANCE

To amend the Liquor Ordinance 1929-1948.*

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1947*, as follows:—

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance* Short title and citation.
(No. 2) 1948.*

(2.) Section one of the *Liquor Ordinance* 1948 is amended by omitting sub-section (3.).

(3.) The *Liquor Ordinance* 1929-1946, as amended by the *Liquor Ordinance* 1948, is in this Ordinance referred to as the Principal Ordinance.

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Liquor Ordinance* 1929-1948.

2. Section eight A of the Principal Ordinance is amended by inserting in sub-section (2.), after the words "section thirty", the words " , paragraph (a) of sub-section (1.) of section forty-three". Deputy Licensing Magistrate.

3. Section eighteen of the Principal Ordinance is amended— Licences.

(a) by omitting from paragraph (c) of sub-section (1.) the word "and"; and

(b) by adding at the end of that sub-section the following word and paragraph:—

" ; and (e) Grocers' Licences, which shall be in accordance with Form 5 in the Schedule."

4. After section twenty-six of the Principal Ordinance the following sections are inserted:—

"26A.—(1.) A Grocer's Licence may be granted to the lessee or occupier of premises used as a shop. Grocer's licence.

"(2.) Subject to the provisions of this Ordinance, a Grocer's Licence shall authorize the licensee to sell, supply and dispose of liquor, during trading hours, in bottles and in quantities, at any one time, of not less than one gallon or six reputed quarts or twelve

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5100.—PRICE 3d.

reputed pints on the licensed premises, such liquor being supplied and delivered at and taken away from such premises at one and the same time and not by instalments.

“(3.) Each bottle in which liquor is supplied shall be sealed and shall bear a label showing thereon the name and address of the person responsible for bottling the contents of the bottle and such other particulars as are prescribed.

“(4.) A person shall not drink liquor or permit or suffer liquor to be drunk in any shop in respect of which a Grocer's Licence is in force.

“(5.) The provisions of sub-section (4.) of section fifteen of this Ordinance shall not apply to the sale, disposal or delivery of liquor by the holder of a Grocer's Licence or his servant or agent.

“(6.) A person who contravenes or fails to comply with any provision of this section shall be guilty of an offence and shall be liable, on conviction, to a penalty not exceeding Fifty pounds.

“26B.—(1.) A Grocer's Licence shall not be granted or renewed unless—

- (a) the shop in respect of which the application for the grant or renewal of the licence is made is a well appointed grocery store; and
- (b) the applicant has the immediate supervision of the conduct of the business of the grocery store in respect of which the application is made, but the fact that the applicant is the employee of any other person, body corporate or firm shall not, of itself, but subject to this Ordinance, preclude the grant of the application.

“(2.) The licence-fee for the grant of a Grocer's Licence shall be Thirty pounds and for a renewal of the licence a sum equal to Five per centum of the amount paid or payable for all liquor (including duties thereon) purchased or procured, during the twelve months immediately preceding the application, for disposal under the licence sought to be renewed, or Thirty pounds, whichever is the greater:

Provided that, where a licence has not been in force during the whole of the twelve months immediately preceding the application, the licence-fee payable by a licensee on the renewal of a Grocer's Licence shall be not less than Thirty pounds.

“26c. The holder of a Grocer's Licence shall, upon ceasing to have the immediate supervision of the conduct of the premises of the shop to which the licence relates, forthwith forward the licence to the Registrar, and a licensee shall, upon the holder thereof ceasing to have such immediate supervision, cease to have any force or effect.

Penalty: Twenty pounds.”.

Conditions of
grant or
renewal of
Grocer's
Licence.

Return of
licence.

5. Section twenty-eight of the Principal Ordinance is amended ^{Transfers.} by omitting from sub-section (1.) the words "Residential Hotel".

6. Section thirty-two of the Principal Ordinance is amended— ^{Applicatio for licences, &c.}
 (a) by inserting after sub-section (3.) the following sub-section:—

"(3A.) Upon receipt of a notice given in accordance with the provisions of the last preceding sub-section, the Registrar shall forthwith forward a copy thereof to the Minister."; and

(b) by adding at the end thereof the following sub-section:—

"(11.) Notwithstanding any other provision of this Ordinance, where, not later than seven days before the hearing of an application for the grant, renewal, removal or transfer of a licence, the Minister gives notice in writing to the Registrar that, in the Minister's opinion, the granting of the application would be repugnant to the principles for the time being governing the administration, construction or development of the City of Canberra, or the Territory, the Magistrate shall refuse the application."

7. Section thirty-five of the Principal Ordinance is amended ^{Corporation or firm may hold licence.} by inserting in sub-section (1.), after the word "Hotel", the words "Restaurant, Grocer's".

8. Section forty-three of the Principal Ordinance is amended ^{Consumption of liquor in a public place.} by inserting in sub-section (2.), after the words "other than", the words "the buildings erected on".

9. The Schedule to the Principal Ordinance is amended ^{The Schedule.} by adding at the end thereof the following Form:—

"Section 26A.

FORM 5.

THE AUSTRALIAN CAPITAL TERRITORY.

Liquor Ordinance 1929-1948.

GROCER'S LICENCE.

Whereas the Licensing Magistrate for the Australian Capital Territory has granted to

of a Grocer's Licence
the renewal of a Grocer's Licence

in respect of the grocer's shop known as
situated at

and delineated on the attached plan:

And whereas the requisite fee for the said licence
renewal, as specified hereunder,
has this day been paid into my office:

I do hereby declare that the person aforesaid is, subject to the provisions of the said Ordinance, authorized by himself, his servants or agents to sell, supply and dispose of liquor, during trading hours, in sealed and labelled

bottles and in quantities, at any one time, of not less than one gallon or six reputed quarts or twelve reputed pints on the licensed premises and subject to the provision that no liquor shall be consumed on the said premises.

This licence
renewal shall commence on the _____ day of
19____, and shall, unless sooner cancelled, continue until the
day of _____, 19____.

Given under my hand at _____, this
day of _____, 19____.

Licence-fee paid £

Registrar.”.

Dated this fifth day of November, 1948.

W. J. McKELL
Governor-General.

By His Excellency's Command,

VICTOR JOHNSON
Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.