

AUSTRALIAN CAPITAL TERRITORY.

No. 8 of 1956.

AN ORDINANCE

To amend the Liquor Ordinance 1929-1955, as amended by the Liquor Ordinance 1956.

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 (Administration) Act* 1910-1955, as follows:—

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance* (No. 2) 1956.* Short title and citation.

(2.) The *Liquor Ordinance* 1929-1955,† as amended by the *Liquor Ordinance* 1956,‡ is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the *Liquor Ordinance* 1956 is amended by omitting sub-section (3.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Liquor Ordinance* 1929-1956.

2. Section nineteen of the Principal Ordinance is amended by omitting paragraph (b) of sub-section (2.) and inserting in its stead the following paragraph:— Residentia Hotel Licence.

“(b) to persons having a *bona fide* meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid and as part of that meal—

- (i) on any day except Christmas Day, Good Friday or a Sunday, between the hours of ten o'clock in the morning and midnight; and
- (ii) on Christmas Day or a Sunday, between the hours of noon and ten o'clock in the evening;”.

3. Section twenty-one of the Principal Ordinance is amended by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-sections:— Restaurant Licence.

* Notified in the *Commonwealth Gazette* on 21st June, 1956.

† Ordinance No. 15, 1929, as amended by Nos. 5 and 6, 1930; Nos. 4, 11 and 15, 1931; Nos. 9 and 15, 1932; Nos. 10 and 11, 1935; No. 26, 1936 (repealed by No. 27, 1937); Nos. 6, 25 and 27, 1938; No. 19, 1942 (amended by No. 11, 1945); No. 3, 1943 (repealed by No. 11, 1945); No. 4, 1945; No. 8, 1946; Nos. 1, 5, 6 and 7, 1948; No. 13, 1950; No. 11, 1951; No. 7, 1954; No. 9, 1955; and No. 3, 1956.

‡ Ordinance No. 3, 1956.

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“(2.) Subject to this Ordinance, a Restaurant Licence shall authorize the licensee to sell and supply liquor on the licensed premises—

(a) on any day except Christmas Day, Good Friday or a Sunday, between the hours of noon and midnight; and

(b) on Christmas Day or a Sunday, between the hours of noon and ten o'clock in the evening,

where the liquor is sold or supplied as part of a *bona fide* meal supplied to a person for consumption on the premises, being a meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid.

“(3.) The licensee under a Restaurant Licence shall cause all bottles and drinking vessels that have been used in the supply or consumption of liquor to be removed from every dining room of the restaurant—

(a) on any day referred to in paragraph (a) of the last preceding sub-section—before half-past twelve o'clock in the morning of the day next succeeding; and

(b) on any day referred to in paragraph (b) of the last preceding sub-section—before half-past ten o'clock in the evening of that day,

and shall not permit or suffer any such bottles or vessels to be in any such dining room after that time and before the hour of noon next succeeding.”

4. Section twenty-five of the Principal Ordinance is repealed and the following section inserted in its stead:—

Club Licences.

“25. Subject to this Ordinance, a Club Licence shall authorize the supply and disposal on the club premises of liquor at any time to members of the club (whether subscribing or honorary) for consumption by those members or their guests.”

Permits.

5. Section thirty of the Principal Ordinance is amended—

(a) by omitting sub-section (9.) and inserting in its stead the following sub-section:—

“(9.) A special permit shall, according to its tenor but subject to this section and the conditions (if any) specified in the permit, authorize—

(a) the supply of liquor to the persons, or to persons included in the class of persons, during the period and in the rooms or places specified in the permit; and

(b) the consumption of liquor so supplied by those persons in the rooms and places so specified during the period so specified and a period of ten minutes immediately following that period.”; and

(b) by omitting paragraph (b) of sub-section (17.) and inserting in its stead the following paragraph:—

“(b) by a person, or a person included in a class of persons, to whom a special permit applies, in a room or place specified in the permit, with or as part of a meal or refreshment and during the period specified in the permit and a period of ten minutes immediately following that period.”.

6. Section forty-three of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

Offences by
licensees.

“(3.) It is not an offence under sub-section (1.) of this section for the holder of a Residential Hotel Licence—

- (a) to permit liquor to be consumed by a person on his licensed premises between the hours of ten o'clock in the evening and ten minutes past ten o'clock in the same evening on any day if the liquor so consumed was sold or supplied to that person by, or on behalf of, the licensee during trading hours on that day;
- (b) to permit a person to be on his licensed premises between those first-mentioned hours on any day if that person was on the premises for the purpose of consuming liquor sold or supplied to that person by, or on behalf of, the licensee during trading hours on that day; or
- (c) to permit a person to carry away liquor from his licensed premises between those first-mentioned hours on any day if that person is carrying away liquor sold or supplied to that person by, or on behalf of, the licensee during trading hours on that day.”.

7. Section forty-seven of the Principal Ordinance is amended—

Carrying away
liquor from
licensed
premises.

(a) by omitting from sub-section (1.) the words “Any person” and inserting in their stead the words “Subject to this section, a person”; and

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

“(3.) It is not an offence under sub-section (1.) of this section if a person carries away liquor from licensed premises between the hours of ten o'clock in the evening and ten minutes past ten o'clock in that evening on any day if the liquor was sold or supplied to that person by, or on behalf of, the licensee of the licensed premises during trading hours on that day.”.

Persons present
on licensed
premises during
prohibited
hours.

8. Section forty-nine of the Principal Ordinance is amended—

(a) by omitting from paragraph (c) of sub-section (2.) the word “or”;

(b) by adding at the end of paragraph (d) the words “or during a period of ten minutes immediately following the expiration of that time”; and

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

“or; (e) being a person who was on the licensed premises immediately before the hour of ten o'clock in the evening on any day, is on those premises between that hour and the hour of ten minutes past ten o'clock in the same evening for the purpose of consuming liquor sold or supplied to that person during trading hours on that day.”.

Amendment of
Form 1 in the
Schedule

9. Form 1 in the Schedule to the Principal Ordinance is amended by omitting paragraph (b) and inserting in its stead the following paragraph:—

“(b) to persons having a *bona fide* meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid and as part of that meal—

(i) on any day except Christmas Day, Good Friday or a Sunday, between the hours of ten o'clock in the morning and midnight; and

(ii) on Christmas Day or a Sunday, between the hours of noon and ten o'clock in the evening;”.

Amendment of
Form 2 in the
Schedule

10. Form 2 in the Schedule to the Principal Ordinance is amended by omitting all the words from and including the words “between the hours of” to and including the words “as part of a *bona fide* meal” and inserting in their stead the words “on the licensed premises—

(a) on any day except Christmas Day, Good Friday or a Sunday, between the hours of noon and midnight; and

(b) on Christmas Day or a Sunday, between the hours of noon and ten o'clock in the evening,

where the liquor is sold or supplied as part of a *bona fide* meal”.

Amendment of
Form 4 in the
Schedule.

11. Form 4 in the Schedule to the Principal Ordinance is amended by omitting all the words from and including the words “on the said premises” (first occurring) to and including the words “as part of that meal” and inserting in their stead the words

“on the said premises at any time to members of the Club (whether subscribing or honorary) for consumption by those members or their guests”.

12. A Residential Hotel Licence, Restaurant Licence or Club Licence in force under the *Liquor Ordinance* 1929-1955, as amended by the *Liquor Ordinance* 1956, immediately before the date of commencement of this Ordinance shall be deemed, on and from that date, to be varied so as to accord with the prescribed form for the corresponding licence under the *Liquor Ordinance* 1929-1955, as amended by the *Liquor Ordinance* 1956 and further amended by this Ordinance, and shall, on and from that date, operate as so varied for the purposes of the *Liquor Ordinance* 1929-1955, as amended by the *Liquor Ordinance* 1956 and further amended by this Ordinance. Existing licences deemed to be varied.

Dated this fifteenth day of June, 1956.

W. J. SLIM

Governor-General.

By His Excellency's Command,

ALLAN FAIRHALL

Minister of State for the Interior.