

No. 2 of 1975

AN ORDINANCE

To amend the *Liquor Ordinance 1929-1973*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this sixteenth day of January, 1975.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

GORDON M. BRYANT
Minister of State for the Capital Territory.

LIQUOR ORDINANCE 1975

1. (1) This Ordinance may be cited as the *Liquor Ordinance 1975*.^{*} Short title.

(2) The *Liquor Ordinance 1929-1973*[†] 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 1929-1974*.

2. Section 5 of the Principal Ordinance is amended by inserting in sub-section (1), after the definition of "Bar-room", the following definition:—

"'boat' means a boat in respect of which a licence has been issued under section 34 of the *Lake Burley Griffin Ordinance 1965-1968*;"

3. Section 17 of the Principal Ordinance is repealed and the following section substituted:—

"17. (1) In this section, 'premises' includes a boat.

"(2) Every licence granted shall be in respect of the premises specified in the licence.

Licences to
be in respect
of premises.

^{*} Notified in the *Australian Government Gazette* on 17 January 1975.

[†] 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; Nos. 4 and 11, 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; Nos. 14 and 21, 1959; Nos. 8 and 18, 1962; No. 14, 1963; No. 3, 1964; Nos. 8 and 17, 1965; No. 8, 1966; No. 45, 1967; No. 22, 1968; No. 6, 1971; Nos. 4 and 22, 1973 and No. 47, 1974.

“(3) Subject to sub-section 19 (1), a licence shall not be granted in respect of any premises, other than a boat, unless the premises comply with the requirements of this Ordinance with respect to accommodation and have been approved by the Magistrate after a report from an Inspector.”.

Bistro
licence.

4. Section 21 of the Principal Ordinance is amended—

(a) by omitting sub-section (1) and substituting the following sub-section:—

“(1) A Bistro Licence may be granted—

(a) to the lessee or occupier, being a lessee or occupier other than a partnership, or to a person on behalf of the lessee or occupier, being a lessee or occupier which is a partnership, of premises used or to be used for the sale and supply of food and liquor for consumption on those premises; or

(b) to the person by whom a boat is operated on Lake Burley Griffin.”; and

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

“(8) In this section, except sub-section (1) and paragraph (6)(a), ‘premises’ includes a boat.”.

Conditions
of grant of
Bistro
Licence.

5. Section 22 of the Principal Ordinance is amended by omitting sub-paragraph (1)(a)(i) and substituting the following paragraph:—

“(i) the precise locality of the premises or, in the case of a boat, the address of the principal place of business of the person by whom the boat is operated on Lake Burley Griffin;”.

Applications
for the
grant,
removal or
transfer of
licences.

6. Section 32 of the Principal Ordinance is amended—

(a) by inserting in paragraph (7)(c), before the words “by any adult person”, the words “except in the case of an application for a Bistro Licence in respect of a boat;”;

(b) by inserting in sub-section (7A), after the word “licence” (where first occurring), the words “, not being a Bistro Licence sought in respect of a boat;”;

(c) by inserting after sub-section (7A) the following sub-section:—

“(7B) The objections which may be taken to granting of a Bistro Licence in respect of a boat may be on one or more of the following grounds:—

(a) that the applicant is a person of drunken or dissolute habits or otherwise of bad repute;

(b) that his licence has within the twelve months preceding the date of the application been cancelled;

(c) that the applicant has been convicted of selling liquor without a licence, or of selling adulterated liquor, within a like period from the date of the application;

- (d) that the boat does not comply with the requirements of this Ordinance.”.

7. Section 32A of the Principal Ordinance is amended by omitting sub-section (1) and substituting the following sub-section:— Plans.

“ (1) This section does not apply to, or in relation to, an application for the grant, renewal, removal or transfer of a Booth Licence or a Bistro Licence in respect of a boat.”.

8. Section 32B of the Principal Ordinance is amended— Renewals.

- (a) by omitting paragraph (8)(c) and substituting the following paragraph:—

“ (c) the addresses of the licensed premises or, in the case of Bistro licences in respect of boats, the addresses of the principal places of business of the applicants; and”;

- (b) by inserting in paragraph (8)(d), before the words “a date”, the words “except in the case of Bistro licences in respect of boats,”;

- (c) by omitting paragraph (9)(c) and substituting the following paragraph:—

“ (c) the address of the licensed premises or, in the case of a Bistro licence in respect of a boat, the address of the principal place of business of the applicant; and”;

- (d) by inserting in paragraph (9)(d), before the words “a date”, the words “except in the case of a Bistro licence in respect of a boat,”.

9. Section 33 of the Principal Ordinance is amended by inserting the following sub-section before sub-section (3):— Licensing of premises proposed to be erected.

“ (1) In this section, ‘premises’ does not include a boat.”.

10. Section 33A of the Principal Ordinance is amended by adding at the end thereof the following sub-section:— Alteration of limits of licensed premises.

“ (4) In this section, ‘premises’ does not include a boat.”.

11. Section 34 of the Principal Ordinance is amended by omitting from sub-section (1) the words “or Booth licence” and substituting the words “licence, a Booth licence or a Bistro licence in respect of a boat”. Amendment of licence to apply to new premises.

12. Section 38 is amended by adding at the end thereof the following sub-section:— Re-building or alteration of licensed premises.

“ (6) Nothing in this section applies in relation to a boat in respect of which a Bistro licence has been granted.”.

13. Section 43 of the Principal Ordinance is amended by inserting in paragraph (1)(e), after the word “premises”, the words “, not being a boat,”. Offences by licensees.