

AUSTRALIAN CAPITAL TERRITORY.

No. 14 of 1959.

AN ORDINANCE

To amend the *Liquor Ordinance 1929-1956*.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1955*.

Dated this third day of November, 1959.

W. J. SLIM

Governor-General.

By His Excellency's Command,

GORDON FREETH

Minister of State for the Interior.

LIQUOR ORDINANCE 1959.

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance 1959*.^{*} Short title and Citation.

(2.) The Liquor Ordinance 1929-1956[†] 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 1929-1959*.

2. Section six of the Principal Ordinance is amended by inserting, after paragraph (d), the following paragraph:— Application.

“(da) to the sale, at a canteen or club established, conducted, maintained or operated in pursuance of the Australian Services Canteens Organization Regulations, of liquor by the Australian Services Canteens Organization Board of Management to a person—

(i) who is a member of the naval, military or air forces of the Commonwealth or of another part of the Queen's dominions;

^{*} Notified in the *Commonwealth Gazette* on 12th November, 1959.

[†] 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; Nos. 6, 25 and 27, 1938; No. 19, 1942; No. 3, 1943; 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; Nos. 3 and 8, 1956.

- (ii) who is employed in a naval, military or air force installation;
- (iii) who is employed by or in the Department of Defence, the Department of the Navy, the Department of the Army or the Department of Air;
- (iv) who is employed by the Australian Services Canteens Organization Board of Management;
- (v) who is employed at a special defence undertaking within the meaning of section six of the *Defence (Special Undertakings) Act 1952*; or
- (vi) who is a guest of such a person at the expense of that person.”.

Grant, &c.,
certificates,
licences and
permits.

3. Section sixteen of the Principal Ordinance is amended by omitting from sub-section (2.) the words “Chief Commissioner of Police”. and inserting in their stead the words “Commissioner of Police.”.

Booth Licence.

4. Section twenty-four of the Principal Ordinance is amended by omitting from sub-section (7.) the words “Chief Commissioner of Police,” and inserting in their stead the words “Commissioner of Police,”.

Fee for
Liquor
Merchant's
Licence.

5. Section twenty-six D of the Principal Ordinance is amended—

- (a) by omitting the words “other than persons holding licences,” and
- (b) by adding at the end thereof the following sub-section:—

“(2.) For the purpose of ascertaining the sum referred to in paragraph (a) of the last preceding sub-section, amounts payable to a liquor merchant by a purchaser—

- (a) who holds a licence under this Ordinance;
- (b) who holds a licence under a law in force in another State or Territory relating to the sale or disposal of liquor; or
- (c) who is—
 - (i) the Governor-General or any member of his family;

- (ii) a member of the staff of the Governor-General, if that member is not an Australian citizen;
- (iii) the diplomatic representative in the Commonwealth of any foreign country;
- (iv) the High Commissioner in the Commonwealth of any part of the Queen's dominions;
- (v) the official representative (not being a High Commissioner) in the Commonwealth of a part of the Queen's dominions, being a citizen of that part;
- (vi) a consular representative in the Commonwealth of any foreign country, if the consular representative is a citizen of the country he represents and is not otherwise engaged in any business, occupation or profession;
- (vii) a Trade Commissioner of any British or foreign country, if the Trade Commissioner is a citizen of the country he represents and is not otherwise engaged in any business, occupation or profession;
- (viii) a member of the staff of any person mentioned in subparagraphs (i) to (v) (both inclusive) of this paragraph, if the member is a citizen of the country represented; or
- (ix) a member of the family of any person mentioned in the preceding subparagraphs of this paragraph.

shall not be taken into account.

“(3.) Where a liquor merchant sells liquor to a purchaser other than a licensee at a price that is a different price from the price at which the liquor merchant would have sold the same quantity of that liquor to a licensee, the price paid by that purchaser shall, for the purposes of paragraph (a) of sub-section (1.) of this section be deemed to have been the price that would have been paid by a licensee for that liquor.

Permits.

6. Section thirty of the Principal Ordinance is amended—

- (a) by omitting from sub-section (2.) the words “Chief Commissioner of Police” and inserting in their stead the words “Commissioner of Police”;
- (b) by omitting from sub-section (4.) the words “Chief Commissioner of Police” and inserting in their stead the words “Commissioner of Police”;
- (c) by omitting from sub-section (6.) the words “Chief Commissioner of Police,” and inserting in their stead the words “Commissioner of Police,”; and
- (d) by omitting from sub-section (7.) the words “Chief Commissioner of Police,” and inserting in their stead the words “Commissioner of Police,”.

Hotel licensee to remove bottles and drinking vessels from room in which meal is supplied.

7. After section forty-eight of the Principal Ordinance the following section is inserted:—

“48A. The licensee under a Residential Hotel Licence shall cause all bottles and drinking vessels that have been used in the supply or consumption of liquor by persons to whom the sale, supply or disposal of liquor as part of a meal is authorized by paragraph (b) of sub-section (2.) of section nineteen of this Ordinance to be removed from the room in which the meal is supplied—

- (a) on any day referred to in sub-paragraph (i) of paragraph (b) of that sub-section—before half-past twelve o'clock in the morning of the day next succeeding; and
- (b) on any day referred to in sub-paragraph (ii) of paragraph (b) of that sub-section—before half-past ten o'clock in the evening of that day.

Penalty: Fifty pounds.”.

Persons present on licensed premises during prohibited hours.

8. Section forty-nine of the Principal Ordinance is amended by omitting paragraph (c) of sub-section (2.) and inserting in its stead the following paragraphs:—

- “(c) is a person, other than a person referred to in one of the next four succeeding paragraphs, who is entitled under this Ordinance to be supplied with liquor on the licensed premises in prohibited hours;

(ca) being a person to whom liquor was sold, supplied or disposed of as part of a meal in accordance with paragraph (b) of sub-section (2.) of section nineteen, or sub-section (2.) of section twenty-one, of this Ordinance before midnight on a day other than Christmas Day, Good Friday or a Sunday consumes that liquor as part of that meal between that hour and the hour of half-past twelve o'clock in the morning of the day next succeeding;

(cb) being a person to whom liquor was sold, supplied or disposed of as part of a meal in accordance with paragraph (b) of sub-section (2.) of section nineteen or sub-section (2.) of section twenty-one, of this Ordinance before ten o'clock in the evening on Christmas Day or a Sunday, consumes that liquor as part of that meal between that hour and the hour of half-past ten o'clock in the evening of that day;"

9. Section fifty-one of the Principal Ordinance is amended by omitting from sub-section (1.) the words "Chief Commissioner of Police" and inserting in their stead the words "Commissioner of Police".

Entry upon
licensed
premises.

10. Form 1 in the Schedule to the Principal Ordinance is amended—

The Schedule.

(a) by adding at the end of paragraph (c) the word "and"; and

(b) by omitting paragraphs (d), (e) and (f) and inserting in their stead the following paragraph:—

"(d) at any time to the guests of a lodger, only in the company of, and at the expense of, the lodger for consumption on the said premises."