

No. 36 of 1971

## AN ORDINANCE

To amend the *Liquor Ordinance 1929-1970*.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1970*.

Dated this ninth day of December, 1971.

PAUL HASLUCK  
Governor-General.

By His Excellency's Command,

RALPH J. HUNT  
Minister of State for the Interior.

### LIQUOR ORDINANCE (No. 2) 1971

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance (No. 2) 1971*.<sup>\*</sup> Short title and citation.

(2.) The *Liquor Ordinance 1929-1968*,<sup>†</sup> as amended by the *Liquor Ordinance 1971*,<sup>‡</sup> is in this Ordinance referred to as the Principal Ordinance.

(3.) Section 1 of the *Liquor Ordinance 1971* is amended by omitting sub-section (3.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Liquor Ordinance 1929-1971*.

2. Section 5 of the Principal Ordinance is amended by omitting the definition of "trading hours" in sub-section (1.) and inserting in its stead the following definition:— Interpretation.

"trading hours" means—

- (a) the hours from ten o'clock in the morning to 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 any day or portion of a day that is prescribed;

<sup>\*</sup> Notified in the *Commonwealth Gazette* on 16 December 1971.

<sup>†</sup> 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; Nos. 6, 25 and 27, 1938; No. 19, 1942; Nos. 4 and 11, 1945; No. 8, 1946; Nos. 1, 5, 6 and 7, 1948; No. 13, 1950; No. (1, 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; No. 8, 1966; No. 45, 1967; No. 22, 1968.

<sup>‡</sup> Ordinance No. 6, 1971.

- (b) the hours from half-past eleven o'clock in the morning to half-past six o'clock in the evening on a Sunday; and
- (c) in the case of premises licensed under a Special (Construction Camp) Licence, the hours fixed under section twenty-six H of this Ordinance;”.

Residential  
Hotel Licence.

**3. Section 19 of the Principal Ordinance is amended—**

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

- “ (ii) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day;
- (iii) during the period commencing at noon and ending at eleven o'clock in the evening on a Sunday not being a Sunday that is the day before New Year's Day; and
- (iv) 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 adding at the end thereof the following sub-section:—

“ (3.) 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 the last preceding sub-section to be removed from the dining room of the residential 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, and shall not permit or suffer any bottles containing liquor or drinking vessels to be in a dining room of the residential hotel after that time and before the next succeeding prescribed period.”.

Restaurant  
Licence.

**4. Section 21 of the Principal Ordinance is amended—**

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

- “ (b) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day;
- (ba) during the period commencing at noon and ending at eleven o'clock in the evening on a Sunday not being a Sunday that is the day before New Year's Day; and ”;

(b) by omitting from sub-section (3.) the words “ paragraph (a) of ”.

5. Section 26A of the Principal Ordinance is amended by omitting from sub-section (2.) the words " a Sunday,".

Grocer's  
Licence.

6. Section 26F of the Principal Ordinance is amended by omitting sub-paragraphs (ii) and (iii) of paragraph (a) of sub-section (2.) and inserting in their stead the following sub-paragraphs:—

Motel Licence.

- " (ii) during the period commencing at noon and ending at ten o'clock in the evening on Christmas Day;
- (iii) during the period commencing at noon and ending at eleven o'clock in the evening on a Sunday not being a Sunday that is the day before New Year's Day; and
- (iv) 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;".

7. Section 30 of the Principal Ordinance is amended by omitting from the definition of "entertainment", in sub-section (21.), the word " Sunday,".

Permis.

8. Section 43 of the Principal Ordinance is amended—

Offences by  
licensees.

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

" (a) to permit liquor to be consumed by a person on his licensed premises during a period of ten minutes immediately following the expiration of the time of any period of trading hours on any day if the liquor so consumed was sold or supplied to that person by, or on behalf of, the licensee during trading hours on that day;" and

(b) by omitting from paragraphs (b) and (c) of that sub-section the words " between those first-mentioned hours " (wherever occurring) and inserting in their stead the words " during that period ".

9. Section 49 of the Principal Ordinance is amended by omitting paragraph (e) of sub-section (2.) and inserting in its stead the following paragraph:—

Persons  
present on  
licensed  
premises  
during pro-  
hibited hours.

" (e) being a person who was on the licensed premises at the time when any period of trading hours on any day expires, is on those premises during a period of ten minutes immediately following the expiration of that time for the purpose of consuming liquor sold or supplied to that person during that period of trading hours on that day;".