

# AUSTRALIAN CAPITAL TERRITORY

## LIQUOR ORDINANCE 1964

### EXPLANATORY MEMORANDUM

No. 3 of 1964

The Liquor Ordinance 1964 amends the Liquor Ordinance 1929-1963 with respect to the application of section 30 – special permits, and section 32 – applications for licences.

The Liquor Ordinance provides for the granting of licences for the supply and sale of liquor and special permits for its supply and consumption. The provision, allowing liquor to be supplied or consumed under permit, is restricted to licensed premises and those which come within the definition of “Unlicensed premises” contained in section 30. These generally comprise – cafes, restaurants and other eating houses, public halls or other places ordinarily used as meeting places for the public, and public recreation grounds. Entertainments have been held in premises not coming within this definition and permits are not obtainable for the supply or sale of liquor in such premises. Examples of these are the Monaro Shopping Mall and wool sheds on rural properties where dances have been held. Section 2 of the proposed Ordinance inserts a further category of “Unlicensed Premises” which reads as follows:-

“(f) such other premises as are approved by the Minister for the purposes of this section by notice published in the Gazette.”

This additional category will enable a person to apply to the Minister to approve premises such as the Monaro Shopping Mall or a wool shed for the purpose of obtaining a special permit. The Minister’s approval is required to be published in the Gazette. The applicant will then have to satisfy the Licensing Magistrate that in the particular case a special permit is warranted.

Section 32 regulates the making of applications for the grant, renewal, removal or transfer of a licence. Licences are granted for a period of twelve months and then require renewal. Sub-section 4 (A) requires the applicant for the renewal of a club licence to furnish a statutory declaration by the Secretary of the club showing the names and addresses of all persons over the age of twenty-one years who are members of the club at the date of the declaration. A list of members is required to be filed by a club on its initial application for a licence and the additional requirement to furnish a list with each renewal application serves no useful purpose. Section 3 of the amended Ordinance dispenses with this requirement on the application for renewal or removal of a club licence and substitutes a requirement for a statutory declaration by the Secretary of the club of the number of persons of the club who are over the age of twenty-one years at that date.