

# THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 10 of 1935.

## AN ORDINANCE

### To amend the *Liquor Ordinance 1929-1932*.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance 1935*. Short title and citation.

(2.) The *Liquor Ordinance 1929-1932* 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 1929-1935*.

2. Sections five, seven to twelve and fourteen to twenty-one inclusive of this Ordinance shall, except where otherwise expressly provided, commence on a date to be fixed by the Minister by notice in the *Gazette*. Commencement.

3. Notwithstanding anything contained in the Principal Ordinance, where a lease of any Residential Hotel, in respect of which a licence is held by the manager as agent for the Minister, is granted to any person, body corporate or firm, the licensee is hereby authorized to exercise, as agent for the lessee, the authorities conferred on him by the licence until the date of the first sitting of the Licensing Magistrate at which an application for the transfer of the licence to the lessee or his nominee can be made. Exercise of authorities under Residential Hotel Licence until first sitting of Licensing Magistrate.

4. Notwithstanding anything contained in the Principal Ordinance, where a sub-lease of any premises in respect of which the Commonwealth is a sub-lessee and in respect of which a Café Licence under the Principal Ordinance is held by the Manager of the Café, as agent for the Minister, is, or has been before the commencement of this section, granted by the Commonwealth to any person, body corporate or firm, the licensee is hereby authorized, and shall be deemed at all times since the grant of the sub-lease by the Commonwealth to have been authorized, to exercise, as agent for the sub-lessee from the Commonwealth, the authorities conferred on him by the licence until the date of the first sitting of the Licensing Magistrate at which an application for the transfer of the licence can be made. Exercise of authorities under Café Licence until first sitting of Licensing Magistrate.

Repeal.

**5.** Section three of the Principal Ordinance is amended by omitting sub-sections (2.) to (4.) inclusive.

Jurisdiction of Magistrate.

**6.** Section nine of the Principal Ordinance is amended by omitting from sub-section (2.) the words "Justices in their summary jurisdiction" and inserting in their stead the words "The Court of Petty Sessions".

Licences to be in respect of premises.

**7.** Section seventeen of the Principal Ordinance is amended by omitting from sub-section (2.) the words "and sub-section (3.) of section twenty-three of this Ordinance".

Agent of Minister, when deemed to be licensee.

**8.** Section seventeen A of the Principal Ordinance is amended by omitting the words "or café".

Licences.

**9.—(1.)** Section eighteen of the Principal Ordinance is amended—

- (a) by omitting paragraph (b) of sub-section (1.); and
- (b) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

"(2.) Forms 1 and 2 of the Schedule, when used for the issue or renewal of a licence to the nominee of the lessee of a Residential Hotel or to the nominee of the sub-lessee from the Commonwealth of premises in respect of which, at the date of the sub-lease, a Café Licence was in force, may be modified and adapted as required."

(2.) The amendment made by paragraph (b) of the last preceding sub-section shall commence on the date of the commencement of this Ordinance.

Residential Hotel Licences.

**10.—(1.)** Section nineteen of the Principal Ordinance is amended—

- (a) by inserting in sub-section (1.), after the word "premises", the words "or his nominee"; and
- (b) by omitting the second proviso to sub-section (1.).

(2.) The amendment made by paragraph (a) of the last preceding sub-section shall commence on the date of the commencement of this Ordinance.

Conditions of grant or renewal of Residential Hotel Licences.

**11.** Section twenty of the Principal Ordinance is amended by omitting from sub-section (3.) the words "other than the Minister or his agent".

Repeal of sections 21, 22 and 23.

**12.** Sections twenty-one, twenty-two and twenty-three of the Principal Ordinance are repealed.

Number of Café Licences.

**13.** Section twenty-three of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1.) the word "three" and inserting in its stead the word "two"; and

(b) by inserting in sub-section (3.), after the word "premises", the words "or his nominee".

**14.** Section twenty-four of the Principal Ordinance is amended Booth Licence. by omitting from sub-section (1.) the words "or a Café Licence".

**15.—**(1.) Section twenty-eight of the Principal Ordinance is Transfers. amended—

(a) by omitting from sub-section (1.) the words "or Café";

(b) by inserting in sub-section (1.), after the word "firm", the words "or some nominee on his or its behalf"; and

(c) by inserting in paragraph (a) of sub-section (1.), after the word "application", the words "or, where the licensee is the agent for the Minister, the Minister".

(2.) The amendments made by paragraphs (b) and (c) of the last preceding sub-section shall commence on the date of the commencement of this Ordinance.

**16.** Section thirty-one of the Principal Ordinance is amended Persons debarred from holding licences. by omitting from the proviso to sub-section (2.) the words "appointed as the agent or nominee of the Minister, or"

**17.** Section thirty-two of the Principal Ordinance is amended Applications for licences, &c. by omitting from sub-section (4.) the words "(other than the Minister)".

**18.** Section thirty-five of the Principal Ordinance is amended Corporation or firm may hold licence. by omitting from sub-section (1.) the word "Café".

**19.** Section forty-four of the Principal Ordinance is amended Bar-room to be kept shut during prohibited hours. by omitting from sub-section (1.) the words "or Café".

**20.** Section forty-five of the Principal Ordinance is amended Persons holding more than one licence. by omitting sub-section (2.).

**21.** The Schedule to the Principal Ordinance is amended by Form of Café Licence. omitting Form 2.

Dated this thirty-first day of July, 1935.

ISAAC A. ISAACS

Governor-General.

By His Excellency's Command,

J. A. J. HUNTER

for Minister of State for the Interior.