

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

REGULATIONS UNDER THE LIQUOR ORDINANCE, 1928,

I N pursuance of the provisions of the *Liquor Ordinance* 1928, I, Charles Lydiard Aubrey Abbott, the Minister of State for Home Affairs, hereby make the following Regulations to come into operation forthwith.

Dated this fifteenth day of December, One thousand nine hundred and twenty-eight.

C. L. A. ABBOTT, Minister of State for Home Affairs.

LIQUOR REGULATIONS.

Short title.

1. These Regulations may be cited as the Liquor Regulations.

Definitions.

2. In these Regulations, unless the contrary intention appears—
“the Liquor Act” means the *Liquor Act*, 1912, of the State of New South Wales, as amended by the other Acts of that State specified in the Second Schedule to the *Liquor Ordinance* 1928.

3. The application to the Territory of the Liquor Act shall be subject to the following modifications, adaptations and exceptions:—

Modification,
&c., of Liquor
Acts of New
South Wales.

- (a) Section 15 shall be read as if the words "nine o'clock in the morning" were substituted for the words "six o'clock in the morning";
- (b) Sections 22, 25, 41 and 42 shall be excepted;
- (c) Section 44 shall be read—
 - (i) as if the words "gaming for stakes or any" were omitted; and
 - (ii) as if the words "*Games, Wagers, and Betting Houses Act 1902*" were substituted for the words "*Gaming and Betting Act, 1912*";
- (d) Sections 47 and 48 shall be excepted;
- (e) Section 54 shall be read—
 - (i) as if the words "the Minister" were substituted for the words "any licensing court of justices in petty sessions";
 - (ii) as if the words "the Minister shall" were substituted for the words "such court or justices shall by writing under the hand of the chairman, or of any two of such justices"; and
 - (iii) as if the words "the Minister may" were substituted for the words "such court or justices or any two of them";
- (f) Section 55 shall be read as if the words "the Minister has" were substituted for the words "such court or justices have";
- (g) Section 57 shall be read—
 - (i) as if, in paragraph (b) of sub-section (1), the words "notice by the Minister" were substituted for the words "proclamation by the Governor"; and
 - (ii) as if, in paragraph (d) of sub-section (1), the words "nine in the morning" were substituted for the words "six in the morning";
- (h) Section 57A shall be read as follows:—

"57A.—(1.) Where, in any premises in which the Commission is authorized to sell liquor, *bona fide* meals are regularly supplied to the public, the Minister may grant with respect to those premises a permit to the Commission or any person authorized by the Commission to exercise on behalf of the Commission the Commission's power to sell liquor, a permit for the sale, disposal or supply of liquor for consumption upon those premises with *bona fide* meals in accordance with the provisions of this section.

"(2.) Nothing in the Liquor Acts shall be held to prevent the sale or disposal or supply of liquor on any such premises, with respect to which a permit under this section has been granted and is in force, to any person other than a person referred to in section forty-nine of this Act, for consumption upon those premises with a *bona fide* meal actually supplied at the same time between the hours of half-past twelve o'clock and half-past two o'clock in the afternoon and between the hours of six o'clock and nine o'clock in the evening of any day, provided that the meal is not being served and the liquor is not sold, disposed, supplied or consumed in any bar or any part of the licensed premises other than in the dining room thereof in which meals are usually served:

Provided that the Minister may extend the permit to an hour and room to be specified, and that at all times specified in any permit or extension thereof all doors (including the outer door) by which access is then had to such dining room or specified room shall be kept unlocked.

"(3.) For the purposes of this section 'a meal' shall mean a meal of at least two courses at which the persons partaking thereof are seated at a table, and the meal shall include fish or meats, other than in sandwich form, and cooked vegetables.

"(4.) Any person (other than a person then lawfully entitled to be supplied with liquor) who, upon any premises in respect of which a permit under this section has been granted, obtains or attempts to obtain liquor between the hours of half-past twelve o'clock in the afternoon and nine o'clock in the evening, by falsely representing that he intends at the same time to partake of a meal upon those premises shall be liable to a penalty not exceeding Twenty pounds.

"(5.) The Minister may at any time revoke any permit granted under this section.

"(6.) The term 'Liquor Acts' whenever used in this section shall be taken to mean the Liquor Act of 1912 as amended by subsequent Acts, including the '*Liquor (Amendment) Act 1927*'."

- (i) Section 60 shall be read as if the words "at least 25 miles" were substituted for the words "(if in the police district of Newcastle or of Maitland or in the County of Cumberland) at least 25 miles, and (if in any other part of the State) at least 10 miles";
- (j) Sections 64, 66 (1), (1A) and (2), and 70 shall be excepted;
- (k) Section 73 shall be read—
 - (i) as if the words "with the consent of the licensing magistrate and upon such magistrate being satisfied by affidavit or statutory declaration of the amount of debt" were omitted;
 - (ii) as if the words "the Territory" were substituted for the words "police district" within which such licensed premises are situated; and
 - (iii) as if the words "the Minister" were substituted for the words "the Colonial Treasurer";
- (l) Section 120 shall be read—
 - (i) as if, in sub-section (1), after the words "such inspectors", the words "and all members of the Police Force thereto authorized by the Chief Officer of Police" were inserted; and
 - (ii) as if, in sub-sections (2), (3), and (4), after the word "inspector" (wherever occurring) the words "or member of the Police Force" were inserted;
- (m) Section 121 shall be read as if, after the word "inspector" (wherever occurring), the words "or member of the Police Force" were inserted;
- (n) Section 122 shall be read—
 - (i) as if the words "The Chief Officer of Police and any member of the Police Force thereto authorized by the Chief Officer" were substituted for paragraphs (1) and (2);
 - (ii) as if paragraph (4) were omitted; and
 - (iii) as if the words "member of the Police Force" were substituted for the word "constable" (wherever occurring);
- (o) Section 153 shall be read as if the words "the Minister" were substituted for the words "the Governor";
- (p) Section 155 shall be excepted;
- (q) Section 161 shall be read—
 - (i) as if the word "licensing" were omitted from sub-section (1); and
 - (ii) as if, in sub-section (2), the words "a Court of Petty Sessions" were substituted for the words "the Licensing Court (to be therein named)"; and
- (r) Section 164 shall be read—
 - (i) as if the word "District" were omitted; and
 - (ii) as if the words "the Minister" were substituted for the words "the Colonial Treasurer".