

AUSTRALIAN CAPITAL TERRITORY.

No. 9 of 1955.

AN ORDINANCE

To amend the Liquor Ordinance 1929-1954.

BE 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 (Administration) Act 1910-1947*, as follows:—

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance 1955*.^{*} Short title and citation.

(2.) The *Liquor Ordinance 1929-1954*† 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 1929-1955*.

2. This Ordinance shall come into operation on the first day of October, One thousand nine hundred and fifty-five. Commencement.

3. Section five of the Principal Ordinance is amended— Definitions.

- (a) by omitting the definition of “light wines”;
- (b) by omitting the definition of “malted liquor”;
- (c) by omitting the definition of “Prohibited hours” and inserting in its stead the following definition:—

“ ‘prohibited hours’ means—

- (a) in relation to licensed premises other than premises to which a Grocer’s Licence applies—times other than trading hours; and
- (b) in relation to premises to which a Grocer’s Licence applies—times other than times at which the licensee is authorized by his licence to sell liquor on the licensed premises;” and

^{*} Notified in the *Commonwealth Gazette* on 30th September, 1955.
[†] Ordinance No. 15, 1929, as amended by Nos. 5 and 6, 1930; Nos. 4, 11 and 15, 1931; Nos. 9 and 15, 1932; Nos. 10 and 11, 1935; No. 26, 1936 (repealed by No. 27, 1937); Nos. 6, 25 and 27, 1938; No. 19, 1942 (amended by No. 11, 1945); No. 3, 1943 (repealed by No. 11, 1945); No. 4, 1945; No. 8, 1946; Nos. 1, 5, 6 and 7, 1948; No. 13, 1950; No. 11, 1951; and No. 7, 1954.

- (d) by omitting from the definition of "Trading hours" the words "nine o'clock in the morning to six o'clock in the evening" and inserting in their stead the words "ten o'clock in the morning to ten o'clock in the evening".

Residential
Hotel Licence.

4. Section nineteen of the Principal Ordinance is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:—

"(2.) Subject to this Ordinance, a Residential Hotel Licence shall authorize the licensee to sell, supply and dispose of liquor on the licensed premises—

- (a) during trading hours;
- (b) on Sunday and Christmas Day, between the hours of half-past twelve o'clock and two o'clock in the afternoon, and between the hours of six o'clock and eight o'clock in the evening, to persons having on the premises a *bona fide* meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid and as part of that meal;
- (c) at any time to lodgers or *bona fide* travellers for consumption by them on the licensed premises; and
- (d) at any time to guests of a lodger, in the company of, and at the expense of, the lodger, for consumption on the licensed premises."

Restaurant
Licence.

5. Section twenty-one of the Principal Ordinance is amended by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-sections:—

"(2.) Subject to this Ordinance, a Restaurant Licence shall authorize the licensee to sell and supply liquor on the licensed premises during trading hours, where the liquor is sold or supplied as part of a *bona fide* meal supplied to a person for consumption on the premises, being a meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid.

"(3.) The licensee under a Restaurant Licence shall cause all bottles and drinking vessels that have been used in the supply or consumption of liquor on any day to be removed from every dining room of the restaurant before half-past ten o'clock in the evening of that day and shall not suffer or permit any such bottles or vessels to be in any such dining room after that time and before the commencement of the trading hours next occurring."

6. Section twenty-three A of the Principal Ordinance is amended by omitting the words "light wine or malted liquor" and inserting in their stead the word "liquor". Obtaining liquor in restaurant.

7. Section twenty-four of the Principal Ordinance is amended by omitting from sub-section (1.) the words "during trading hours" and inserting in their stead the words "during the hours specified in the licence". Booth Licence.

8. Section twenty-five of the Principal Ordinance is amended by omitting paragraph (c) of sub-section (1.) and inserting in its stead the following paragraph:— Club Licences.

"(c) on Sunday and Christmas Day, between the hours of half-past twelve o'clock and two o'clock in the afternoon, and between the hours of six o'clock and eight o'clock in the evening, to members or their guests having on the premises a *bona fide* meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid and as part of that meal."

9. Section twenty-six A of the Principal Ordinance is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:— Grocer's Licence.

"(2.) Subject to this Ordinance, a Grocer's Licence shall authorize the licensee, by himself, his servants or agents, to sell, supply and dispose of liquor, in bottles, on the licensed premises at any time at which those premises are lawfully open as a grocery store in accordance with the law relating to the trading hours of shops."

10. Form 1 in the Schedule to the Principal Ordinance is amended by omitting paragraphs (a), (b) and (c) and inserting in their stead the following paragraphs:— Schedule Form 1.

"(a) between the hours of ten o'clock in the morning and ten o'clock in the evening on any day other than a Sunday, Good Friday, the morning of the twenty-fifth day of April, Christmas Day or a day or portion of a day which is prescribed;

"(b) on Sunday and Christmas Day, between the hours of half-past twelve o'clock and two o'clock in the afternoon, and between the hours of six o'clock and eight o'clock in the evening, to persons having on the premises a *bona fide* meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid and as part of that meal;

"(c) at any time to lodgers or *bona fide* travellers for consumption by them on the licensed premises;"

Schedule,
Form 2.

11. Form 2 in the Schedule to the Principal Ordinance is repealed and the following Form inserted in its stead:—

SECTION 18.

FORM 2.

THE AUSTRALIAN CAPITAL TERRITORY.

Liquor Ordinance 1929-1955.

RESTAURANT LICENCE.

Whereas the Licensing Magistrate for the Australian Capital Territory has granted to

of

a Restaurant Licence

a renewal of a Restaurant Licence in respect of certain premises known as

situated at
and delineated on the

attached plan:

And whereas the requisite fee, as specified hereunder, has this day been paid into my office:

I do hereby declare that the person aforesaid is, subject to the provisions of the said Ordinance, authorized by himself, his servants or agents to sell and supply liquor between the hours of ten o'clock in the morning and ten o'clock in the evening on any day other than a Sunday, Good Friday, the morning of the twenty-fifth day of April, Christmas Day or a day or portion of a day which is prescribed, where the liquor is sold or supplied as part of a *bona fide* meal supplied to a person for consumption on the premises, being a meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid.

This licence shall commence on the
renewal day of _____, 19____, and shall, unless sooner cancelled, continue until the _____ day of _____, 19____.

Given under my hand at _____, this
day of _____, 19____.

Licence fee paid £ _____.

Registrar.

Schedule,
Form 3.

12. Form 3 in the Schedule to the Principal Ordinance is amended by omitting the words "from the hour of nine o'clock in the forenoon until the hour of six o'clock in the evening of the days specified hereunder" and inserting in their stead the words "from the hour of _____ until the hour of _____ of the days specified hereunder".

Schedule,
Form 4.

13. Form 4 in the Schedule to the Principal Ordinance is amended—

(a) by omitting from paragraph (a) the words "from the hour of nine in the morning to the hour of six o'clock in the evening" and inserting in their stead the words "between the hours of ten o'clock in the morning and ten o'clock in the evening"; and

(b) by omitting paragraph (c) and inserting in its stead the following paragraph:—

“(c) on Sunday and Christmas Day, between the hours of half-past twelve o’clock and two o’clock in the afternoon, and between the hours of six o’clock and eight o’clock in the evening, to members or their guests having on the premises a *bona fide* meal for which a price (excluding the price of any liquor) of not less than Five shillings is paid and as part of that meal.”.

14. Form 5 in the Schedule to the Principal Ordinance is amended by omitting the words “during trading hours” and inserting in their stead the words “at any time at which the licensed premises are lawfully open as a grocery store in accordance with the law relating to the trading hours of shops”.

Schedule,
Form 5.

15. A licence of any class (other than a Booth Licence) in force under the Principal Ordinance immediately before the date of commencement of this Ordinance shall be deemed, on and from that date, to be varied so as to accord with the prescribed form for a licence of that class under the Principal Ordinance as amended by this Ordinance, and shall, on and from that date, operate as so varied for the purposes of the Principal Ordinance as so amended.

Existing
licences
deemed to be
varied.

Dated this twenty-seventh day of September, 1955.

W. J. SLIM
Governor-General.

By His Excellency’s Command,

W. S. KENT HUGHES
Minister of State for the Interior.