

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*R. E. WARD,
Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,
Sydney, 20 March, 1975.*

New South Wales



ANNO VICESIMO QUARTO ELIZABETHÆ II REGINÆ

Act. No. 33, 1975.

An Act to make further provision with respect to the hours during which liquor may be sold; to enable liquor to be sold in a theatre providing cinematographic entertainment; to provide for wine tasting on premises in respect of which an Australian wine license is held; to confirm that sales tax is to be included in the amount upon which liquor license fees are assessed; to make further provisions with respect to late permits for the sale of liquor; to enable unfortified wines to be sold in a restaurant by the glass; to validate certain matters; for these and other purposes to amend the Liquor Act, 1912; and for purposes connected therewith. [Assented to, 16th April, 1975.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

*H. G. COATES,
Acting Chairman of Committees of the Legislative Assembly.*

Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Liquor (Amendment) Act, 1975".

Commence- **2.** (1) This section and sections 1 and 3 commence on
ment. the date of assent to this Act.

(2) Subject to subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the *Gazette*.

Principal **3.** The Liquor Act, 1912, is in this Act referred to as the
Act. Principal Act.

Amendment **4.** Part III of the Principal Act is amended—
of Act No. 42, 1912.

Sec. 13. (a) by omitting section 13 (1) (c) and by inserting
(Exemptions instead the following subparagraph :—
from this Part.)

(c) is not sold or offered for sale on Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b) and, on any other day, is sold or offered for sale, and is delivered, at the place where it is made—

(i) where that other day is not a Sunday
—only between 10 a.m. and 6 p.m.;
or

(ii)

Liquor (Amendment).

- (ii) where that other day is a Sunday or is Anzac Day—only between 12 noon and 6 p.m.;

- (b) (i) by omitting from section 18 the words “in Sec. 18. granting any renewal or removal of an (Australian wine licenses.) Australian wine license,”;

- (ii) by omitting from section 18 the words “at any subsequent renewal or removal”;

- (iii) by inserting at the end of section 18 the following subsection :—

(2) The imposition by the licensing court of a condition that liquor shall not be consumed on the premises specified in an Australian wine license does not prevent the consumption of wine, cider, mead or perry produced in Australia which is supplied gratuitously and not otherwise to customers and intending customers for tasting purposes only.

- (c) by omitting section 19;

Sec. 19.
(Qualifica-
tion on
grant and
exercise
of Australian
wine
license.)

- (d) (i) by omitting from section 20 (1) the words Sec. 20.
“postponed: Provided that a booth license shall (Booth
not be granted for or exercised during any of licenses.)
the days referred to in paragraphs (a) and
(b) of subsection one of section fifty-seven of
this Act or the time before twelve noon upon
any day, not being a Sunday, upon which
Anzac Day is observed” and by inserting
instead the word “postponed”;

(ii)

Liquor (Amendment).

- (ii) by inserting after section 20 (1) the following subsection :—

(1A) A booth license shall not be granted for or exercised on—

(a) a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or

(b) Anzac Day during the time before 12 noon.

Sec. 20A.
(Theatre
licenses.)

- (e) (i) by inserting in section 20A (1) after the word “theatre” where secondly occurring the words “(not being a drive-in theatre or an open-air theatre)”;

- (ii) by omitting section 20A (1) (a) and by inserting instead the following paragraph :—

(a) that is regularly used for entertainments of the stage or for cinematographic entertainment or for both; and;

Sec. 20c.

- (f) by omitting section 20c and by inserting instead the following section :—

Prohibited
hours for
sale of
liquor
under
theatre or
public hall
license.

20c. (1) A theatre license and a limited public hall license shall not authorise the licensee to sell and dispose of liquor—

- (a) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or

(b)

Liquor (Amendment).

- (b) on Anzac Day (not being a Sunday) except after 12 noon,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

(2) A general public hall license shall not authorise the licensee to sell and dispose of liquor—

- (a) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b), except between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;
- (b) on Anzac Day (not being a Sunday) except after 12 noon; or
- (c) on a Sunday that is 31st December, except between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

- (g) (i) by omitting from section 20D (4) (a) (i) the words “a day referred to in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act” and by inserting instead the words “a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)”;

Sec. 20D.
(Tourist
hotel
licenses.)
- (ii) by omitting from section 20D (4) (a) (ii) the words “the hour of twelve” and by inserting instead the matter “12”;
- (iii)

Liquor (Amendment).

(iii) by omitting from section 20D (4) (a) (iii) the words "the hours of twelve noon and three o'clock in the afternoon, and between the hours of six o'clock in the evening and twelve midnight," and by inserting instead the words "12 noon and 3 p.m. and between 6 p.m. and 12 midnight";

(iv) by omitting section 20D (4) (a) (iv) and by inserting instead the following subparagraph :—

(iv) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on any other Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b);

(v) by omitting section 20D (4) (a) (v) and by inserting instead the following subparagraph :—

(v) before 3 a.m. on a Sunday, Good Friday, Christmas Day, a day proclaimed under section 57 (1) (b) and Anzac Day if the immediately preceding day is not one of those days,

(vi) by omitting section 20D (4) (b) (i) and (ii) and by inserting instead the following subparagraphs :—

(i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

(ii)

Liquor (Amendment).

- (ii) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
- (iii) on any other day—between 12 noon
and 12 midnight;
- (h) by omitting from section 20F the matter “(3A),”; Sec. 20F.
(Applica-
tion of
certain pro-
visions.)
- (i) (i) by inserting in section 21 (1) (b) after the Sec. 21.
(Fees
payable
for
licenses
under this
Part.)
word “duties” the words “and sales tax”;
(ii) by inserting in section 21 (1) (d) after the
word “duties” the words “and sales tax”;
(iii) by inserting in section 21 (1) (g) after the
word “duties” the words “and sales tax”;
(iv) by inserting in section 21 (1) (i) after the
word “duties” the words “and sales tax”;
(v) by inserting in section 21 (1) (l) after the
word “duties” the words “and sales tax”;
(vi) by inserting in section 21 (1) (n) after the
word “duties” the words “and sales tax”;
(vii) by inserting in section 21 (1) (q) after the
word “amount” the words “(including any
duties and sales tax thereon)”;
(j) (i) by inserting in section 22 (1) (a) after the Sec. 22.
(Particulars
to be
furnished
by
licensees.)
word “duties” the words “and sales tax”;
(ii) by omitting from section 22 (2) the words “for
such liquor” and by inserting instead the words
“therefor, including any duties and sales tax
thereon”;

(k)

(ii)

Liquor (Amendment).

Sec. 26c.
(Accommodation
hotels.)

(k) (i) by omitting from section 26c (1) the word
"forty-eight,";

(ii) by omitting section 26c (5) (a) and by inserting instead the following paragraph :—

(a) to persons for consumption in a dining room upon the licensed premises with or as ancillary to a bona fide meal—

(i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

(ii) on a Sunday that is 31st December—between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight; and

(iii) on any other day—between 12 noon and 12 midnight;

Sec. 48.
(Permits for
musical
entertainments, &c.)

(l) by omitting section 48;

Sec. 57.
(Times when
premises
may not be
open for
sale of
liquor.)

(m) (i) by omitting section 57 (1) (c) and by inserting instead the following paragraph :—

(c) upon any day (not being a Sunday) upon which Anzac Day is observed, except between 12 noon and 10 p.m.;

(ii)

Liquor (Amendment).

- (ii) by omitting section 57 (1) (d) and by inserting instead the following paragraph :—
 - (d) upon any other day except between 10 a.m. and 10 p.m.
- (iii) by omitting section 57 (1A) (a) and by inserting instead the following paragraph :—
 - (a) after—
 - (i) 10 p.m. during any period other than the period fixed by section 5 (1) of the Standard Time Act, 1971, as the duration of summer time; or
 - (ii) 11 p.m. during the period so fixed as the duration of summer time;
- (iv) by omitting from section 57 (1B) (b1) the words “the hours of twelve noon and six o’clock in the evening” and by inserting instead the matter “12 noon and 6 p.m.”;
- (v) by omitting section 57 (1B) (c) and by inserting instead the following paragraph :—
 - (c) upon any other day except between 6 a.m. and 6 p.m.
- (vi) by inserting in section 57 (1c) (a) after the word “paragraph” where secondly occurring the matter “(b1) or”;
- (vii) by omitting section 57 (1c) (b) and by inserting instead the following paragraph :—
 - (b) by omitting paragraph (a) and by inserting instead the following paragraph :—
 - (a) after 8 p.m.; and;

(viii)

Liquor (Amendment).

(viii) by inserting after section 57 (1c) the following subsections :—

(1D) Where, under subsection (1c), the licensing court has varied or varies the later time specified in subsection (1B) (c) to 8 p.m., that variation shall, notwithstanding subsections (1A) (b) and (1c) (b), be deemed to be extended to 9 p.m. on any day on which a general retail store trading in the area in which the licensed premises are situated would be permitted to open for general trading until 9 p.m.

(1E) Where it is a condition of an Australian wine license that liquor shall not be consumed on the licensed premises and the licensed premises are so situated within a retail store or shop that there is no door or entrance through which, if open, access could be obtained to the licensed premises without passing through that store or shop, the license may, notwithstanding subsection (1A) (b), be exercised—

(a) until 9 p.m.; or

(b) until the time that store or shop closes.

whichever is the earlier, on any day on which a general retail store trading in the area in which the licensed premises are situated would be permitted to open for general trading until 9 p.m.

(1F) Notwithstanding subsection (1) or (1A), where an Australian wine license and a spirit merchant's license are both held in respect of the licensed premises, the Australian wine license shall not be exercised at any time when liquor may not be sold, supplied or delivered under the spirit merchant's license.

(n)

Liquor (Amendment).

- (n) (i) by omitting section 57A (2) and by inserting instead the following subsections :—

Sec. 57A.
(Supply of
liquor with
bona fide
meals or
suppers in
licensed or
club
premises.)

(2) Notwithstanding anything in any other provision of this Act, liquor may, subject to the conditions prescribed by subsection (2A), be sold, disposed of or supplied on licensed premises or club premises in respect of which a permit under subsection (1) is in force—

(a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday, Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b); and

(b) between 10 p.m. and 12 midnight on any other day.

(2A) The conditions subject to which liquor may be sold, disposed of or supplied pursuant to a permit issued under subsection (1) are—

(a) that the liquor is not sold, disposed of or supplied to a person referred to in section 49 or, where the permit relates to club premises, a person who is not a member, or the guest of a member, of the club; and

(b) that the liquor is not sold, disposed of or supplied otherwise than for consumption—

- (i) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)—in the dining room or a part of the premises specified in the permit that is a dining area referred to in section 51B; and

(ii)

Liquor (Amendment).

- (ii) on any other day—in the dining room or another part of the premises specified in the permit (whether or not that other part of the premises is a bar within the meaning of section 64),

with or as ancillary to a bona fide meal or supper supplied at the same time in that dining room or other part of the premises.

(2B) On application to the licensing court for a special occasion on a specified day and on payment of a fee of ten dollars, the licensing court may extend a permit granted under subsection (1)—

- (a) to a specified hour that is not between 3 p.m. and 6 p.m. or later than 10 p.m. on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); and
 - (b) to a specified room in, or a specified part of, the premises to which the permit relates.
- (ii) by omitting from section 57A (3) the words “between the hours of twelve noon and three o’clock in the afternoon and between the hours of six o’clock in the evening and ten o’clock in the evening of any days specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act, or between the hours of ten o’clock in the evening and twelve o’clock midnight on any other day,” and by inserting instead the words “at any time at which liquor may be sold, disposed of or supplied pursuant to the permit”;

(iii)

Liquor (Amendment).

- (iii) by omitting from section 57A (4) the words "hours between ten o'clock in the evening and twelve o'clock midnight" wherever occurring and by inserting instead the matter "times between 10 p.m. and 12 midnight";
- (iv) by omitting from section 57A (4) the words "a day specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act" and by inserting instead the words "another Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)";
- (o) (i) by inserting in section 57B (1) (a) after the word "room" the words ", or in a room used permanently and primarily for dining,"; Sec. 57B. (Late permit with entertainment.)
- (ii) by omitting from section 57B (1) (a) the word "two" and by inserting instead the word "one";
- (iii) by omitting section 57B (3) (b) and by inserting instead the following paragraph :—
 - (b) between 10 p.m. on any day that is not a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b) and 3 a.m. on the following day, whether or not that following day is a Sunday, Good Friday, Christmas Day or a day so proclaimed;
- (iv) by omitting section 57B (6) (a);
- (v) by omitting from section 57B (7) the words "hours between ten o'clock in the evening" wherever occurring and by inserting instead the matter "times between 10 p.m.";
 - (vi)

Liquor (Amendment).

Sec. 57c.
(Liquor
with
meals—
Australian
wine
license.)

(vi) by omitting from section 57B (7) the words “three o’clock in the morning” wherever occurring and by inserting instead the matter “3 a.m.”;

(vii) by omitting from section 57B (7) the words “a day specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act” and by inserting instead the words “another Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)”;

(p) (i) by omitting from section 57C (3) the words “meal between the hours of twelve noon and three o’clock in the afternoon and between the hours of six o’clock in the evening and ten o’clock in the evening of the days specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act and between the hours of ten o’clock in the evening and twelve o’clock midnight on any other day” and by inserting instead the following matter :—

meal—

(a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday, Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b); and

(b) between 10 p.m. and 12 midnight on any other day;

(ii) by omitting from section 57C (4) the matter “not—” and by inserting instead the words “not between 3 p.m. and 6 p.m. or later than 10 p.m. on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b).”;

(iii) by omitting section 57C (4) (a) and (b);

(iv)

Liquor (Amendment).

- (iv) by omitting from section 57c (5) the words "between the hours of twelve noon and three o'clock in the afternoon, or between the hours of six o'clock in the evening and ten o'clock in the evening, of any day specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act, or between the hours of ten o'clock in the evening and twelve o'clock midnight on any other day," and by inserting instead the words "at any time at which liquor may be sold, disposed of or supplied pursuant to the permit";
 - (v) by omitting from section 57c (5) the words "or supper";
 - (vi) by omitting from section 57c (6) the words "hours between ten o'clock in the evening and twelve o'clock midnight" wherever occurring and by inserting instead the words "times between 10 p.m. and 12 midnight";
 - (vii) by omitting from section 57c (6) the words "a day specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act" and by inserting instead the words "another Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)";
 - (q) by omitting from section 67 (1) (e) the matter "millilitres." and by inserting instead the following word and paragraph :—

millilitres;

(f) 40 fluid ounces or 1140 millilitres.

Sec. 67.
(Liquor to be sold by measure.)
- (r)

Liquor (Amendment).

Sec. 71.
(Selling
otherwise
than on
authorised
premises,
etc.)

(r) by omitting from section 71 the words "by retail".

Further
amendment
of Act No.
42, 1912.

5. Part IIIA of the Principal Act is amended—

Sec. 78H.
(Fees.)

(a) by inserting in section 78H (2) after the word
"duties" the words "and sales tax";

Sec. 78J.
(Holder of
permit.)

(b) by omitting from section 78J (3) (c) the word
"two" and by inserting instead the word "one";

Sec. 78K.
(Effect of
permit.)

(c) (i) by omitting section 78K (3A);

(ii) by omitting section 78K (4) and by inserting
instead the following subsection :—

(4) Where a permit is not endorsed as a
cabaret permit, liquor shall not be sold or sup-
plied in the restaurant pursuant to the permit
except—

(a) between 12 noon and 3 p.m. and
between 6 p.m. and 10 p.m. on a
Sunday (not being a Sunday that is
31st December) Good Friday, Christ-
mas Day and a day proclaimed under
section 57 (1) (b);

(b)

Liquor (Amendment).

- (b) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
 - (c) on any other day—between 12 noon
and 12 midnight.
- (iii) by omitting section 78K (4A) (a) and (b) and
by inserting instead the following para-
graphs :—
- (a) subject to paragraph (b) between
12 noon and 3 p.m. and between 6 p.m.
and 10 p.m. on a Sunday (not being a
Sunday that is 31st December) Good
Friday, Christmas Day or a day pro-
claimed under section 57 (1) (b); and
 - (b) during the periods—
 - (i) commencing at 12 noon and
ending at 3 p.m. on a Sunday
that is 31st December and
commencing at 6 p.m. on that
day and ending at 3 a.m. on
the following day; and
 - (ii) commencing at 12 noon on any
other day (not being a day to
which paragraph (a) applies)
and ending at 3 a.m. on the
following day,
- whether or not, in either case, that
following day is a Sunday, Good
Friday, Christmas Day or a day
proclaimed under section 57 (1) (b).
- (iv) by omitting section 78K (4C) (a);
- (d)

Liquor (Amendment).

Sec. 78L. (d) by omitting section 78L and by inserting instead the following section :—

Removal of
bottles
from
tables.

78L. The holder of a permit is guilty of an offence and liable to a penalty not exceeding one hundred dollars unless, before the expiration of the period of one hour that next succeeds the time after which, pursuant to section 78K, liquor may not be sold or supplied pursuant to the permit, all bottles and other containers in which liquor is so supplied, and all drinking vessels used in the consumption thereof, are removed from the place or places in which liquor is consumed on the premises to which the permit relates.

Further
amendment
of Act No.
42, 1912.

6. Part X of the Principal Act is amended—

Sec. 150A.
(Fees.)

(a) by inserting in section 150A (1) (b) after the word “duties” the words “and sales tax”;

Sec. 151A.
(Particulars
to be
furnished
by secretary
of club.)

(b) by inserting in section 151A (a) after the word “duties” the words “and sales tax”.

Further
amendment
of Act No.
42, 1912.

Sec. 152H.
(Fees.)

7. Part XA of the Principal Act is amended by inserting in section 152H (1) after the word “duties” the words “and sales tax”.

Further
amendment
of Act No.
42, 1912.

Sec. 168D.
(Records of
purchase
and sale
of liquor.)

8. Part XI of the Principal Act is amended by inserting in section 168D (1) after the word “record” the words “in the English language”.

Liquor (Amendment).

9. (1) In subsection (2), the expressions "assessment", "re-assessment" and "further re-assessment" relate respectively to the assessment, re-assessment and further re-assessment under the Principal Act of the fee payable under that Act for the renewal of a license, permit or certificate of registration for a period that commenced before the commencement of this section. Validation.

(2) An assessment, re-assessment or further re-assessment made before or after the commencement of this section has the same validity as it would have had if the Principal Act, as amended by sections 4 (i), 5 (a), 6 and 7 had been in force—

- (a) in the case of an assessment—at the time of the making of the assessment; or
- (b) in the case of a re-assessment or further re-assessment—at the time of the making of the original assessment to which the re-assessment or further re-assessment relates.

In the name and on behalf of Her Majesty I assent to this Act.

L. W. STREET,
Lieutenant-Governor.

*Government House,
Sydney, 16th April, 1975.*

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 18 March, 1975.*

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. , 1975.

An Act to make further provision with respect to the hours during which liquor may be sold; to enable liquor to be sold in a theatre providing cinematographic entertainment; to provide for wine tasting on premises in respect of which an Australian wine license is held; to confirm that sales tax is to be included in the amount upon which liquor license fees are assessed; to make further provisions with respect to late permits for the sale of liquor; to enable unfortified wines to be sold in a restaurant by the glass; to validate certain matters; for these and other purposes to amend the Liquor Act, 1912; and for purposes connected therewith.

BE

Liquor (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Liquor (Amendment) Short title.
Act, 1975".

2. (1) This section and sections 1 and 3 commence on Commence-
the date of assent to this Act. ment.

10 (2) Subject to subsection (1), this Act shall com-
mence on such day as may be appointed by the Governor in
respect thereof and as may be notified by proclamation
published in the Gazette.

15 3. The Liquor Act, 1912, is in this Act referred to as the Principal
Principal Act. Act.

4. Part III of the Principal Act is amended— Amendment
of Act No.
42, 1912.

(a) by omitting section 13 (1) (c) and by inserting Sec. 13.
instead the following subparagraph :— (Exemptions
from this
Part.)

20 (c) is not sold or offered for sale on Good Fri-
day, Christmas Day or a day proclaimed
under section 57 (1) (b) and, on any
other day, is sold or offered for sale, and
is delivered, at the place where it is made—

25 (i) where that other day is not a Sunday
—only between 10 a.m. and 6 p.m.;
or

(ii)

Liquor (Amendment).

(ii) where that other day is a Sunday or is Anzac Day—only between 12 noon and 6 p.m.;

5 (b) (i) by omitting from section 18 the words “in Sec. 18. granting any renewal or removal of an (Australian wine license,”; wine licenses.)

(ii) by omitting from section 18 the words “at any subsequent renewal or removal”;

10 (iii) by inserting at the end of section 18 the following subsection :—

15 (2) The imposition by the licensing court of a condition that liquor shall not be consumed on the premises specified in an Australian wine license does not prevent the consumption of wine, cider, mead or perry produced in Australia which is supplied gratuitously and not otherwise to customers and intending customers for tasting purposes only.

(c) by omitting section 19;

Sec. 19.
(Qualifica-
tion on
grant and
exercise
of Australian
wine
license.)

20 (d) (i) by omitting from section 20 (1) the words Sec. 20.
“postponed: Provided that a booth license shall (Booth
not be granted for or exercised during any of licenses.)
the days referred to in paragraphs (a) and
(b) of subsection one of section fifty-seven of
25 this Act or the time before twelve noon upon
any day, not being a Sunday, upon which
Anzac Day is observed” and by inserting
instead the word “postponed”;

(ii)

Liquor (Amendment).

(ii) by inserting after section 20 (1) the following subsection :—

(1A) A booth license shall not be granted for or exercised on—

- 5 (a) a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or
- (b) Anzac Day during the time before 12 noon.

10 (e) (i) by inserting in section 20A (1) after the word "theatre" where secondly occurring the words "(not being a drive-in theatre or an open-air theatre)"; Sec. 20A. (Theatre licenses.)

15 (ii) by omitting section 20A (1) (a) and by inserting instead the following paragraph :—

(a) that is regularly used for entertainments of the stage or for cinematographic entertainment or for both; and;

20 (f) by omitting section 20c and by inserting instead the following section :— Sec. 20c.

20c. (1) A theatre license and a limited public hall license shall not authorise the licensee to sell and dispose of liquor— Prohibited hours for sale of liquor under theatre or public hall license.

25 (a) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or

(b)

Liquor (Amendment).

- (b) on Anzac Day (not being a Sunday) except after 12 noon,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

(2) A general public hall license shall not authorise the licensee to sell and dispose of liquor—

- (a) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b), except between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

- (b) on Anzac Day (not being a Sunday) except after 12 noon; or

- (c) on a Sunday that is 31st December, except between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

- (g) (i) by omitting from section 20D (4) (a) (i) the words "a day referred to in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act" and by inserting instead the words "a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)";

- (ii) by omitting from section 20D (4) (a) (ii) the words "the hour of twelve" and by inserting instead the matter "12";

(iii)

Liquor (Amendment).

- 5 (iii) by omitting from section 20D (4) (a) (iii) the words "the hours of twelve noon and three o'clock in the afternoon, and between the hours of six o'clock in the evening and twelve midnight," and by inserting instead the words "12 noon and 3 p.m. and between 6 p.m. and 12 midnight";
- 10 (iv) by omitting section 20D (4) (a) (iv) and by inserting instead the following subparagraph :—
- 15 (iv) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on any other Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b);
- (v) by omitting section 20D (4) (a) (v) and by inserting instead the following subparagraph :—
- 20 (v) before 3 a.m. on a Sunday, Good Friday, Christmas Day, a day proclaimed under section 57 (1) (b) and Anzac Day if the immediately preceding day is not one of those days,
- 25 (vi) by omitting section 20D (4) (b) (i) and (ii) and by inserting instead the following subparagraphs :—
- 30 (i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;
- (ii)

Liquor (Amendment).

- (ii) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
- (iii) on any other day—between 12 noon
and 12 midnight;
- (h) by omitting from section 20F the matter “(3A),”; Sec. 20F.
(Applica-
tion of
certain pro-
visions.)
- (i) (i) by inserting in section 21 (1) (b) after the word “duties” the words “and sales tax”; Sec. 21.
(Fees
payable
for
licenses
under this
Part.)
- (ii) by inserting in section 21 (1) (d) after the word “duties” the words “and sales tax”; Sec. 21.
(Fees
payable
for
licenses
under this
Part.)
- (iii) by inserting in section 21 (1) (g) after the word “duties” the words “and sales tax”;
- (iv) by inserting in section 21 (1) (i) after the word “duties” the words “and sales tax”;
- (v) by inserting in section 21 (1) (l) after the word “duties” the words “and sales tax”;
- (vi) by inserting in section 21 (1) (n) after the word “duties” the words “and sales tax”;
- (vii) by inserting in section 21 (1) (q) after the word “amount” the words “(including any duties and sales tax thereon)”;
- (j) (i) by inserting in section 22 (1) (a) after the word “duties” the words “and sales tax”; Sec. 22.
(Particulars
to be
furnished
by
licensees.)
- (ii) by omitting from section 22 (2) the words “for such liquor” and by inserting instead the words “therefor, including any duties and sales tax thereon”;

(k)

Liquor (Amendment).

(k) (i) by omitting from section 26c (1) the word "forty-eight,"; Sec. 26c.
(Accommodation
hotels.)

(ii) by omitting section 26c (5) (a) and by inserting instead the following paragraph :—

5 (a) to persons for consumption in a dining room upon the licensed premises with or as ancillary to a bona fide meal—

10 (i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

15 (ii) on a Sunday that is 31st December—between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight; and

20 (iii) on any other day—between 12 noon and 12 midnight;

(l) by omitting section 48;

Sec. 48.
(Permits for
musical
entertain-
ments, &c.)

(m) (i) by omitting section 57 (1) (c) and by inserting instead the following paragraph :— Sec. 57.
(Times when
premises
may not be
open for
sale of
liquor.)

25 (c) upon any day (not being a Sunday) upon which Anzac Day is observed, except between 12 noon and 10 p.m.;

(ii)

Liquor (Amendment).

- (ii) by omitting section 57 (1) (d) and by inserting instead the following paragraph :—
 - (d) upon any other day except between 10 a.m. and 10 p.m.
- 5 (iii) by omitting section 57 (1A) (a) and by inserting instead the following paragraph :—
 - (a) after—
 - 10 (i) 10 p.m. during any period other than the period fixed by section 5 (1) of the Standard Time Act, 1971, as the duration of summer time; or
 - (ii) 11 p.m. during the period so fixed as the duration of summer time;
- 15 (iv) by omitting from section 57 (1B) (b1) the words “the hours of twelve noon and six o’clock in the evening” and by inserting instead the matter “12 noon and 6 p.m.”;
- 20 (v) by omitting section 57 (1B) (c) and by inserting instead the following paragraph :—
 - (c) upon any other day except between 6 a.m. and 6 p.m.
- 25 (vi) by inserting in section 57 (1C) (a) after the word “paragraph” where secondly occurring the matter “(b1) or”;
- (vii) by omitting section 57 (1C) (b) and by inserting instead the following paragraph :—
 - 30 (b) by omitting paragraph (a) and by inserting instead the following paragraph :—
 - (a) after 8 p.m.; and;

(viii)

Liquor (Amendment).

(viii) by inserting after section 57 (1C) the following subsections :—

5 (1D) Where, under subsection (1C), the
licensing court has varied or varies the later
time specified in subsection (1B) (c) to 8 p.m.,
that variation shall, notwithstanding sub-
sections (1A) (b) and (1C) (b), be deemed
10 to be extended to 9 p.m. on any day on which
a general retail store trading in the area in
which the licensed premises are situated would
be permitted to open for general trading until
9 p.m.

15 (1E) Where it is a condition of an Aus-
tralian wine license that liquor shall not be
consumed on the licensed premises and the
licensed premises are so situated within a retail
store or shop that there is no door or entrance
20 through which, if open, access could be
obtained to the licensed premises without
passing through that store or shop, the license
may, notwithstanding subsection (1A) (b), be
exercised—

(a) until 9 p.m.; or

25 (b) until the time that store or shop closes,
whichever is the earlier, on any day on which
a general retail store trading in the area in
which the licensed premises are situated would
be permitted to open for general trading until
9 p.m.

30 (1F) Notwithstanding subsection (1) or
(1A), where an Australian wine license and a
spirit merchant's license are both held in
respect of the licensed premises, the Australian
wine license shall not be exercised at any time
35 when liquor may not be sold, supplied or
delivered under the spirit merchant's license.

(n)

Liquor (Amendment).

- (n) (i) by omitting section 57A (2) and by inserting instead the following subsections :—

Sec. 57A.
(Supply of
liquor with
bona fide
meals or
suppers in
licensed or
club
premises.)

(2) Notwithstanding anything in any other provision of this Act, liquor may, subject to the conditions prescribed by subsection (2A), be sold, disposed of or supplied on licensed premises or club premises in respect of which a permit under subsection (1) is in force—

(a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday, Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b); and

(b) between 10 p.m. and 12 midnight on any other day.

(2A) The conditions subject to which liquor may be sold, disposed of or supplied pursuant to a permit issued under subsection (1) are—

(a) that the liquor is not sold, disposed of or supplied to a person referred to in section 49 or, where the permit relates to club premises, a person who is not a member, or the guest of a member, of the club; and

(b) that the liquor is not sold, disposed of or supplied otherwise than for consumption—

(i) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1)

(b)—in the dining room or a part of the premises specified in the permit that is a dining area referred to in section 51B; and

(ii)

Liquor (Amendment).

5 (ii) on any other day—in the dining room or another part of the premises specified in the permit (whether or not that other part of the premises is a bar within the meaning of section 64),

10 with or as ancillary to a bona fide meal or supper supplied at the same time in that dining room or other part of the premises.

15 (2B) On application to the licensing court for a special occasion on a specified day and on payment of a fee of ten dollars, the licensing court may extend a permit granted under subsection (1)—

20 (a) to a specified hour that is not between 3 p.m. and 6 p.m. or later than 10 p.m. on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); and

(b) to a specified room in, or a specified part of, the premises to which the permit relates.

25 (ii) by omitting from section 57A (3) the words “between the hours of twelve noon and three o’clock in the afternoon and between the hours of six o’clock in the evening and ten o’clock in the evening of any days specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act, or between the hours of ten o’clock in the evening and twelve o’clock midnight on any other day,” and by inserting instead the words “at any time at which liquor may be sold, disposed of or supplied pursuant to the permit”;

30

35

(iii)

Liquor (Amendment).

- 5 (iii) by omitting from section 57A (4) the words
“hours between ten o'clock in the evening and
twelve o'clock midnight” wherever occurring
and by inserting instead the matter “times
between 10 p.m. and 12 midnight”;
- 10 (iv) by omitting from section 57A (4) the words
“a day specified in paragraphs (a) and (b) of
subsection one of section fifty-seven of this
Act” and by inserting instead the words
“another Sunday, Good Friday, Christmas
Day or a day proclaimed under section 57
(1) (b)”;
- 15 (o) (i) by inserting in section 57B (1) (a) after the word “room” the words “; or in a room used
permanently and primarily for dining,”; Sec. 57B.
(Late permit
with enter-
tainment.)
- (ii) by omitting from section 57B (1) (a) the word
“two” and by inserting instead the word
“one”;
- 20 (iii) by omitting section 57B (3) (b) and by
inserting instead the following paragraph :—
- (b) between 10 p.m. on any day that is not
a Sunday, Good Friday, Christmas
Day or a day proclaimed under section
57 (1) (b) and 3 a.m. on the follow-
ing day, whether or not that following
day is a Sunday, Good Friday, Christ-
mas Day or a day so proclaimed;
- 25 (iv) by omitting section 57B (6) (a);
- 30 (v) by omitting from section 57B (7) the words
“hours between ten o'clock in the evening”
wherever occurring and by inserting instead
the matter “times between 10 p.m.”;
- (vi)

Liquor (Amendment).

- (vi) by omitting from section 57B (7) the words
"three o'clock in the morning" wherever
occurring and by inserting instead the matter
"3 a.m.";
- 5 (vii) by omitting from section 57B (7) the words
"a day specified in paragraphs (a) and (b)
of subsection one of section fifty-seven of this
Act" and by inserting instead the words
10 "another Sunday, Good Friday, Christmas Day
or a day proclaimed under section 57 (1)
(b)";
- (p) (i) by omitting from section 57c (3) the words Sec. 57c.
"meal between the hours of twelve noon and (Liquor
three o'clock in the afternoon and between the with
15 hours of six o'clock in the evening and ten meals—
o'clock in the evening of the days specified in Australian
paragraphs (a) and (b) of subsection one of wine
section fifty-seven of this Act and between the license.)
20 hours of ten o'clock in the evening and twelve
o'clock midnight on any other day" and by
inserting instead the following matter :—
meal—
(a) between 12 noon and 3 p.m. and
between 6 p.m. and 10 p.m. on a
25 Sunday, Good Friday, Christmas
Day and a day proclaimed under
section 57 (1) (b) ; and
(b) between 10 p.m. and 12 midnight on
any other day ;
- 30 (ii) by omitting from section 57c (4) the matter
"not—" and by inserting instead the words
"not between 3 p.m. and 6 p.m. or later than
10 p.m. on a Sunday, Good Friday, Christmas
Day or a day proclaimed under section 57
35 (1) (b).";
- (iii) by omitting section 57c (4) (a) and (b) ;
(iv)

Liquor (Amendment).

- (iv) by omitting from section 57C (5) the words
 “between the hours of twelve noon and three
 o’clock in the afternoon, or between the hours
 of six o’clock in the evening and ten o’clock
 in the evening, of any day specified in para-
 graphs (a) and (b) of subsection one of
 section fifty-seven of this Act, or between the
 hours of ten o’clock in the evening and twelve
 o’clock midnight on any other day,” and by
 inserting instead the words “at any time at
 which liquor may be sold, disposed of or
 supplied pursuant to the permit”;
- (v) by omitting from section 57C (5) the words
 “or supper”;
- (vi) by omitting from section 57C (6) the words
 “hours between ten o’clock in the evening and
 twelve o’clock midnight” wherever occurring
 and by inserting instead the words “times
 between 10 p.m. and 12 midnight”;
- (vii) by omitting from section 57C (6) the words
 “a day specified in paragraphs (a) and (b)
 of subsection one of section fifty-seven of this
 Act” and by inserting instead the words
 “another Sunday, Good Friday, Christmas Day
 or a day proclaimed under section 57 (1)
 (b)”;
- (q) by omitting from section 67 (1) (e) the matter
 “millilitres.” and by inserting instead the following
 word and paragraph :—
 millilitres;
 (f) 40 fluid ounces or 1140 millilitres.

Sec. 67.
 (Liquor
 to be
 sold by
 measure.)

(r)

Liquor (Amendment).

- (r) by omitting from section 71 the words "by retail". Sec. 71.
(Selling otherwise than on authorised premises, etc.)

5. Part IIIA of the Principal Act is amended—

Further amendment of Act No. 42, 1912.

- (a) by inserting in section 78H (2) after the word "duties" the words "and sales tax"; Sec. 78H.
(Fees.)

- 5 (b) by omitting from section 78J (3) (c) the word "two" and by inserting instead the word "one"; Sec. 78J.
(Holder of permit.)

- (c) (i) by omitting section 78K (3A); Sec. 78K.
(Effect of permit.)

- (ii) by omitting section 78K (4) and by inserting instead the following subsection :—

- 10 (4) Where a permit is not endorsed as a cabaret permit, liquor shall not be sold or supplied in the restaurant pursuant to the permit except—

- 15 (a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b);

(b)

Liquor (Amendment).

- (b) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
- 5 (c) on any other day—between 12 noon
and 12 midnight.

(iii) by omitting section 78K (4A) (a) and (b) and
by inserting instead the following para-
graphs :—

- 10 (a) subject to paragraph (b) between
12 noon and 3 p.m. and between 6 p.m.
and 10 p.m. on a Sunday (not being a
Sunday that is 31st December) Good
Friday, Christmas Day or a day pro-
claimed under section 57 (1) (b); and

- 15 (b) during the periods—

- (i) commencing at 12 noon and
ending at 3 p.m. on a Sunday
that is 31st December and
commencing at 6 p.m. on that
20 day and ending at 3 a.m. on
the following day; and

- (ii) commencing at 12 noon on any
other day (not being a day to
which paragraph (a) applies)
25 and ending at 3 a.m. on the
following day,

whether or not, in either case, that
following day is a Sunday, Good
Friday, Christmas Day or a day
30 proclaimed under section 57 (1) (b).

(iv) by omitting section 78K (4C) (a);

Liquor (Amendment).

- (d) by omitting section 78L and by inserting instead the Sec. 78L.
following section :—

5 78L. The holder of a permit is guilty of an offence and liable to a penalty not exceeding one hundred dollars unless, before the expiration of the period of one hour that next succeeds the time after which, pursuant to section 78K, liquor may not be sold or supplied pursuant to the permit, all bottles and other containers in which liquor is so supplied, and all drinking vessels used in the consumption thereof, are removed from the place or places in which liquor is consumed on the premises to which the permit relates.

10

6. Part X of the Principal Act is amended—

Further
amendment
of Act No.
42, 1912.

- 15 (a) by inserting in section 150A (1) (b) after the word “duties” the words “and sales tax”;
- (b) by inserting in section 151A (a) after the word “duties” the words “and sales tax”.

Sec. 150A.
(Fees.)

Sec. 151A.
(Particulars
to be
furnished
by secretary
of club.)

7. Part XA of the Principal Act is amended by inserting in section 152H (1) after the word “duties” the words “and sales tax”.

Further
amendment
of Act No.
42, 1912.
Sec. 152H.
(Fees.)

8. Part XI of the Principal Act is amended by inserting in section 168D (1) after the word “record” the words “in the English language”.

Further
amendment
of Act No.
42, 1912.
Sec. 168D.
(Records of
purchase
and sale
of liquor.)

Liquor (Amendment).

9. (1) In subsection (2), the expressions "assessment", Validation.
"re-assessment" and "further re-assessment" relate respectively
to the assessment, re-assessment and further re-assessment
under the Principal Act of the fee payable under that Act for
5 the renewal of a license, permit or certificate of registration
for a period that commenced before the commencement of
this section.

(2) An assessment, re-assessment or further
re-assessment made before or after the commencement of this
10 section has the same validity as it would have had if the
Principal Act, as amended by sections 4 (i), 5 (a), 6 and 7
had been in force—

- (a) in the case of an assessment—at the time of the
making of the assessment; or
- 15 (b) in the case of a re-assessment or further
re-assessment—at the time of the making of the
original assessment to which the re-assessment or
further re-assessment relates.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975

[24c]

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No. , 1975.

A BILL

To make further provision with respect to the hours during which liquor may be sold; to enable liquor to be sold in a theatre providing cinematographic entertainment; to provide for wine tasting on premises in respect of which an Australian wine license is held; to confirm that sales tax is to be included in the amount upon which liquor license fees are assessed; to make further provisions with respect to late permits for the sale of liquor; to enable unfortified wines to be sold in a restaurant by the glass; to validate certain matters; for these and other purposes to amend the Liquor Act, 1912; and for purposes connected therewith.

[MR MADDISON—11 *March*, 1975.]

BE

Liquor (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Liquor (Amendment) Short title. Act, 1975".

2. (1) This section and sections 1 and 3 commence on Commence-
the date of assent to this Act. ment.

10 (2) Subject to subsection (1), this Act shall com-
mence on such day as may be appointed by the Governor in
respect thereof and as may be notified by proclamation
published in the Gazette.

15 3. The Liquor Act, 1912, is in this Act referred to as the Principal
Principal Act. Act.

4. Part III of the Principal Act is amended—

Amendment
of Act No.
42, 1912.

(a) by omitting section 13 (1) (c) and by inserting Sec. 13.
instead the following subparagraph :— (Exemptions
from this
Part.)

20 (c) is not sold or offered for sale on Good Fri-
day, Christmas Day or a day proclaimed
under section 57 (1) (b) and, on any
other day, is sold or offered for sale, and
is delivered, at the place where it is made—

25 (i) where that other day is not a Sunday
—only between 10 a.m. and 6 p.m.;
or

(ii)

Liquor (Amendment).

(ii) where that other day is a Sunday or is Anzac Day—only between 12 noon and 6 p.m.;

5 (b) (i) by omitting from section 18 the words “in Sec. 18. granting any renewal or removal of an (Australian wine license,”; licenses.)

(ii) by omitting from section 18 the words “at any subsequent renewal or removal”;

10 (iii) by inserting at the end of section 18 the following subsection :—

15 (2) The imposition by the licensing court of a condition that liquor shall not be consumed on the premises specified in an Australian wine license does not prevent the consumption of wine, cider, mead or perry produced in Australia which is supplied gratuitously and not otherwise to customers and intending customers for tasting purposes only.

(c) by omitting section 19;

Sec. 19.
(Qualifica-
tion on
grant and
exercise
of Australian
wine
license.)

20 (d) (i) by omitting from section 20 (1) the words Sec. 20.
“postponed: Provided that a booth license shall (Booth
not be granted for or exercised during any of licenses.)
the days referred to in paragraphs (a) and
(b) of subsection one of section fifty-seven of
25 this Act or the time before twelve noon upon
any day, not being a Sunday, upon which
Anzac Day is observed” and by inserting
instead the word “postponed”;

(ii)

Liquor (Amendment).

(ii) by inserting after section 20 (1) the following subsection :—

(1A) A booth license shall not be granted for or exercised on—

5 (a) a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or

(b) Anzac Day during the time before 12 noon.

10 (e) (i) by inserting in section 20A (1) after the word Sec. 20A. "theatre" where secondly occurring the words (Theatre licenses.) "(not being a drive-in theatre or an open-air theatre)";

15 (ii) by omitting section 20A (1) (a) and by inserting instead the following paragraph :—

(a) that is regularly used for entertainments of the stage or for cinematographic entertainment or for both; and;

20 (f) by omitting section 20c and by inserting instead Sec. 20c. the following section :—

20c. (1) A theatre license and a limited public hall license shall not authorise the licensee to sell Prohibited hours for sale of liquor under theatre or public hall license. and dispose of liquor—

25 (a) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or

(b)

Liquor (Amendment).

- (b) on Anzac Day (not being a Sunday) except after 12 noon,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

5

(2) A general public hall license shall not authorise the licensee to sell and dispose of liquor—

10

- (a) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b), except between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

15

- (b) on Anzac Day (not being a Sunday) except after 12 noon; or

- (c) on a Sunday that is 31st December, except between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight,

20

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

25

- (g) (i) by omitting from section 20D (4) (a) (i) the words "a day referred to in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act" and by inserting instead the words "a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)";

30

- (ii) by omitting from section 20D (4) (a) (ii) the words "the hour of twelve" and by inserting instead the matter "12";

(iii)

Liquor (Amendment).

5 (iii) by omitting from section 20D (4) (a) (iii) the words "the hours of twelve noon and three o'clock in the afternoon, and between the hours of six o'clock in the evening and twelve midnight," and by inserting instead the words "12 noon and 3 p.m. and between 6 p.m. and 12 midnight";

10 (iv) by omitting section 20D (4) (a) (iv) and by inserting instead the following subparagraph :—

15 (iv) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on any other Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b) ;

(v) by omitting section 20D (4) (a) (v) and by inserting instead the following subparagraph :—

20 (v) before 3 a.m. on a Sunday, Good Friday, Christmas Day, a day proclaimed under section 57 (1) (b) and Anzac Day if the immediately preceding day is not one of those days,

25 (vi) by omitting section 20D (4) (b) (i) and (ii) and by inserting instead the following subparagraphs :—

30 (i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

(ii)

Liquor (Amendment).

- 5 (ii) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
- (iii) on any other day—between 12 noon
and 12 midnight;
- (h) by omitting from section 20F the matter “(3A),”; Sec. 20F.
(Applica-
tion of
certain pro-
visions.)
- 10 (i) (i) by inserting in section 21 (1) (b) after the word “duties” the words “and sales tax”; Sec. 21.
(Fees
payable
for
licenses
under this
Part.)
- (ii) by inserting in section 21 (1) (d) after the word “duties” the words “and sales tax”;
- (iii) by inserting in section 21 (1) (g) after the word “duties” the words “and sales tax”;
- (iv) by inserting in section 21 (1) (i) after the word “duties” the words “and sales tax”;
- 15 (v) by inserting in section 21 (1) (l) after the word “duties” the words “and sales tax”;
- (vi) by inserting in section 21 (1) (n) after the word “duties” the words “and sales tax”;
- 20 (vii) by inserting in section 21 (1) (q) after the word “amount” the words “(including any duties and sales tax thereon)”;
- (j) (i) by inserting in section 22 (1) (a) after the word “duties” the words “and sales tax”; Sec. 22.
(Particulars
to be
furnished
by
licensees.)
- 25 (ii) by omitting from section 22 (2) the words “for such liquor” and by inserting instead the words “therefor, including any duties and sales tax thereon”;
- (k)

Liquor (Amendment).

- (k) (i) by omitting from section 26c (1) the word "forty-eight,";
 (Accommodation hotels.)

- (ii) by omitting section 26c (5) (a) and by inserting instead the following paragraph :—

5 (a) to persons for consumption in a dining room upon the licensed premises with or as ancillary to a bona fide meal—

10 (i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

15 (ii) on a Sunday that is 31st December—between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight; and

20 (iii) on any other day—between 12 noon and 12 midnight;

- (l) by omitting section 48;

Sec. 48.
 (Permits for musical entertainments, &c.)

- (m) (i) by omitting section 57 (1) (c) and by inserting instead the following paragraph :—

Sec. 57.
 (Times when premises may not be open for sale of liquor.)

25 (c) upon any day (not being a Sunday) upon which Anzac Day is observed, except between 12 noon and 10 p.m.;

(ii)

Liquor (Amendment).

- (ii) by omitting section 57 (1) (d) and by inserting instead the following paragraph :—
- (d) upon any other day except between 10 a.m. and 10 p.m.
- 5 (iii) by omitting section 57 (1A) (a) and by inserting instead the following paragraph :—
- (a) after—
- (i) 10 p.m. during any period other than the period fixed by section 5
- 10 (1) of the Standard Time Act, 1971, as the duration of summer time; or
- (ii) 11 p.m. during the period so fixed as the duration of summer time;
- 15 (iv) by omitting from section 57 (1B) (b1) the words “the hours of twelve noon and six o’clock in the evening” and by inserting instead the matter “12 noon and 6 p.m.”;
- (v) by omitting section 57 (1B) (c) and by inserting instead the following paragraph :—
- 20 (c) upon any other day except between 6 a.m. and 6 p.m.
- (vi) by inserting in section 57 (1C) (a) after the word “paragraph” where secondly occurring the matter “(b1) or”;
- 25 (vii) by omitting section 57 (1C) (b) and by inserting instead the following paragraph :—
- (b) by omitting paragraph (a) and by inserting instead the following paragraph :—
- 30 (a) after 8 p.m.; and;
- (viii)

Liquor (Amendment).

(viii) by inserting after section 57 (1c) the following subsections :—

5 (1D) Where, under subsection (1c), the
licensing court has varied or varies the later
time specified in subsection (1B) (c) to 8 p.m.,
that variation shall, notwithstanding sub-
sections (1A) (b) and (1C) (b), be deemed
10 to be extended to 9 p.m. on any day on which
a general retail store trading in the area in
which the licensed premises are situated would
be permitted to open for general trading until
9 p.m.

15 (1E) Where it is a condition of an Aus-
tralian wine license that liquor shall not be
consumed on the licensed premises and the
licensed premises are so situated within a retail
store or shop that there is no door or entrance
20 through which, if open, access could be
obtained to the licensed premises without
passing through that store or shop, the license
may, notwithstanding subsection (1A) (b), be
exercised—

(a) until 9 p.m.; or

(b) until the time that store or shop closes,

25 whichever is the earlier, on any day on which
a general retail store trading in the area in
which the licensed premises are situated would
be permitted to open for general trading until
9 p.m.

30 (1F) Notwithstanding subsection (1) or
(1A), where an Australian wine license and a
spirit merchant's license are both held in
respect of the licensed premises, the Australian
wine license shall not be exercised at any time
35 when liquor may not be sold, supplied or
delivered under the spirit merchant's license.

(n)

Liquor (Amendment).

(n) (i) by omitting section 57A (2) and by inserting instead the following subsections :—

Sec. 57A.
(Supply of
liquor with
bona fide
meals or
suppers in
licensed or
club
premises.)

5

(2) Notwithstanding anything in any other provision of this Act, liquor may, subject to the conditions prescribed by subsection (2A), be sold, disposed of or supplied on licensed premises or club premises in respect of which a permit under subsection (1) is in force—

10

(a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday, Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b); and

15

(b) between 10 p.m. and 12 midnight on any other day.

(2A) The conditions subject to which liquor may be sold, disposed of or supplied pursuant to a permit issued under subsection (1) are—

20

(a) that the liquor is not sold, disposed of or supplied to a person referred to in section 49 or, where the permit relates to club premises, a person who is not a member, or the guest of a member, of the club; and

25

(b) that the liquor is not sold, disposed of or supplied otherwise than for consumption—

30

(i) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)—in the dining room or a part of the premises specified in the permit that is a dining area referred to in section 51B; and

(ii)

Liquor (Amendment).

5 (ii) on any other day—in the dining room or another part of the premises specified in the permit (whether or not that other part of the premises is a bar within the meaning of section 64),

10 with or as ancillary to a bona fide meal or supper supplied at the same time in that dining room or other part of the premises.

15 (2B) On application to the licensing court for a special occasion on a specified day and on payment of a fee of ten dollars, the licensing court may extend a permit granted under subsection (1)—

20 (a) to a specified hour that is not between 3 p.m. and 6 p.m. or later than 10 p.m. on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); and

(b) to a specified room in, or a specified part of, the premises to which the permit relates.

25 (ii) by omitting from section 57A (3) the words “between the hours of twelve noon and three o’clock in the afternoon and between the hours of six o’clock in the evening and ten o’clock in the evening of any days specified in paragraphs
30 (a) and (b) of subsection one of section fifty-seven of this Act, or between the hours of ten o’clock in the evening and twelve o’clock midnight on any other day,” and by inserting instead the words “at any time at which liquor
35 may be sold, disposed of or supplied pursuant to the permit”;

(iii)

Liquor (Amendment).

- 5 (iii) by omitting from section 57A (4) the words
“hours between ten o'clock in the evening and
twelve o'clock midnight” wherever occurring
and by inserting instead the matter “times
between 10 p.m. and 12 midnight”;
- 10 (iv) by omitting from section 57A (4) the words
“a day specified in paragraphs (a) and (b) of
subsection one of section fifty-seven of this
Act” and by inserting instead the words
“another Sunday, Good Friday, Christmas
Day or a day proclaimed under section 57
(1) (b)”;
- 15 (o) (i) by inserting in section 57B (1) (a) after the word “room” the words “, or in a room used
permanently and primarily for dining,”; Sec. 57B.
(Late permit
with enter-
tainment.)
- (ii) by omitting from section 57B (1) (a) the word
“two” and by inserting instead the word
“one”;
- 20 (iii) by omitting section 57B (3) (b) and by
inserting instead the following paragraph :—
- (b) between 10 p.m. on any day that is not
a Sunday, Good Friday, Christmas
Day or a day proclaimed under section
25 57 (1) (b) and 3 a.m. on the follow-
ing day, whether or not that following
day is a Sunday, Good Friday, Christ-
mas Day or a day so proclaimed;
- (iv) by omitting section 57B (6) (a);
- 30 (v) by omitting from section 57B (7) the words
“hours between ten o'clock in the evening”
wherever occurring and by inserting instead
the matter “times between 10 p.m.”;
- (vi)

Liquor (Amendment).

- (vi) by omitting from section 57B (7) the words
"three o'clock in the morning" wherever
occurring and by inserting instead the matter
"3 a.m.";
- 5 (vii) by omitting from section 57B (7) the words
"a day specified in paragraphs (a) and (b)
of subsection one of section fifty-seven of this
Act" and by inserting instead the words
10 "another Sunday, Good Friday, Christmas Day
or a day proclaimed under section 57 (1)
(b)";
- (p) (i) by omitting from section 57C (3) the words Sec. 57c.
"meal between the hours of twelve noon and (Liquor
three o'clock in the afternoon and between the with
hours of six o'clock in the evening and ten meals—
15 o'clock in the evening of the days specified in Australian
paragraphs (a) and (b) of subsection one of wine
section fifty-seven of this Act and between the license.)
hours of ten o'clock in the evening and twelve
20 o'clock midnight on any other day" and by
inserting instead the following matter :—
meal—
(a) between 12 noon and 3 p.m. and
between 6 p.m. and 10 p.m. on a
25 Sunday, Good Friday, Christmas
Day and a day proclaimed under
section 57 (1) (b); and
(b) between 10 p.m. and 12 midnight on
any other day;
- 30 (ii) by omitting from section 57C (4) the matter
"not—" and by inserting instead the words
"not between 3 p.m. and 6 p.m. or later than
10 p.m. on a Sunday, Good Friday, Christmas
Day or a day proclaimed under section 57
35 (1) (b).";
- (iii) by omitting section 57C (4) (a) and (b);
(iv)

Liquor (Amendment).

- (iv) by omitting from section 57c (5) the words
 “between the hours of twelve noon and three
 o’clock in the afternoon, or between the hours
 of six o’clock in the evening and ten o’clock
 in the evening, of any day specified in para-
 graphs (a) and (b) of subsection one of
 section fifty-seven of this Act, or between the
 hours of ten o’clock in the evening and twelve
 o’clock midnight on any other day,” and by
 inserting instead the words “at any time at
 which liquor may be sold, disposed of or
 supplied pursuant to the permit”;
- (v) by omitting from section 57c (5) the words
 “or supper”;
- (vi) by omitting from section 57c (6) the words
 “hours between ten o’clock in the evening and
 twelve o’clock midnight” wherever occurring
 and by inserting instead the words “times
 between 10 p.m. and 12 midnight”;
- (vii) by omitting from section 57c (6) the words
 “a day specified in paragraphs (a) and (b)
 of subsection one of section fifty-seven of this
 Act” and by inserting instead the words
 “another Sunday, Good Friday, Christmas Day
 or a day proclaimed under section 57 (1)
 (b)”;

- (q) by omitting from section 67 (1) (e) the matter
 “millilitres.” and by inserting instead the following
 word and paragraph :—

Sec. 67.
 (Liquor
 to be
 sold by
 measure.)

millilitres;

- (f) 40 fluid ounces or 1140 millilitres.

(r)

Liquor (Amendment).

- (r) by omitting from section 71 the words "by retail". Sec. 71.
(Selling
otherwise
than on
authorised
premises,
etc.)

5. Part IIIA of the Principal Act is amended—

Further
amendment
of Act No.
42, 1912.

- (a) by inserting in section 78H (2) after the word "duties" the words "and sales tax"; Sec. 78H.
(Fees.)

- 5 (b) by omitting from section 78J (3) (c) the word "two" and by inserting instead the word "one"; Sec. 78J.
(Holder of
permit.)

- (c) (i) by omitting section 78K (3A); Sec. 78K.
(Effect of
permit.)

- (ii) by omitting section 78K (4) and by inserting
instead the following subsection :—

- 10 (4) Where a permit is not endorsed as a
cabaret permit, liquor shall not be sold or sup-
plied in the restaurant pursuant to the permit
except—

- 15 (a) between 12 noon and 3 p.m. and
between 6 p.m. and 10 p.m. on a
Sunday (not being a Sunday that is
31st December) Good Friday, Christ-
mas Day and a day proclaimed under
section 57 (1) (b);

(b)

Liquor (Amendment).

- (b) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
- (c) on any other day—between 12 noon
and 12 midnight.
- (iii) by omitting section 78K (4A) (a) and (b) and
by inserting instead the following para-
graphs :—
- (a) subject to paragraph (b) between
12 noon and 3 p.m. and between 6 p.m.
and 10 p.m. on a Sunday (not being a
Sunday that is 31st December) Good
Friday, Christmas Day or a day pro-
claimed under section 57 (1) (b); and
- (b) during the periods—
- (i) commencing at 12 noon and
ending at 3 p.m. on a Sunday
that is 31st December and
commencing at 6 p.m. on that
day and ending at 3 a.m. on
the following day; and
- (ii) commencing at 12 noon on any
other day (not being a day to
which paragraph (a) applies)
and ending at 3 a.m. on the
following day,
- whether or not, in either case, that
following day is a Sunday, Good
Friday, Christmas Day or a day
proclaimed under section 57 (1) (b).

(iv) by omitting section 78K (4C) (a);

Liquor (Amendment).

- (d) by omitting section 78L and by inserting instead the Sec. 78L.
following section :—

5 78L. The holder of a permit is guilty of an offence and liable to a penalty not exceeding one
hundred dollars unless, before the expiration of the
period of one hour that next succeeds the time after
which, pursuant to section 78K, liquor may not be
10 sold or supplied pursuant to the permit, all bottles
and other containers in which liquor is so supplied,
and all drinking vessels used in the consumption
thereof, are removed from the place or places in
which liquor is consumed on the premises to which
the permit relates.

6. Part X of the Principal Act is amended—

Further
amendment
of Act No.
42, 1912.

- 15 (a) by inserting in section 150A (1) (b) after the word
“duties” the words “and sales tax”;

Sec. 150A.
(Fees.)

- (b) by inserting in section 151A (a) after the word
“duties” the words “and sales tax”.

Sec. 151A.
(Particulars
to be
furnished
by secretary
of club.)

- 20 7. Part XA of the Principal Act is amended by inserting
in section 152H (1) after the word “duties” the words “and
sales tax”.

Further
amendment
of Act No.
42, 1912.
Sec. 152H.
(Fees.)

8. Part XI of the Principal Act is amended by inserting
in section 168D (1) after the word “record” the words “in the
English language”.

Further
amendment
of Act No.
42, 1912.
Sec. 168D.
(Records of
purchase
and sale
of liquor.)

Liquor (Amendment).

9. (1) In subsection (2), the expressions "assessment", Validation.
 "re-assessment" and "further re-assessment" relate respectively
 to the assessment, re-assessment and further re-assessment
 under the Principal Act of the fee payable under that Act for
 5 the renewal of a license, permit or certificate of registration
 for a period that commenced before the commencement of
 this section.

(2) An assessment, re-assessment or further
 re-assessment made before or after the commencement of this
 10 section has the same validity as it would have had if the
 Principal Act, as amended by sections 4 (i), 5 (a), 6 and 7
 had been in force—

- (a) in the case of an assessment—at the time of the
 making of the assessment; or
- 15 (b) in the case of a re-assessment or further
 re-assessment—at the time of the making of the
 original assessment to which the re-assessment or
 further re-assessment relates.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975
 [24c]

LIQUOR (AMENDMENT) BILL, 1975

EXPLANATORY NOTE

THE restricted days referred to in this explanatory note are Sunday, Good Friday, Christmas Day and any day proclaimed by the Governor under section 57 (1) (b).

1. Clause 1 specifies the short title of the Bill.
2. Clause 2 provides for the commencement of the enacted Bill.
3. Clause 3 is an interpretation provision.
4. Clause 4 amends the Principal Act and—
 - (a) by clause 4 (a) simplifies the wording of some of the provisions;
 - (b) by clause 4 (b) permits wine tasting on premises for which an Australian wine license is held and removes the restriction whereby, after the grant of an Australian wine license, a condition forbidding consumption on the premises cannot be imposed or removed by the licensing court except at the time of the renewal or removal of the license;
 - (c) by clause 4 (c) repeals the provision of the Principal Act prohibiting the grant of an Australian wine license for premises situated more than 100 metres from a road;
 - (d) by clause 4 (d) simplifies the wording of some provisions;
 - (e) by clause 4 (e) permits the grant of a theatre license for a cinema;
 - (f) by clause 4 (f) simplifies the wording of some provisions;
 - (g) by clause 4 (g) abolishes the 3 p.m. to 6 p.m. break in the times during which, on the day other than a restricted day, liquor may be sold with meals under a tourist hotel license;
 - (h) by clause 4 (h) enables unfortified wines to be served by the glass with a meal at a tourist hotel;
 - (i) by clause 4 (i) requires sales tax to be taken into account when calculating the amount on which license fees are assessed;
 - (j) by clause 4 (j) requires sales tax to be included in returns of purchases by licensees;

(k) by clause 4 (k) extends from 9 p.m. to 10 p.m. the latest time at which liquor may be sold with meals on a restricted day under an accommodation hotel license and abolishes the 3 p.m. to 6 p.m. break in the times during which liquor may be so sold under such a license on any other day;

(l) by clause 4 (l) repeals the provision of the Principal Act that enables a licensee to obtain a permit to serve liquor in a room attached to, but not part of, the licensed premises, being a room in which an amateur musical or dramatic society or club is presenting a concert or entertainment;

(m) by clause 4 (m)—

(i) simplifies the wording of some provisions;

(ii) authorises the licensing court, without increasing trading hours and only in respect of the period during which summer time (daylight saving) is in force, to extend to no later than 11 p.m. the closing time for premises in respect of which a publican's license or an Australian wine license is held; and

(iii) enables a spirit merchant whose closing time has been varied by the licensing court to 8 p.m. and, in certain circumstances, the holder of an Australian wine license that does not permit consumption on the premises, to trade until 9 p.m. on a night that is a late shopping night in his area;

(n) by clause 4 (n) simplifies the wording of some provisions;

(o) by clause 4 (o) relaxes the accommodation requirements for a late permit with entertainment;

(p) by clause 4 (p) simplifies the wording of some provisions;

(q) to enable malted liquor to be supplied, for consumption on premises for which a publican's license is held, in a container sized to contain 40 fluid ounces or 1140 millilitres;

(r) by clause 4 (r) imposes on a wholesaler the same restrictions with respect to selling liquor off licensed premises as are imposed on a retailer.

5. Clause 5 amends the Principal Act and—

(a) by clause 5 (a) requires sales tax to be taken into account when calculating the amount on which the fee for a restaurant permit is assessed;

(b) by clause 5 (b) relaxes the accommodation requirements for a cabaret permit in a restaurant;

(c) by clause 5 (c)—

(i) enables unfortified wines to be served by the glass with a meal in a restaurant; and

(ii) abolishes the 3 p.m. to 6 p.m. break in the times during which liquor may be sold with meals in a restaurant on a day other than a restricted day;

(d) by clause 5 (d) makes consequential amendments to the times for removal of bottles from tables in a restaurant.

6. Clause 6 amends the Principal Act and—

(a) by clause 6 (a) requires sales tax to be taken into account when calculating the amount on which the fee for registration of a club is assessed;

(b) by clause 6 (b) requires sales tax to be included in returns of purchases by registered clubs.

7. Clause 7 amends the Principal Act by requiring sales tax to be taken into account when calculating the amount on which the fee for a permit to sell liquor within a university or college of advanced education is assessed.

8. Clause 8 amends the Principal Act by requiring the records of licensees and permit holders to be kept in the English language.

9. Clause 9 validates certain past assessments, re-assessments and further re-assessments made under the Principal Act by including sales tax in the amounts on which they were based.

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No. , 1975.

A BILL

To make further provision with respect to the hours during which liquor may be sold; to enable liquor to be sold in a theatre providing cinematographic entertainment; to provide for wine tasting on premises in respect of which an Australian wine license is held; to confirm that sales tax is to be included in the amount upon which liquor license fees are assessed; to make further provisions with respect to late permits for the sale of liquor; to enable unfortified wines to be sold in a restaurant by the glass; to validate certain matters; for these and other purposes to amend the Liquor Act, 1912; and for purposes connected therewith.

[MR MADDISON—11 *March*, 1975.]

BE

Liquor (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Liquor (Amendment) Short title. Act, 1975".

2. (1) This section and sections 1 and 3 commence on Commence-
the date of assent to this Act. ment.

10 (2) Subject to subsection (1), this Act shall com-
mence on such day as may be appointed by the Governor in
respect thereof and as may be notified by proclamation
published in the Gazette.

15 3. The Liquor Act, 1912, is in this Act referred to as the Principal
Principal Act. Act.

4. Part III of the Principal Act is amended—

Amendment
of Act No.
42, 1912.

(a) by omitting section 13 (1) (c) and by inserting Sec. 13.
instead the following subparagraph :— (Exemptions
from this
Part.)

20 (c) is not sold or offered for sale on Good Fri-
day, Christmas Day or a day proclaimed
under section 57 (1) (b) and, on any
other day, is sold or offered for sale, and
is delivered, at the place where it is made—

25 (i) where that other day is not a Sunday
—only between 10 a.m. and 6 p.m.;
or

(ii)

Liquor (Amendment).

(ii) where that other day is a Sunday or is Anzac Day—only between 12 noon and 6 p.m.;

5 (b) (i) by omitting from section 18 the words “in Sec. 18. granting any renewal or removal of an (Australian wine license,”; licenses.)

(ii) by omitting from section 18 the words “at any subsequent renewal or removal”;

10 (iii) by inserting at the end of section 18 the following subsection :—

15 (2) The imposition by the licensing court of a condition that liquor shall not be consumed on the premises specified in an Australian wine license does not prevent the consumption of wine, cider, mead or perry produced in Australia which is supplied gratuitously and not otherwise to customers and intending customers for tasting purposes only.

(c) by omitting section 19;

Sec. 19.
(Qualifica-
tion on
grant and
exercise
of Australian
wine
license.)

20 (d) (i) by omitting from section 20 (1) the words “postponed: Provided that a booth license shall not be granted for or exercised during any of the days referred to in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act or the time before twelve noon upon any day, not being a Sunday, upon which Anzac Day is observed” and by inserting instead the word “postponed”;

Sec. 20.
(Booth
licenses.)

(ii)

Liquor (Amendment).

(ii) by inserting after section 20 (1) the following subsection :—

(1A) A booth license shall not be granted for or exercised on—

5 (a) a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); or

(b) Anzac Day during the time before 12 noon.

10 (e) (i) by inserting in section 20A (1) after the word Sec. 20A. "theatre" where secondly occurring the words (Theatre licenses.) "(not being a drive-in theatre or an open-air theatre)";

15 (ii) by omitting section 20A (1) (a) and by inserting instead the following paragraph :—

(a) that is regularly used for entertainments of the stage or for cinematographic entertainment or for both; and;

20 (f) by omitting section 20c and by inserting instead Sec. 20c. the following section :—

20c. (1) A theatre license and a limited public hall license shall not authorise the licensee to sell Prohibited hours for sale of liquor under theatre or public hall license. and dispose of liquor—

25 (a) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) license. (b); or

(b)

Liquor (Amendment).

- (b) on Anzac Day (not being a Sunday) except after 12 noon,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

(2) A general public hall license shall not authorise the licensee to sell and dispose of liquor—

- (a) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b), except between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

- (b) on Anzac Day (not being a Sunday) except after 12 noon; or

- (c) on a Sunday that is 31st December, except between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight,

except in so far as the times specified in the license extend beyond 12 midnight on any immediately preceding day on which the sale or disposal of liquor is authorised by the license.

- (g) (i) by omitting from section 20D (4) (a) (i) the words "a day referred to in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act" and by inserting instead the words "a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)";

- (ii) by omitting from section 20D (4) (a) (ii) the words "the hour of twelve" and by inserting instead the matter "12";

(iii)

Liquor (Amendment).

- 5 (iii) by omitting from section 20D (4) (a) (iii) the words "the hours of twelve noon and three o'clock in the afternoon, and between the hours of six o'clock in the evening and twelve midnight," and by inserting instead the words "12 noon and 3 p.m. and between 6 p.m. and 12 midnight";
- 10 (iv) by omitting section 20D (4) (a) (iv) and by inserting instead the following subparagraph :—
- 15 (iv) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on any other Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b);
- (v) by omitting section 20D (4) (a) (v) and by inserting instead the following subparagraph :—
- 20 (v) before 3 a.m. on a Sunday, Good Friday, Christmas Day, a day proclaimed under section 57 (1) (b) and Anzac Day if the immediately preceding day is not one of those days,
- 25 (vi) by omitting section 20D (4) (b) (i) and (ii) and by inserting instead the following subparagraphs :—
- 30 (i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

(ii)

Liquor (Amendment).

- 5 (ii) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and
- (iii) on any other day—between 12 noon
and 12 midnight;
- (h) by omitting from section 20F the matter “(3A),”; Sec. 20F.
(Applica-
tion of
certain pro-
visions.)
- 10 (i) (i) by inserting in section 21 (1) (b) after the Sec. 21.
(Fees
payable
for
licenses
under this
Part.)
word “duties” the words “and sales tax”;
(ii) by inserting in section 21 (1) (d) after the
word “duties” the words “and sales tax”;
(iii) by inserting in section 21 (1) (g) after the
word “duties” the words “and sales tax”;
(iv) by inserting in section 21 (1) (i) after the
word “duties” the words “and sales tax”;
15 (v) by inserting in section 21 (1) (l) after the
word “duties” the words “and sales tax”;
(vi) by inserting in section 21 (1) (n) after the
word “duties” the words “and sales tax”;
20 (vii) by inserting in section 21 (1) (q) after the
word “amount” the words “(including any
duties and sales tax thereon)”;
(j) (i) by inserting in section 22 (1) (a) after the Sec. 22.
(Particulars
to be
furnished
by
licensees.)
word “duties” the words “and sales tax”;
25 (ii) by omitting from section 22 (2) the words “for
such liquor” and by inserting instead the words
“therefor, including any duties and sales tax
thereon”;
- (k)

Liquor (Amendment).

(k) (i) by omitting from section 26c (1) the word "forty-eight,"; Sec. 26c.
(Accommodation
hotels.)

(ii) by omitting section 26c (5) (a) and by inserting instead the following paragraph :—

5 (a) to persons for consumption in a dining room upon the licensed premises with or as ancillary to a bona fide meal—

10 (i) on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b)—between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m.;

15 (ii) on a Sunday that is 31st December—between 12 noon and 3 p.m. and between 6 p.m. and 12 midnight; and

20 (iii) on any other day—between 12 noon and 12 midnight;

(l) by omitting section 48;

Sec. 48.
(Permits for musical entertainments, &c.)

(m) (i) by omitting section 57 (1) (c) and by inserting instead the following paragraph :— Sec. 57.
(Times when premises may not be open for sale of liquor.)

25 (c) upon any day (not being a Sunday) upon which Anzac Day is observed, except between 12 noon and 10 p.m.;

(ii)

Liquor (Amendment).

- (ii) by omitting section 57 (1) (d) and by inserting instead the following paragraph :—
(d) upon any other day except between 10 a.m. and 10 p.m.
- 5 (iii) by omitting section 57 (1A) (a) and by inserting instead the following paragraph :—
(a) after—
(i) 10 p.m. during any period other than the period fixed by section 5
10 (1) of the Standard Time Act, 1971, as the duration of summer time; or
(ii) 11 p.m. during the period so fixed as the duration of summer time;
- 15 (iv) by omitting from section 57 (1B) (b1) the words “the hours of twelve noon and six o’clock in the evening” and by inserting instead the matter “12 noon and 6 p.m.”;
- 20 (v) by omitting section 57 (1B) (c) and by inserting instead the following paragraph :—
(c) upon any other day except between 6 a.m. and 6 p.m.
- 25 (vi) by inserting in section 57 (1C) (a) after the word “paragraph” where secondly occurring the matter “(b1) or”;
- (vii) by omitting section 57 (1C) (b) and by inserting instead the following paragraph :—
30 (b) by omitting paragraph (a) and by inserting instead the following paragraph :—
(a) after 8 p.m.; and;
(viii)

Liquor (Amendment).

(viii) by inserting after section 57 (1c) the following subsections :—

5 (1D) Where, under subsection (1c), the
licensing court has varied or varies the later
time specified in subsection (1B) (c) to 8 p.m.,
that variation shall, notwithstanding sub-
sections (1A) (b) and (1C) (b), be deemed
10 to be extended to 9 p.m. on any day on which
a general retail store trading in the area in
which the licensed premises are situated would
be permitted to open for general trading until
9 p.m.

15 (1E) Where it is a condition of an Aus-
tralian wine license that liquor shall not be
consumed on the licensed premises and the
licensed premises are so situated within a retail
store or shop that there is no door or entrance
20 through which, if open, access could be
obtained to the licensed premises without
passing through that store or shop, the license
may, notwithstanding subsection (1A) (b), be
exercised—

(a) until 9 p.m.; or

25 (b) until the time that store or shop closes,
whichever is the earlier, on any day on which
a general retail store trading in the area in
which the licensed premises are situated would
be permitted to open for general trading until
9 p.m.

30 (1F) Notwithstanding subsection (1) or
(1A), where an Australian wine license and a
spirit merchant's license are both held in
respect of the licensed premises, the Australian
wine license shall not be exercised at any time
35 when liquor may not be sold, supplied or
delivered under the spirit merchant's license.

(n)

Liquor (Amendment).

- (n) (i) by omitting section 57A (2) and by inserting instead the following subsections :—

Sec. 57A.
(Supply of
liquor with
bona fide
meals or
suppers in
licensed or
club
premises.)

5 (2) Notwithstanding anything in any other provision of this Act, liquor may, subject to the conditions prescribed by subsection (2A), be sold, disposed of or supplied on licensed premises or club premises in respect of which a permit under subsection (1) is in force—

10 (a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday, Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b) ; and

15 (b) between 10 p.m. and 12 midnight on any other day.

(2A) The conditions subject to which liquor may be sold, disposed of or supplied pursuant to a permit issued under subsection (1) are—

20 (a) that the liquor is not sold, disposed of or supplied to a person referred to in section 49 or, where the permit relates to club premises, a person who is not a member, or the guest of a member, of the club; and

25 (b) that the liquor is not sold, disposed of or supplied otherwise than for consumption—

30 (i) on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1)

(b)—in the dining room or a part of the premises specified in the permit that is a dining area referred to in section 51B; and

(ii)

Liquor (Amendment).

5 (ii) on any other day—in the dining room or another part of the premises specified in the permit (whether or not that other part of the premises is a bar within the meaning of section 64),

10 with or as ancillary to a bona fide meal or supper supplied at the same time in that dining room or other part of the premises.

15 (2B) On application to the licensing court for a special occasion on a specified day and on payment of a fee of ten dollars, the licensing court may extend a permit granted under subsection (1)—

20 (a) to a specified hour that is not between 3 p.m. and 6 p.m. or later than 10 p.m. on a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b); and

(b) to a specified room in, or a specified part of, the premises to which the permit relates.

25 (ii) by omitting from section 57A (3) the words “between the hours of twelve noon and three o’clock in the afternoon and between the hours of six o’clock in the evening and ten o’clock in the evening of any days specified in paragraphs
30 (a) and (b) of subsection one of section fifty-seven of this Act, or between the hours of ten o’clock in the evening and twelve o’clock midnight on any other day,” and by inserting instead the words “at any time at which liquor
35 may be sold, disposed of or supplied pursuant to the permit”;

(iii)

Liquor (Amendment).

- 5 (iii) by omitting from section 57A (4) the words
“hours between ten o'clock in the evening and
twelve o'clock midnight” wherever occurring
and by inserting instead the matter “times
between 10 p.m. and 12 midnight”;
- 10 (iv) by omitting from section 57A (4) the words
“a day specified in paragraphs (a) and (b) of
subsection one of section fifty-seven of this
Act” and by inserting instead the words
“another Sunday, Good Friday, Christmas
Day or a day proclaimed under section 57
(1) (b)”;
- 15 (o) (i) by inserting in section 57B (1) (a) after the word “room” the words “, or in a room used
permanently and primarily for dining,”; Sec. 57B.
(Late permit
with enter-
tainment.)
- (ii) by omitting from section 57B (1) (a) the word
“two” and by inserting instead the word
“one”;
- 20 (iii) by omitting section 57B (3) (b) and by
inserting instead the following paragraph :—
- 25 (b) between 10 p.m. on any day that is not
a Sunday, Good Friday, Christmas
Day or a day proclaimed under section
57 (1) (b) and 3 a.m. on the follow-
ing day, whether or not that following
day is a Sunday, Good Friday, Christ-
mas Day or a day so proclaimed;
- (iv) by omitting section 57B (6) (a) ;
- 30 (v) by omitting from section 57B (7) the words
“hours between ten o'clock in the evening”
wherever occurring and by inserting instead
the matter “times between 10 p.m.”;
- (vi)

Liquor (Amendment).

- (vi) by omitting from section 57B (7) the words "three o'clock in the morning" wherever occurring and by inserting instead the matter "3 a.m.";
- 5 (vii) by omitting from section 57B (7) the words "a day specified in paragraphs (a) and (b) of subsection one of section fifty-seven of this Act" and by inserting instead the words
- 10 "another Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b)";
- (p) (i) by omitting from section 57C (3) the words Sec. 57c.
"meal between the hours of twelve noon and (Liquor
three o'clock in the afternoon and between the with
15 hours of six o'clock in the evening and ten meals—
o'clock in the evening of the days specified in Australian
paragraphs (a) and (b) of subsection one of wine
section fifty-seven of this Act and between the license.)
hours of ten o'clock in the evening and twelve
20 o'clock midnight on any other day" and by
inserting instead the following matter :—
meal—
(a) between 12 noon and 3 p.m. and
25 between 6 p.m. and 10 p.m. on a
Sunday, Good Friday, Christmas
Day and a day proclaimed under
section 57 (1) (b) ; and
(b) between 10 p.m. and 12 midnight on
any other day ;
- 30 (ii) by omitting from section 57C (4) the matter
"not—" and by inserting instead the words
"not between 3 p.m. and 6 p.m. or later than
10 p.m. on a Sunday, Good Friday, Christmas
Day or a day proclaimed under section 57
35 (1) (b).";
- (iii) by omitting section 57C (4) (a) and (b) ;
(iv)

Liquor (Amendment).

(iv) by omitting from section 57c (5) the words
 "between the hours of twelve noon and three
 o'clock in the afternoon, or between the hours
 of six o'clock in the evening and ten o'clock
 in the evening, of any day specified in para-
 graphs (a) and (b) of subsection one of
 section fifty-seven of this Act, or between the
 hours of ten o'clock in the evening and twelve
 o'clock midnight on any other day," and by
 inserting instead the words "at any time at
 which liquor may be sold, disposed of or
 supplied pursuant to the permit";

(v) by omitting from section 57c (5) the words
 "or supper";

(vi) by omitting from section 57c (6) the words
 "hours between ten o'clock in the evening and
 twelve o'clock midnight" wherever occurring
 and by inserting instead the words "times
 between 10 p.m. and 12 midnight";

(vii) by omitting from section 57c (6) the words
 "a day specified in paragraphs (a) and (b)
 of subsection one of section fifty-seven of this
 Act" and by inserting instead the words
 "another Sunday, Good Friday, Christmas Day
 or a day proclaimed under section 57 (1)
 (b)";

(q) by omitting from section 67 (1) (e) the matter
 "millilitres." and by inserting instead the following
 word and paragraph :—

millilitres;

(f) 40 fluid ounces or 1140 millilitres.

Sec. 67.
 (Liquor
 to be
 sold by
 measure.)

(r)

Liquor (Amendment).

- (r) by omitting from section 71 the words "by retail". Sec. 71.
(Selling otherwise than on authorised premises, etc.)

5. Part IIIA of the Principal Act is amended—

Further amendment of Act No. 42, 1912.

- (a) by inserting in section 78H (2) after the word "duties" the words "and sales tax"; Sec. 78H.
(Fees.)

- 5 (b) by omitting from section 78J (3) (c) the word "two" and by inserting instead the word "one"; Sec. 78J.
(Holder of permit.)

- (c) (i) by omitting section 78K (3A); Sec. 78K.
(Effect of permit.)

- (ii) by omitting section 78K (4) and by inserting instead the following subsection :—

10 (4) Where a permit is not endorsed as a cabaret permit, liquor shall not be sold or supplied in the restaurant pursuant to the permit except—

- 15 (a) between 12 noon and 3 p.m. and between 6 p.m. and 10 p.m. on a Sunday (not being a Sunday that is 31st December) Good Friday, Christmas Day and a day proclaimed under section 57 (1) (b);

(b)

Liquor (Amendment).

(b) on a Sunday that is 31st December—
between 12 noon and 3 p.m. and
between 6 p.m. and 12 midnight; and

5 (c) on any other day—between 12 noon
and 12 midnight.

(iii) by omitting section 78K (4A) (a) and (b) and
by inserting instead the following para-
graphs :—

10 (a) subject to paragraph (b) between
12 noon and 3 p.m. and between 6 p.m.
and 10 p.m. on a Sunday (not being a
Sunday that is 31st December) Good
Friday, Christmas Day or a day pro-
claimed under section 57 (1) (b); and

15 (b) during the periods—

(i) commencing at 12 noon and
ending at 3 p.m. on a Sunday
that is 31st December and
commencing at 6 p.m. on that
20 day and ending at 3 a.m. on
the following day; and

(ii) commencing at 12 noon on any
other day (not being a day to
which paragraph (a) applies)
25 and ending at 3 a.m. on the
following day,

whether or not, in either case, that
following day is a Sunday, Good
Friday, Christmas Day or a day
30 proclaimed under section 57 (1) (b).

(iv) by omitting section 78K (4C) (a);

Liquor (Amendment).

- (d) by omitting section 78L and by inserting instead the Sec. 78L.
following section :—

5 78L. The holder of a permit is guilty of an offence and liable to a penalty not exceeding one
hundred dollars unless, before the expiration of the
period of one hour that next succeeds the time after
which, pursuant to section 78K, liquor may not be
10 sold or supplied pursuant to the permit, all bottles
and other containers in which liquor is so supplied,
and all drinking vessels used in the consumption
thereof, are removed from the place or places in
which liquor is consumed on the premises to which
the permit relates.

6. Part X of the Principal Act is amended—

Further
amendment
of Act No.
42, 1912.

- 15 (a) by inserting in section 150A (1) (b) after the word
“duties” the words “and sales tax”;

Sec. 150A.
(Fees.)

- (b) by inserting in section 151A (a) after the word
“duties” the words “and sales tax”.

Sec. 151A.
(Particulars
to be
furnished
by secretary
of club.)

7. Part XA of the Principal Act is amended by inserting
20 in section 152H (1) after the word “duties” the words “and
sales tax”.

Further
amendment
of Act No.
42, 1912.
Sec. 152H.
(Fees.)

8. Part XI of the Principal Act is amended by inserting
in section 168D (1) after the word “record” the words “in the
English language”.

Further
amendment
of Act No.
42, 1912.
Sec. 168D.
(Records of
purchase
and sale
of liquor.)

Liquor (Amendment).

9. (1) In subsection (2), the expressions "assessment", Validation.
 "re-assessment" and "further re-assessment" relate respectively
 to the assessment, re-assessment and further re-assessment
 under the Principal Act of the fee payable under that Act for
 5 the renewal of a license, permit or certificate of registration
 for a period that commenced before the commencement of
 this section.

(2) An assessment, re-assessment or further
 re-assessment made before or after the commencement of this
 10 section has the same validity as it would have had if the
 Principal Act, as amended by sections 4 (i), 5 (a), 6 and 7
 had been in force—

- (a) in the case of an assessment—at the time of the
 making of the assessment; or
- 15 (b) in the case of a re-assessment or further
 re-assessment—at the time of the making of the
 original assessment to which the re-assessment or
 further re-assessment relates.

BY AUTHORITY

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