

AUSTRALIAN CAPITAL TERRITORY.

No. 19 of 1942.

AN ORDINANCE

To amend the Liquor Ordinance 1929-1938.

BE it ordained by the Governor-General of 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 1909-1938* and the *Seat of Government (Administration) Act 1910-1940*, as follows:—

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance 1942*.*

Short title and citation.

(2.) The *Liquor Ordinance 1929-1938* 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 1929-1942*.

2. This Ordinance, except sections four, five and nine, shall continue in operation until a date to be fixed by the Minister by notice in the *Gazette*, and no longer, but in any event not longer than twelve months after His Majesty ceases to be engaged in war.

Duration of Ordinance.

3. Section five of the Principal Ordinance is amended by inserting in the definition of "trading hours", after the word "morning", the words "to two o'clock in the afternoon and from four o'clock in the afternoon".

Definition of "trading hours".

4. Section twelve of the Principal Ordinance is amended by inserting in sub-section (1.), after the word "*Gazette*", the words "and in a newspaper circulating in the Territory".

Notice and place of sittings.

5. Section thirty-two of the Principal Ordinance is amended by inserting in sub-section (3.), after the word "*Gazette*", the words "and in a newspaper circulating in the Territory".

Applications for licences, &c.

6. Section forty-three of the Principal Ordinance is amended by omitting from sub-paragraph (ii) of paragraph (c) of sub-section (1.) the words "or girl".

Offence of selling liquor to girl under eighteen.

7. After section forty-three of the Principal Ordinance the following sections are inserted:—

"43A. Every holder of a licence shall be guilty of an offence if he sells, gives or supplies, or permits any person to sell, give or supply, to any person on any one day a quantity of bottled liquor in excess of two and one quarter gallons.

Sale of bottled liquor.

Penalty: Twenty pounds.

"43B. Every holder of a licence shall be guilty of an offence if he sells, gives or supplies or permits any person to sell, give or supply any liquor to any member of the Naval or Military Forces

Sale of liquor to intoxicated Servicemen.

* Notified in the *Commonwealth Gazette* on 9th October, 1942.

or Air Force of the Commonwealth or of any of the King's dominions or of any allied or other foreign force serving in association with His Majesty's armed forces in the present war who is intoxicated.

Penalty: Fifty pounds.

Consumption
of liquor in
a public place.

"43c.—(1.) Any person who is found drinking liquor in a public place shall be guilty of an offence.

Penalty: Five pounds.

(2.) For the purpose of the last preceding sub-section, 'public place' means any place which the public are entitled to use or which is open to, or used by, the public and includes any street, road, lane, thoroughfare, footpath, or place open to, or used by, the public and includes any street, road, lane, thoroughfare, footpath, or place open to, or used by the public within that part of the village to the south of Captain's Point at Jervis Bay, in which the Royal Australian Naval College was situated.

Sale of liquor
to females
in bar rooms
prohibited, &c.

"43d.—(1.) Every holder of a licence who sells, gives or supplies, or permits any person to sell, give or supply any liquor to a female in any bar room of his licensed premises shall be guilty of an offence.

Penalty: Five pounds.

"(2.) Any person who sells, gives or supplies, and any holder of a licence who permits any person to sell, give or supply, on or from any licensed premises, liquor to any female person under the age of twenty-one years shall be guilty of an offence.

Penalty: Twenty pounds.

"(3.) Any male person under the age of eighteen years or any female person under the age of twenty-one years who consumes liquor on, or purchases or obtains, or attempts to purchase or obtain, liquor on or from, any licensed premises shall be guilty of an offence.

Penalty: Two pounds.

"(4.) It shall be a defence in any proceedings taken under this section if the defendant proves that, having inspected an identity card apparently issued under the National Security (Man Power) Regulations produced by the person to whom the liquor was sold, given or supplied, he had reasonable grounds for believing that such person was in the case of a male person over the age of eighteen years and in the case of a female person over the age of twenty-one years."

Sending
youths or girls
for liquor.

8. Section forty-six of the Principal Ordinance is amended by omitting the words "a person under the age of eighteen" and inserting in their stead the words "any male person under the age of eighteen years or any female person under the age of twenty one".

9. After section fifty-four of the Principal Ordinance, the following section is inserted:—

“54A.—(1.) Any person who—

- (a) brings into;
- (b) supplies to any person in; or
- (c) has in his possession or under his control in or in the vicinity of—

Liquor in vicinity of public halls.

any public hall any liquor while any dance or other entertainment is being or is about to be held in such hall or within one hour after the conclusion of such dance or entertainment shall be guilty of an offence.

Penalty: Five pounds.

“(2.) The last preceding sub-section shall not apply in relation to—

- (a) the sale, supply, disposal, possession or control of liquor in accordance with the provisions of this Ordinance;
- (b) the possession or control of liquor by any person on residential premises occupied by him; or
- (c) the possession or control of liquor by any person in the course of carriage or transportation only.

“(3.) For the purposes of this section—

- (a) liquor shall be deemed to be in the vicinity of a public hall if it is shown that such liquor was in the possession or control of any person attending or proceeding to attend or who had attended any such dance or entertainment or was consumed or intended for consumption by any person so attending; and
- (b) ‘public hall’ means any room or building in which are held dances or entertainments, to which admission is obtained upon payment of subscriptions, either in money or by way of supplying refreshments, and whether upon general or individual invitation or otherwise, and includes any building and premises used in connexion therewith.”.

Dated this ninth day of October, 1942.

GOWRIE

Governor-General.

By His Excellency’s Command,

J. S. COLLINGS

Minister of State for the Interior.