

# THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 24 of 1928.

## AN ORDINANCE

### To make Temporary Provision for the Sale of Liquor and for other Purposes.

**W**HEREAS it is expedient to make temporary provision for the sale of liquor in the Territory for the Seat of Government:

NOW THEREFORE be it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, pursuant to the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910*, as follows:—

1. This Ordinance may be cited as the *Liquor Ordinance 1928*. Short title.
2. The Imperial Act and the Acts of the State of New South Wales set out in the First Schedule to this Ordinance shall, to the extent therein specified, cease to apply to the Territory. State Acts to cease to apply.
3. In this Ordinance, unless the contrary intention appears— Definitions.  
“Liquor” means and includes wine, spirits, beer, porter, stout, ale, cider, perry, or any spirituous or fermented fluid whatever capable of producing intoxication;  
“the Commission” means the Federal Capital Commission.
- 4.—(1.) Subject to this Ordinance, and to section six of the *Provisional Government Ordinance 1911-1928*, the Acts of the State of New South Wales specified in the Second Schedule to this Ordinance, except to the extent shown in that Schedule, shall, so far as applicable and subject to such modifications, adaptations and exceptions as are prescribed, apply to the Territory. Acts of New South Wales to apply.

(2.) Where in any such Act any power or function is vested in any authority of the State of New South Wales, that power or function in relation to the Territory shall be vested in and exercised or performed by the authority exercising similar powers and functions under the Commonwealth or as the Minister directs or as is prescribed.

3032.—PRICE 3D.

Power of  
Commission to  
sell liquor.

5.—(1.) Subject to section fifty-seven of the *Liquor Act*, 1912 of the State of New South Wales, as amended by the other Acts of that State specified in the Second Schedule to this Ordinance, the Commission may sell liquor in such premises as the Minister approves by notice published in the *Gazette*.

(2.) For the purposes of this section, but not otherwise, the application of section fifty-seven of the *Liquor Act*, 1912 of the State of New South Wales, as so amended, is subject to the following adaptations:—

- (a) Any reference to a licensee shall be read as a reference to the Commission;
- (b) Any reference to premises, licensed premises, or licensee's premises shall be read as a reference to premises in which the Commission is authorized to sell liquor; and
- (c) Paragraph (d) of sub-section (1.) shall be read as if the words "nine in the morning" were substituted for the words "six in the morning."

Exercise of  
power of sale.

6.—(1.) The Commission may, subject to the approval of the Minister, authorize any person to exercise on its behalf, in any premises in which it is authorized to sell liquor, its power to sell liquor, and—

- (a) that person shall be deemed to be the licensee of the premises; and
- (b) the premises shall be deemed to be licensed premises in respect of which a publican's licence has been granted,

within the meaning of the State Acts mentioned in the Second Schedule to this Ordinance in their application to the Territory.

(2.) Any person employed by the Commission in the premises shall, in relation to the application to the Territory of the State Acts mentioned in the Second Schedule to this Ordinance, be deemed to be the servant or employee of the person authorized in pursuance of sub-section (1.) of this section.

(3.) The Commission may at any time revoke any authority granted under this section.

Regulations.

7. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and, in particular, prescribing modifications, adaptations or exceptions to which the application to the Territory of the Acts of the State of New South Wales specified in the Second Schedule to this Ordinance shall be subject.

## THE SCHEDULES.

## THE FIRST SCHEDULE.

Reference to Act.	Short Title.	Extent to which Act Ceases to Apply.
24 Geo. II., c. 40 ..	The Tippling Act .. ..	Section 12
No. 18, 1898 ..	<i>Liquor Act, 1898</i> .. ..	The whole ✓
No 22, 1899. ..	<i>Adulteration of Liquors Act, 1899</i> ..	The whole ✓
No. 40, 1905 ..	<i>Liquor (Amendment) Act, 1905</i> ..	The whole ✓
No. 21, 1907 ..	<i>Liquor (Amendment) Act, 1907</i> ..	The whole ✓
No. 24, 1909 ..	<i>Justices (Amendment) Act, 1909</i> ..	Sections 29-34 ✓

## THE SECOND SCHEDULE.

Reference to Act.	Short Title.
No. 42, 1912 ..	<i>Liquor Act, 1912</i> (except section 13 (1))
No. 68, 1916 ..	<i>Liquor (Amendment) Act, 1916</i>
No. 42, 1922 ..	<i>Liquor (Amendment) Act, 1922</i>
No. 51, 1923 ..	<i>Liquor (Amendment) Act, 1923</i>
No. 36, 1927 ..	<i>Liquor (Amendment) Act, 1927</i>

Dated this eleventh day of December, One thousand nine hundred and twenty-eight.

STONEHAVEN

Governor-General.

By His Excellency's Command,

C. L. A. ABBOTT

Minister of State for Home Affairs.

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