

AUSTRALIAN CAPITAL TERRITORY

Liquor (Amendment) Ordinance 1987

No. 33 of 1987

I, THE GOVERNOR-GENERAL of 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*.

Dated 29 June 1987.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLES
Minister of State for Territories

An Ordinance to amend the *Liquor Ordinance 1975*

Short title

1. This Ordinance may be cited as the *Liquor (Amendment) Ordinance 1987*.¹

Commencement

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for Territories by notice in the *Gazette*.

Principal Ordinance

3. In this Ordinance, "Principal Ordinance" means the *Liquor Ordinance 1975*.²

Protection of members and witnesses

(Ord. 10/87)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

4. Section 13 of the Principal Ordinance is amended by omitting from subsection (1) “the Board” and substituting “the Authority”.

Complaint to be referred to Authority

5. Section 45 of the Principal Ordinance is amended by omitting from subsection (1) “the Board” and substituting “the Authority”.

Powers of Authority

6. Section 46 of the Principal Ordinance is amended by omitting from subsection (1) “the Board” and substituting “the Authority”.

Hearings to be conducted

7. Section 55 of the Principal Ordinance is amended by omitting “the Board” and substituting “the Authority”.

Authority may summon witnesses

8. Section 59 of the Principal Ordinance is amended by omitting from subsection (1) “The Chairman” and substituting “The senior member”.

Application to be submitted to authority in certain circumstances

9. Section 64 of the Principal Ordinance is amended by omitting from paragraph (1) (b) “the Board” and substituting “the Authority”.

Licensee to give notice of prolonged absence from licensed premises

10. Section 75 of the Principal Ordinance is amended:

- (a) by omitting “shall not absent himself” and substituting “shall not be absent”; and
- (b) by omitting “he” and substituting “the licensee”.

Further amendments

11. (1) The provisions of the Principal Ordinance specified in Part 1 of the Schedule are amended by omitting “Board” (wherever occurring) and substituting “Authority”.

(2) The Principal Ordinance is amended as set out in Part 2 of the Schedule.

SCHEDULE

Section 11

FURTHER AMENDMENTS

PART 1

Subsections 4 (1) (definition of “bar-room”), 13 (2) and (3), 15 (2), 16 (2), 17 (11) (definition of “approved analyst”) and 18 (1) and (2), paragraphs 18 (3) (o), (4) (d) and (5) (e), subsections 18 (6), 19 (1) and (2) and 20 (1) and (2), section 30, subsection 31 (1), paragraphs 31 (2) (a), (b) and (c), subsections 31 (3), (4), (5), (7) and (8), section 32, paragraph 33 (b), subsection 34 (1), paragraph 34 (2) (a), subsections 34 (3), (4), (4A) and (5), 35 (1) and (2) and 36 (1), paragraphs 37 (2) (a) and (b), subsections 37 (3) and 41 (2), paragraph 42 (a), subsection 45 (2), paragraphs 45 (3) (a) and (b), subsections 45 (4) and 46 (2) and (3), paragraph 46 (5) (a), subsections 46 (6) and (7), sections 48 and 49, paragraphs 50 (4) (c), 51 (1) (d) and 51 (2) (b), subsection 51 (3), paragraph 51 (4) (b), subsections 51 (5), 56 (1) and (2) and 57 (2) and (3), paragraph 60 (2) (a), subsections 64 (3), (4) and (5) and 65 (1), (2), (3) and (4), section 65A, subsection 66 (1), paragraph 66 (2) (e), subsections 66 (6), (8) and (10) and 68A (2), paragraph 68A (3) (b), subsections 68A (4) and 68B (1), paragraph 68B (2) (b), subsections 68B (4), (5), (6) and (8), 69 (1) and (2), 74 (1) and 76 (1), paragraph 76 (5) (a), subsections 76 (6) and 99 (1), paragraphs 99 (4) (a) and (b), subsections 99 (5), (6), (8), (9) and (12), 101 (1) and 101A (8), (9), (10) and (11) and section 111.

PART 2

Subsection 4 (1):

- (a) Omit the definition of “Authority”, substitute the following definition:

“ ‘Authority’ means the Australian Capital Territory Gaming and Liquor Authority established by section 4 of the Authority Ordinance;”.

- (b) Omit the definition of “Chairman”.

- (c) After the definition of “repealed Ordinance” insert the following definitions:

“ ‘senior member’ means the senior member of the Authority;

‘the Authority Ordinance’ means the *Australian Capital Territory Gaming and Liquor Authority Ordinance 1987*;”.

Subsection 4 (4):

Omit the subsection.

Subparagraph 5 (1) (c) (iv):

Omit “—1973”.

Subsection 5 (7A):

- (a) Omit “the thirtieth day of June”, substitute “30 June”.

SCHEDULE—continued

(b) Omit “the first day of July”, substitute “1 July”.

Headings to Divisions 1 and 2 of Part II:

Omit the headings.

Subsection 15 (1):

Omit “—1975”.

Subsection 18 (3):

Omit “the Board may”, substitute “the Authority may”.

Subsection 18 (4):

Omit “the Board may”, substitute “the Authority may”.

Subsection 18 (5):

Omit “the Board may”, substitute “the Authority may”.

Subsection 20 (3):

Omit “the Chairman of the Board”, substitute “the senior member”.

Subsection 20 (5):

Omit “—1973”.

Section 33:

Omit “The Board shall”, substitute “The Authority shall”.

Subsection 34 (2):

Omit “The Board shall”, substitute “The Authority shall”.

Paragraph 37 (2) (c):

Omit “the thirtieth day of November”, substitute “the 30 November”.

Section 42:

Omit “Board’s”, substitute “Authority’s”.

Subsection 45 (3):

Omit “The Board shall”, substitute “The Authority shall”.

Subsection 46 (5):

Omit “the Board shall”, substitute “the Authority shall”.

Paragraph 48 (b):

Omit “—1973”.

SCHEDULE—continued

Subsection 50 (1):

Omit “Chairman”, substitute “senior member”.

Subsection 50 (2):

- (a) Omit “Chairman of the Board”, substitute “senior member”.
- (b) Omit “Chairman shall”, substitute “senior member shall”.

Subsection 50 (3):

- (a) Omit “Chairman of the Board”, substitute “senior member”.
- (b) Omit “Chairman shall”, substitute “senior member shall”.
- (c) Omit “by the Board”, substitute “by the Authority”.

Subsection 50 (4):

Omit “Where the Chairman”, substitute “Where the senior member”.

Paragraph 50 (4) (b):

Omit “Chairman”, substitute “senior member”.

Subsection 51 (1):

Omit “The Board may”, substitute “The Authority may”.

Paragraph 51 (1) (b):

Omit “—1973”.

Subsection 51 (2):

Omit “The Board shall”, substitute “The Authority shall”.

Subsection 51 (4):

- (a) Omit “The Board shall”, substitute “The Authority shall”.
- (b) Omit “by the Board”, substitute “by the Authority”.
- (c) Omit “the Board that”, substitute “the Authority that”.

Section 52:

Omit “Chairman”, substitute “senior member”.

Paragraph 53 (b):

Omit “Chairman”, substitute “senior member”.

Subsection 60 (1):

- (a) Omit “—1974”.
- (b) Omit “Chairman”, substitute “senior member”.

SCHEDULE—continued**Paragraph 60 (2) (a):**

Omit “Chairman”, substitute “senior member”.

Subsection 64 (2):

Omit “Chairman”, substitute “senior member”.

Subsection 64 (3):

Omit “Chairman” (wherever occurring), substitute “senior member”.

Subsection 66 (2):

Omit “The Board may”, substitute “The Authority may”.

Paragraph 66 (2) (b):

Omit “—1973”.

Subsection 66 (9):

Omit “Chairman”, substitute “senior member”.

Subsection 68A (3):

Omit “The Board may”, substitute “The Authority may”.

Subsection 68B (3):

Omit “Chairman”, substitute “senior member”.

Subsection 68B (4):

Omit “Chairman” (wherever occurring), substitute “senior member”.

Subsection 99 (4):

Omit “Chairman”, substitute “senior member”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 30 June 1987.
2. No. 19, 1975 as amended by Nos. 6, 61 and 63, 1976; Nos. 53 and 66, 1977; Nos. 35 and 46, 1978; Nos. 10, 24 and 34, 1979; Act No. 116, 1981; Nos. 59 and 87, 1982; No. 22, 1984; No. 41, 1986.