

LIQUOR

No. 45 of 1967

An Ordinance to amend the *Liquor Ordinance* 1929–1966.

Short title and citation.

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance* 1967.*

(2.) The *Liquor Ordinance* 1929-1966† 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* 1929-1967.

Grant, &c., of certificates, licences and permits.

2. Section 16 of the Principal Ordinance is amended by omitting paragraphs (a) and (b) of sub-section (3.) and inserting in their stead the following paragraphs:—

“(a) until such date as is specified in the licence by the Magistrate; or

(b) if the Magistrate does not so specify a date—

(i) in the case of a licence issued in the month of December in any year—until the thirty-first day of December in the following year; or

(ii) in the case of a licence issued in a month other than the month of December—until the thirty-first day of December next ensuing.”

Residential Hotel licence.

3. Section 19 of the Principal Ordinance is amended by omitting paragraphs (i) and (ii) of paragraph (b) of sub-section (2.) and inserting in their stead the following sub-paragraphs:—

“(i) during the period commencing at ten o'clock in the morning on the day before New Year's Day and ending at one o'clock in the morning on New Year's Day, or, if the day before New Year's Day is a Sunday, commencing at noon on that day and ending at one o'clock in the morning on New Year's Day;

(ii) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day or on a Sunday other than the day before New Year's Day; and

(iii) during the period commencing at ten o'clock in the morning and ending at midnight on any day except Christmas Day, Good Friday, a Sunday or the day before New Year's Day;”

* Made on 14 December 1967; notified in the *Commonwealth Gazette* and commenced on 20 December 1967.
 † 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; Nos. 6, 25 and 27, 1938; No. 19, 1942; No. 3, 1943; Nos. 4 and 11, 1945; No. 8, 1946; Nos. 1, 5, 6 and 7, 1948; No. 13, 1950; No. 11, 1951; No. 7, 1954; No. 9, 1955; Nos. 3 and 8, 1956; Nos. 14 and 21, 1959; Nos. 8 and 18, 1962; No. 14, 1963; No. 3, 1964; Nos. 8 and 17, 1965; and No. 8, 1966.

4. Section 21 of the Principal Ordinance is amended—

Restaurant
licence.

(a) by omitting paragraphs (a) and (b) of sub-section (2.) and inserting in their stead the following paragraphs:—

“ (a) during the period commencing at ten o'clock in the morning on the day before New Year's Day and ending at one o'clock in the morning on New Year's Day, or, if the day before New Year's Day is a Sunday, commencing at noon on that day and ending at one o'clock in the morning on New Year's Day;

(b) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day or on a Sunday other than the day before New Year's Day; and

(c) during the period commencing at ten o'clock in the morning and ending at midnight on any day except Christmas Day, Good Friday, a Sunday or the day before New Year's Day,” ; and

(b) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“ (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 during a prescribed period during which the sale, supply or disposal of liquor as part of a meal is authorized under paragraph (a) of the last preceding sub-section to be removed from the dining room of the restaurant in which the meal was supplied before the expiration of the period of half an hour immediately following the expiration of that prescribed period, and shall not permit or suffer any bottles containing liquor or drinking vessels to be in a dining room of the restaurant after that time and before the next succeeding prescribed period.”.

5. Section 26F of the Principal Ordinance is amended—

Motel licence.

(a) by omitting sub-paragraphs (i) and (ii) of paragraph (a) of sub-section (2.) and inserting in their stead the following sub-paragraphs:—

“ (i) during the period commencing at ten o'clock in the morning on the day before New Year's Day and ending at one o'clock in the morning on New Year's Day, or, if the day before New Year's Day is a Sunday, commencing at noon on that day and ending at one o'clock in the morning on New Year's Day;

- (ii) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day or on a Sunday other than the day before New Year's Day; and
 - (iii) during the period commencing at ten o'clock in the morning and ending at midnight on any day except Christmas Day, Good Friday, a Sunday or the day before New Year's Day;"; and
- (b) by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“(3.) The licensee under a Motel Licence shall cause all bottles and drinking vessels that have been used in the supply or consumption of liquor during a prescribed period during which the sale, supply or disposal of liquor as part of a meal is authorized under paragraph (a) of the last preceding sub-section to be removed from the dining room of the motel in which the meal was supplied before the expiration of the period of half an hour immediately following the expiration of that prescribed period, and shall not permit or suffer any bottles containing liquor or drinking vessels to be in a dining room of the motel after that time and before the next succeeding prescribed period.”.

6. After section 27 of the Principal Ordinance the following section is inserted:—

Proportionate
licence fees.

“27A. Notwithstanding anything contained elsewhere in this Ordinance, where a licence other than a Booth Licence is renewed for a period of less than twelve months, the licence fee payable upon that renewal is—

- (a) the amount that bears the same proportion to the fee that would otherwise be payable under this Ordinance for the renewal of that licence as the number of days in the period for which the licence is renewed bears to three hundred and sixty-five; or
- (b) the fee payable upon the grant of such a licence, whichever is the greater.”.

Offences by
licensee.

7. Section 43 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

“(5.) It is not an offence against sub-section (1.) of this section for the holder of a Residential Hotel Licence, Restaurant Licence or Motel Licence to permit a person to consume liquor that was sold, supplied or disposed of to him as part of a meal during a prescribed period in accordance with paragraph (b) of sub-section (2.) of section nineteen, sub-section (2.) of section twenty-one, or paragraph (a) of sub-section (2.) of section twenty-six F of this Ordinance, as the case may be, during the period of half an hour immediately following the expiration of that prescribed period.”.

8. Section 48A of the Principal Ordinance is repealed and the following section inserted in its stead:—

“48A. The licensee under a Residential Hotel Licence shall cause all bottles and drinking vessels that have been used in the supply or consumption of liquor during a prescribed period during which the sale, supply or disposal of liquor as part of a meal is authorized under paragraph (b) of sub-section (2.) of section nineteen of this Ordinance to be removed from the dining room of the hotel in which the meal was supplied before the expiration of the period of half an hour immediately following the expiration of that prescribed period.

Penalty: One hundred dollars.”

Hotel licensee,
to remove
bottles,
&c., from
dining room.

9. Section 49 of the Principal Ordinance is amended by omitting paragraphs (c), (ca) and (cb) of sub-section (2.) and inserting in their stead the following paragraphs:—

Persons on
licensed
premises during
prohibited
hours.

“(c) is a person whom the licensee is authorized under this Ordinance to supply with liquor on the licensed premises in prohibited hours;

(ca) is a person who consumes liquor that was sold, supplied or disposed of to him as part of a meal during a prescribed period in accordance with paragraph (b) of sub-section (2.) of section nineteen, sub-section (2.) of section twenty-one, or paragraph (a) of sub-section (2.) of section twenty-six F, of this Ordinance during the period of half an hour immediately following the expiration of that prescribed period;”

10. The Schedule to the Principal Ordinance is amended—

The Schedule.

(a) by omitting sub-paragraphs (i) and (ii) of paragraph (b) of Form 1 and inserting in their stead the following sub-paragraphs:—

“(i) during the period commencing at ten o'clock in the morning on the day before New Year's Day and ending at one o'clock in the morning on New Year's Day, or, if the day before New Year's Day is a Sunday, commencing at noon on that day and ending at one o'clock in the morning on New Year's Day;

(ii) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day or on a Sunday other than the day before New Year's Day; and

(iii) during the period commencing at ten o'clock in the morning and ending at midnight on any day except Christmas Day, Good Friday, a Sunday or the day before New Year's Day;”

(b) by omitting paragraphs (a) and (b) of Form 2 and inserting in their stead the following paragraphs:—

“(a) during the period commencing at ten o'clock in the morning on the day before New Year's Day and ending at one o'clock in the morning on New Year's Day, or, if the day before New Year's Day is a Sunday, commencing at noon on that day and ending at one o'clock in the morning on New Year's Day;

(b) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day or on a Sunday other than the day before New Year's Day; and

(c) during the period commencing at ten o'clock in the morning and ending at midnight on any day except Christmas Day, Good Friday, a Sunday or the day before New Year's Day;”

(c) by omitting sub-paragraphs (i) and (ii) of paragraph (a) of Form 7 and inserting in their stead the following sub-paragraphs:—

- “(i) during the period commencing at ten o'clock in the morning on the day before New Year's Day and ending at one o'clock in the morning on New Year's Day, or, if the day before New Year's Day is a Sunday, commencing at noon on that day and ending at one o'clock in the morning on New Year's Day;
- (ii) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day or on a Sunday other than the day before New Year's Day; and
- (iii) during the period commencing at ten o'clock in the morning and ending at midnight on any day except Christmas Day, Good Friday, a Sunday or the day before New Year's Day;”;

(d) by omitting paragraph (b) of Form 7 and inserting in its stead the following paragraph:—

- “(b) at any time to lodgers for consumption by them in their suites on the licensed premises; and”.

**Variation of
existing
licences.**

10. A Residential Hotel Licence, Restaurant Licence or Motel Licence in force under the Principal Ordinance immediately before the date of commencement of this Ordinance shall be deemed, on and after that date, to be varied so as to accord with the prescribed form for the corresponding licence in the Principal Ordinance as amended by this Ordinance, and shall, on and after that date, operate as so varied for the purposes of the Principal Ordinance as so amended.