

AUSTRALIAN CAPITAL TERRITORY.

No. 11 of 1951.

AN ORDINANCE

To amend the Liquor Ordinance 1929-1950.

BE it ordained by the Administrator of the Government of 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) 1951.*

(2.) The *Liquor Ordinance 1929-1950* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Liquor Ordinance 1929-1951*.

2. Section twelve of the Principal Ordinance is amended by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-section:— Notice and place of sittings.

“(2.) A notice given under sub-section (1.) of this section shall specify the date and time on which the sitting is to commence and the place where it is to be held.”

3. After section twelve of the Principal Ordinance the following section is inserted:—

“12A. The Magistrate may, without notice, and on such terms as to costs or otherwise as he thinks fit, adjourn a sitting from time to time and from place to place.” Adjournments of sittings. ✓

4. Section sixteen of the Principal Ordinance is amended by omitting from sub-section (7.) the words “, the amount of the licence-fee and the date on or before which payment has to be made” and inserting in their stead the words “and the amount of the licence-fee”. Grant, &c., of certificates, licences and permits.

5. Section twenty-one of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:— Restaurant licences.

“(1.) A Restaurant Licence may be granted to the lessee or occupier of premises used as a restaurant or to the nominee of the lessee or occupier.”

* Notified in the *Commonwealth Gazette* on 29th November, 1951.
6093.—PRICE 3d.

Conditions of
grant or
renewal of
Restaurant
Licence.

6. Section twenty-two of the Principal Ordinance is amended—

- (a) by adding at the end of paragraph (a) of sub-section (1.) the word “and”;
- (b) by omitting from paragraph (b) of that sub-section the word “and” (last occurring); and
- (c) by omitting paragraph (c) of that sub-section.

Return of
Licence.

7. Section twenty-three of the Principal Ordinance is repealed.

Grocer's
Licence.

8. Section twenty-six A of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“(1.) A Grocer's Licence may be granted to the lessee or occupier of premises used as a grocery store or to the nominee of the lessee or occupier.”

Conditions
of grant or
renewal of
Grocer's
Licence.

9. Section twenty-six B of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“(1.) A Grocer's Licence shall not be granted or renewed unless the premises in respect of which the application for the grant or renewal of the licence is made is a well appointed grocery store.”

Return of
Licence.

10. Section twenty-six c of the Principal Ordinance is repealed.

Renewals.

11. Section twenty-seven of the Principal Ordinance is amended by omitting sub-section (6.) and inserting in its stead the following sub-section:—

“(6.) When the Magistrate approves a renewal of a licence, he shall fix the amount of the fee payable for the renewal and, when the fee so fixed is paid to the Registrar, the Registrar shall issue a licence in accordance with such form in the Schedule as is appropriate to the case.”

12. After section sixty-five of the Principal Ordinance the following section is inserted:—

Amendment of
notices, &c.,
and extensions
of time.

“65A. On the hearing of an application under this Ordinance the Magistrate may, for the purposes of the application and on such terms as to costs or otherwise as he thinks fit—

- (a) permit the amendment of a notice, document or instrument;
- (b) if satisfied that injustice to any person will not be occasioned by so doing, disregard a defect in a notice, document or instrument; and

(c) enlarge or abridge the time fixed by this Ordinance or otherwise for doing an act or taking a proceeding, whether the application for the enlargement or abridgment is made before or after the expiration of the time so fixed.”.

Dated this twenty-eighth day of November, 1951.

J. NORTHCOTT

Administrator.

By His Excellency's Command,

W. S. KENT HUGHES

Minister of State for the Interior.

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