

*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 November, 1976.*

## **New South Wales**



ANNO VICESIMO QUINTO

# **ELIZABETHÆ II REGINÆ**

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**Act No.       , 1976.**

**An Act to amend the Liquor Act, 1912.**

**BE**

*Liquor (Further Amendment).*

**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 (Further Short title. Amendment) Act, 1976".

2. This Act contains the following Schedules :— Schedules.

10 SCHEDULE 1.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

SCHEDULE 2.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION.

15 SCHEDULE 3.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

20 SCHEDULE 4.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED CLUB.

SCHEDULE 5.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE STATUS IN REGISTERED CLUBS OF PERSONS OVER 18 YEARS OF AGE.

25 SCHEDULE 6.—MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

3. The Liquor Act, 1912, is amended in the manner set forth in Schedules 1–6. Amendment of Act No. 42, 1912.

*Liquor (Further Amendment).*

4. Any undertaking recorded—

- (a) by the clerk of the licensing court on a spirit merchant's license or on a permit under section 57A or 57C of the Liquor Act, 1912, granted or renewed before the commencement of this Act; or
- (b) in the records kept by the licensing court in respect of the granting or renewal before that commencement of any such license or permit,

Under-takings given on grant of spirit merchants' licenses and permits under section 57A or 57C of the Liquor Act, 1912.

shall, for the purposes of sections 23A and 125 of the Liquor Act, 1912, as amended by this Act, be deemed to be a condition or provision imposed by the licensing court on the grant of the license or permit.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

- (1) (a) Section 3, definition of "Persons authorised to sell liquor"—

After the definition of "Near relative or connection", insert :—

"Persons authorised to sell liquor" means licensees and holders of permits or certificates of registration under this Act and includes persons authorised to sell liquor by the law of any other State or any Territory of the Commonwealth.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 (b) Section 3 (2), (3)—

At the end of section 3, insert :—

(2) A reference in this Act to the amount  
paid or payable by or on behalf of any person  
for any liquor is a reference—

10 (a) except as provided in paragraph (b),  
to the sum of—

(i) the amount paid or payable by  
or on behalf of that person for  
that liquor;

15 (ii) any amount paid or payable by  
or on behalf of that person for  
or for the hiring of any con-  
tainers or packages (including  
20 corks, stoppers and labels  
attached thereto) in which that  
liquor is contained or packed  
when it is delivered to or pur-  
chased by or on behalf of that  
person or is to be contained or  
25 packed for sale or disposal by  
or on behalf of that person  
(whether or not any such  
amount is paid or payable to  
the supplier of that liquor);

30 (iii) any amount paid or payable  
for the packing or for the  
handling of that liquor and any  
such containers or packages or  
for putting it or them into the

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 state in which it is or they are  
when it is or they are delivered  
to or purchased by or on be-  
half of that person (whether or  
not any such amount is paid or  
10 payable to the supplier of that  
liquor);
- (iv) any amount paid or payable by  
or on behalf of that person as  
15 freight or other delivery  
charges in respect of the  
delivery of that liquor, being  
an amount so paid or payable  
to the supplier of that liquor  
but not being an amount so  
20 paid or payable to that sup-  
plier as reimbursement for  
those freight or delivery  
charges if those freight or  
delivery charges are paid or  
25 payable by that supplier to a  
common carrier; and
- (v) any amount paid or payable for  
duties or sales tax in respect of  
that liquor; or
- 30 (b) where the board is of the opinion that  
any amount paid or payable for any  
thing or for the doing of any thing  
referred to in paragraph (a) (i), (ii),  
(iii) or (iv) is less than the value of  
35 that thing or of the doing of that thing,

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 as the case may be, such amount as  
is determined by the board having regard  
to the circumstances in which  
that liquor was delivered to or purchased  
by or on behalf of that person.

10 (3) A reference in this Act to any amount  
paid or payable by or on behalf of any person  
for any liquor includes any amount paid or  
payable by any other person for the acquisition  
15 of that liquor for sale, supply or disposal by  
that firstmentioned person.

(2) (a) Section 21 (1) (b)—

20 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert  
instead “amount paid or payable by or on behalf  
of the licensee”.

(b) Section 21 (1) (b)—

Omit “other licensed persons”, insert instead  
“other persons authorised to sell liquor”.

(c) Section 21 (1) (d)—

25 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable by”, insert  
instead “amount paid or payable by or on behalf  
of”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (d) Section 21 (1) (d)—  
Omit “persons licensed to sell liquor” where  
firstly occurring, insert instead “persons  
authorised to sell liquor”.
- (e) Section 21 (1) (d)—  
10 Omit “In this paragraph the expression ‘persons  
licensed to sell liquor’ includes not only persons  
licensed under this Act but also persons licensed  
to sell liquor in any State or Territory of the  
15 Commonwealth of Australia, under any law for  
the time being in force in such State or  
Territory.”.
- (f) Section 21 (1) (g)—  
Omit “gross amount (including any duties and  
20 sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
licensee”.
- (g) Section 21 (1) (i)—  
Omit “gross amount (including any duties and  
25 sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
licensee”.
- (h) Section 21 (1) (l)—  
Omit “gross amount (including any duties and  
30 sales tax thereon) paid or payable by”, insert  
instead “amount paid or payable by or on behalf  
of”.

*Liquor (Further Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (i) Section 21 (1) (n)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.
- 10 (j) Section 21 (1) (q)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.
- 15 (k) Section 21 (1A)—  
Omit “gross”.
- (l) Section 21 (1A)—  
Omit “(g), (i), (l) and (n)”, insert instead “(d), (g), (i), (l), (n) and (q)”.
- 20 (3) (a) Section 22 (1) (a)—  
Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable therefor”.
- (b) Section 22 (1) (c)—  
25 After “person”, insert “from whom delivery of such liquor was taken or”.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (c) Section 22 (2)—  
Omit “persons licensed to sell liquor” where  
firstly occurring, insert instead “persons  
authorised to sell liquor”.
- 10 (d) Section 22 (2)—  
Omit “, including any duties and sales tax  
thereon.”.
- 15 (e) Section 22 (2)—  
Omit “In this subsection the expression ‘persons  
licensed to sell liquor’ includes not only persons  
licensed under this Act, but also persons holding  
any permit or certificate of registration under  
this Act and persons licensed to sell liquor in  
20 any State or Territory of the Commonwealth of  
Australia, under any law for the time being in  
force in such State or Territory.”.
- (4) (a) Section 34 (2) (c)—  
Omit “persons licensed to sell liquor” where  
firstly occurring, insert instead “persons  
authorised to sell liquor”.
- 25 (b) Section 34 (2) (c)—  
Omit “In this paragraph the expression ‘persons  
licensed to sell liquor’ includes not only persons  
licensed under this Act, but also persons holding  
any permit or certificate of registration under this  
30 Act and persons licensed to sell liquor in any

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 State or Territory of the Commonwealth, under any law for the time being in force in such State or Territory.”.
- (5) (a) Section 78H (2)—
- 10 Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the holder of the permit”.
- (b) Section 78H (3A)—
- Omit “gross”.
- 15 (6) (a) Section 150A (1) (b)—
- Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club”.
- 20 (b) Section 150A (2B)—
- Omit “gross”.
- (7) (a) Section 151A (a)—
- 25 Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club for the liquor”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (b) Section 151A (c)—  
After “person”, insert “from whom delivery of  
such liquor was taken or”.
- (8) (a) Section 152H (1)—  
10 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
holder of the permit”.
- (b) Section 152H (4)—  
Omit “gross”.
- 15 (9) (a) Section 168B (1)—  
Omit “the holder of any license or permit under  
this Act or to a registered club”, insert instead  
“persons authorised to sell liquor”.
- (b) Section 168B (1) (a)—  
20 Omit “holder of a license or permit or registered  
club to whom or to which”, insert instead “person  
authorised to sell liquor to whom”.
- (c) Section 168B (1) (b)—  
25 Omit “holder of a license or permit and to each  
such registered club”, insert instead “person”.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (d) Section 168B (1) (c)—  
Omit “(including any duties) by each such holder of a license or permit and by each such registered club”, insert instead “by each such person”.
- 10 (10) Section 168C—  
Omit “holders of licenses or permits or to registered clubs”, insert instead “persons authorised to sell liquor”.
- (11) Section 168D (1)—
- 15 Omit “holders of licenses or permits issued under this Act or to registered clubs”, insert instead “persons authorised to sell liquor”.

SCHEDULE 2.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
20 APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES  
OF REGISTRATION.

- (1) (a) Section 10 (1)—  
After “license” where firstly and thirdly occurring, insert “, permit or certificate of registration”.

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SCHEDULE

*Liquor (Further Amendment).*SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## 5 (b) Section 10 (1)—

After "Part III", insert ", a permit or a certificate of registration".

## (c) Section 10 (1)—

10 Omit "every such applicant", insert instead  
 " , except in the case of an application relating to  
 a registered club or to prescribed premises as  
 defined in section 152A (1), the applicant, or in  
 15 the case of an application relating to a registered  
 club or prescribed premises as defined in section  
 152A (1), the secretary of the registered club or  
 the person nominated pursuant to section 152C  
 (2) (b) (iii), as the case may be,".

## (d) Section 10 (1)—

20 Omit "section 35", insert instead "any other  
 provision of this Act".

## (2) Section 23 (3)—

Omit the subsection.

## (3) Section 26B (1)—

25 Omit "paragraphs (d) to (g) of section 29", insert  
 instead "section 29 (1) (d) to (g)".

## (4) Section 26C (1)—

Omit "paragraphs (e) to (g) of section 29", insert  
 instead "section 29 (1) (e) to (g)".

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (5) Section 27 (2)—

Omit “paragraph (iii) of section 29”, insert instead  
“section 29 (1) (iii)”.

(6) (a) Section 29—

10 After “application” where firstly occurring, insert  
“(not being an application made by the secretary  
of a registered club for a permit under section  
57A)”.

(b) Section 29 (2), (3)—

At the end of section 29, insert :—

15 (2) The provisions of sections 140 and 141  
apply to and in respect of an application for the  
grant of a permit under subsection (1) to the  
secretary of a registered club in the same way as  
20 they apply to and in respect of an application  
for a certificate of registration of a club.

(3) An objection to the granting of an appli-  
cation for the renewal of a license or permit  
under this Part may be made notwithstanding  
that the application has not been made.

25 (7) (a) Section 30 (1)—

Omit “paragraph (d) of section 29”, insert  
instead “section 29 (1) (d)”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

- 5 (b) Section 30 (1A)—  
Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.
- (c) Section 30 (1B)—  
10 Omit “paragraph (f) of section 29”, insert  
instead “section 29 (1) (f)”.
- (d) Section 30 (4)—  
Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.
- (8) Section 31—  
15 Omit the section, insert instead :—
31. (1) Where—
- (a) the court decides to grant an application for  
a new license, it shall authorise the issue  
by the clerk of the court; or
- 20 (b) an application (being an application for the  
renewal of a license) is, pursuant to section  
35, dealt with by the court and it decides  
to grant the application, it shall authorise  
the issue by the secretary of the board,
- 25 to the applicant of a license or a renewed license in  
accordance with its decision.
- (2) The court shall record its decision in such  
manner as it thinks fit.

Issue of  
licenses.

SCHEDULE

*Liquor (Further Amendment).*SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

- 5 (9) (a) Section 32—  
Omit "by the clerk of the court".
- (b) Section 32—  
Omit "paid to him", insert instead "paid, in the  
10 case of a new license, to the clerk of the court  
or, in the case of a renewed license, to the  
secretary of the board".
- (c) Section 32—  
Omit "is paid to the clerk of the court", insert  
15 instead "has been duly paid in accordance with  
the foregoing provisions of this section".
- (10) (a) Section 34 (2) (a)—  
Omit the paragraph.  
20 (b) Section 34 (2) (b), (d)—  
Omit "paragraph (e) of section 29" wherever  
occurring, insert instead "section 29 (1) (e)".
- (11) Section 35—  
Omit the section, insert instead :—  
25 35. (1) A licensee (other than a licensee under a Renewals of  
licenses. booth license or a limited public hall license) who  
makes an application to the secretary of the board  
for the renewal of his license is entitled to obtain  
the renewal of his license unless an objection to the  
renewal of his license is upheld by the licensing court.

SCHEDULE



*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (2) An application referred to in subsection  
(1) for the renewal of a license may be granted on or  
after the first day of June next preceding the due  
date for the expiry of the license—

10 (a) by the secretary of the board if there has  
not, on or before the thirty-first day of May  
next preceding the due date for the expiry  
of the license, been lodged with him, as  
referred to in section 167 (4), a copy of  
15 any notice of objection to the renewal of  
the license; or

(b) by the licensing court if the secretary of  
the board has not granted the application  
pursuant to paragraph (a).

20 (3) Notwithstanding section 10, a licensee  
need not attend in person before the court on an  
application for the renewal of his license to which  
objection has been taken unless notice of the objection  
was served on the licensee on or before the thirty-first  
25 day of May next preceding the due date for the expiry  
of the license.

(12) (a) Section 36 (1)—

Omit the subsection.

(b) Section 36 (2)—

30 Omit “application for the renewal of a license  
has been made by a licensee who has complied  
with the requirements of subsection (1) and the

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 application has not been heard and determined  
by the court”, insert instead “an application for  
the renewal of a license has not been granted”.

(c) Section 36 (2)—

10 Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

(13) Section 38 (2) (a)—

Omit “and section 36”.

(14) (a) Section 57A (1)—

15 Omit “, but may be renewed from time to time  
by a further grant”.

(b) Section 57A (1A), (1B), (1C), (1D)—

After section 57A (1), insert :—

20 (1A) The holder of any such permit who  
makes application to the secretary of the board  
for the renewal of the permit is entitled to obtain  
the renewal of the permit unless an objection to  
the renewal of the permit or the renewal of the  
license or certificate of registration held by that  
holder is upheld by the licensing court.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (1B) An application for the renewal of any  
such permit may be granted on or after the first  
day of June next preceding the due date for the  
expiry of the permit—

10 (a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the permit, been  
lodged with him, as referred to in  
15 section 167 (4), a copy of any notice  
of objection to the renewal of the  
permit or, as the case may be, the  
license or certificate of registration; or

20 (b) by the licensing court if the secretary  
of the board has not granted the  
application pursuant to paragraph (a).

(1C) Notwithstanding section 10, the holder  
of any such permit need not attend in person  
before the court on the application for the  
renewal of his permit to which objection has  
25 been taken unless notice of the objection was  
served on the holder on or before the thirty-first  
day of May next preceding the due date for the  
expiry of the permit.

30 (1D) The provisions of sections 139, 140 and  
141 apply to and in respect of a permit (being a  
permit held by the secretary of a registered club)  
under subsection (1) and the holder thereof in  
the same way as the provisions of those sections  
35 apply to and in respect of a certificate of registra-  
tion of a registered club and the secretary of a  
registered club.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (15) (a) Section 57C (2)—

Omit “, but may be renewed from time to time  
by a further grant”.

(b) Section 57C (2A), (2B), (2C)—

After section 57C (2), insert :—

10

(2A) The holder of any such permit who  
makes application to the secretary of the board  
for the renewal of the permit is entitled to obtain  
the renewal of the permit unless an objection to  
the renewal of the permit or the renewal of the  
15 license held by that holder is upheld by the  
licensing court.

15

(2B) An application for the renewal of any  
such permit may be granted on or after the first  
day of June next preceding the due date for the  
20 expiry of the permit—

20

(a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the permit, been  
25 lodged with him, as referred to in sec-  
tion 167 (4), a copy of any notice of  
objection to the renewal of the permit  
or the license; or

25

(b) by the licensing court if the secretary  
of the board has not granted the appli-  
30 cation pursuant to paragraph (a).

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SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (2c) Notwithstanding section 10, the holder  
of any such permit need not attend in person  
before the court on the application for the  
renewal of his permit to which objection has been  
taken unless notice of the objection was served  
10 on the holder on or before the thirty-first day of  
May next preceding the due date for the expiry  
of the permit.

(16) (a) Section 78F (2) (a)—

15 Omit “paragraph (e)”, insert instead “subsection  
(1) (e) thereof”.

(b) Section 78F (2) (b)—

After “omitting”, insert “from subsection (1)  
thereof”.

(c) Section 78F (3)—

20 Omit “paragraph (f) of section 29”, insert in-  
stead “section 29 (1) (f)”.

(17) (a) Section 78G (1)—

25 Omit “If the court decides to grant the applica-  
tion it shall authorise the issue by the clerk of  
the court to the applicant of a permit”, insert  
instead :—

Where—

30 (a) the court decides to grant an applica-  
tion for a new permit, it shall authorise  
the issue by the clerk of the court; or

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) an application (being an application  
for the renewal of a permit) is, pur-  
suant to section 35, as applied by sec-  
tion 78I, dealt with by the court and  
10 it decides to grant the application, it  
shall authorise the issue by the secre-  
tary of the board,

to the applicant of a permit or a renewed permit

(b) Section 78G (1)—

15 After “authorise the clerk of the court”, insert  
“or the secretary of the board, as the case may  
be.”.

(c) Section 78G (2)—

20 Omit “by the clerk of the court nor shall he  
endorse any permit unless the fee payable in  
respect thereof has been paid to him”, insert  
instead “nor shall any permit be endorsed under  
this Act unless the fee payable in respect thereof  
has been paid to the clerk of the court or the  
secretary of the board, as the case may be”.

25 (18) (a) Section 131—

Omit “fails to give notice as prescribed in section  
36 of his intention to apply for a renewal of his  
license or, having given such notice, fails to apply  
30 in pursuance thereof”, insert instead “fails to  
apply for the renewal of his license”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) Section 131—

Omit “to give notice or”.

(19) (a) Section 137 (1)—

10 Omit “at least ten days before applying for such  
renewal”, insert instead “on or before the due  
date for the expiry thereof”.

(b) Section 137 (1)—

Omit “clerk of the licensing court for the licens-  
ing district in which the premises of the club are  
situate”, insert instead “secretary of the board”.

15 (c) Section 137 (3)—

Omit the subsection, insert instead :—

20 (3) The application may, if in the circum-  
stances the licensing court or the secretary of  
the board, as the case may be, thinks it reason-  
able so to do, be dealt with under section 139  
notwithstanding that the prescribed notice was  
not delivered to the secretary of the board on or  
before the due date for the expiry of the certifi-  
cate of registration.

25 (d) Section 137 (4)—

Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (20) Section 138 (1)—

After "Part", insert "for the grant of a certificate of registration of a club".

(21) (a) Section 139 (1)—

10 Omit "Subject to subsection (2) where applica-  
tion is made for the grant or renewal of a certifi-  
cate of registration of a club", insert instead  
"Where an application is made for the grant of  
15 a certificate of registration of a club or where an  
application for the renewal of such a certificate  
may, under subsection (2), be granted only by  
the licensing court,".

(b) Section 139 (2), (2A)—

Omit section 139 (2), insert instead :—

20 (2) An application for the renewal of a cer-  
tificate of registration of a club may be granted  
on or after the first day of June next preceding  
the due date for the expiry of the certificate—

25 (a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the certificate of  
registration, been lodged with him, as  
referred to in section 167 (4), a copy  
of any notice of objection to the  
30 renewal of the certificate; or



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) by the licensing court if the secretary  
of the board has not granted the  
application pursuant to paragraph (a).

10 (2A) Notwithstanding section 10, the secre-  
tary of a registered club need not attend in person  
before the court on an application for the renewal  
of the club's certificate of registration to which  
objection has been taken unless notice of the  
objection was served on the secretary on or  
15 before the thirty-first day of May next preceding  
the due date for the expiry of the certificate of  
registration.

(22) Section 140 (4)—

After section 140 (3), insert :—

20 (4) An objection to the renewal of a certificate  
of registration may be made notwithstanding that an  
application for the renewal has not been made.

(23) Section 146—

Omit the section.

(24) Section 150A (4)—

25 Omit the subsection.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (25) (a) Section 152E (1)—

After “grant”, insert “or renewal”.

(b) Section 152E (1)—

After “application for”, insert “the grant or  
renewal of”.

10 (c) Section 152E (4)—

After section 152E (3), insert :—

(4) An objection to the granting of an appli-  
cation for the renewal of a permit may be made  
notwithstanding that the application has not been  
made.

(26) (a) Section 152G (2)—

Omit “clerk of the court”, insert instead  
“secretary of the board”.

(b) Section 152G (3) (b)—

20 Omit the paragraph.

(d) Section 137 (4)—

After “by the” where firstly occurring, insert “secretary  
of the board or”.

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (28) Section 167 (4), (5), (6)—

Omit section 167 (4), insert instead :—

(4) No objection shall be heard—

10 (a) against any application (other than an  
application for the renewal of a license,  
permit or certificate of registration) unless  
notice of the objection, signed by each  
objector, has been given to the clerk of the  
licensing court and to the applicant at least  
15 three clear days before the time appointed  
for the hearing of the application to which  
the notice applies; or

20 (b) against an application for the renewal of a  
license, permit or certificate of registration  
unless notice of the objection, signed by  
each objector, has been given to the clerk  
of the licensing court, to the secretary of  
the board and to the applicant on or before  
25 the thirty-first day of May next preceding  
the due date for the expiry of the license,  
permit or certificate.

(5) Nothing in—

30 (a) subsection (4) (a) prevents the licensing  
court from hearing any objection, against  
an application referred to in subsection (4)  
(a), that may arise during the hearing of an  
application if the applicant is given notice  
of the objection and if the hearing of the  
application is adjourned, where the

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION—*continued.*

5 applicant so requests, for such period, not being less than three clear days, as the court thinks fit; or

10 (b) subsection (4) (b) prevents the licensing court from hearing any objection against an application referred to in subsection (4) (b) if the application has not been granted under this Act by the secretary of the board.

15 (6) The clerk of the court shall, forthwith after its receipt by him, forward every notice of objection received by him otherwise than from the inspector to the inspector for inquiry and report.

(29) Section 170 (2)—

Omit "clerk of the licensing court", insert instead "secretary of the board".

20

SCHEDULE 3.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

(1) Section 23B—

25 Before Division 3 of Part III, insert :—

23B. (1) The person by whom the license fee for the renewal of any license is payable may, by notice in writing given to the person to whom the license

Postpone-  
ment of  
payment  
of part of  
license fee.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 fee is payable and on or before the date (in this section  
referred to as “the due date”), being the twentieth day  
of June next preceding the date of expiry of the  
license, elect to postpone payment of so much of  
10 the license fee as is an amount (in this section referred  
to as “the postponed amount”) equal to—
- (a) where the license fee is exactly an even  
number of dollars—one-half of the license  
fee; or
  - (b) where the license fee is not exactly an even  
15 number of dollars—one-half of the highest  
even number of dollars next below the  
license fee.
- (2) A person who makes an election referred  
to in subsection (1)—
- 20 (a) is, if on or before the due date he pays the  
license fee less the postponed amount to the  
person to whom the license fee is payable,  
entitled to postpone payment of the post-  
25 poned amount until the thirtieth day of  
November next following the due date; and
  - (b) if, on that day, he has not paid the difference  
between the license fee, as originally fixed  
or as reassessed, as the case may be, and  
30 the portion of the license fee paid by him  
on or before the due date, ceases, until he  
pays that difference, to be a person  
authorised to sell liquor by the license,  
permit or certificate in respect of which the  
license fee was fixed or reassessed.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 (3) Where a person has made an election referred to in subsection (1) in respect of the license fee payable for the renewal of a license—
- 10 (a) a reference in section 23 (6) (a) to the difference between the reassessed license fee and the original license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of making a refund in relation to the original license fee to which the election relates, as a reference to the
- 15 difference between the portion of the original license fee paid by that person on or before the due date and the portion that would have been payable by him on or before that
- 20 date had the reassessed license fee been the original license fee ;
- 25 (b) a reference in section 23 (6) (b) or (c) to the difference between the original license fee and the reassessed license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of determining the liability of any person referred to in section
- 30 23 (6) (b) or (c) in relation to the original license fee to which the election relates, as a reference to the difference between the portion that would have been payable by
- 35 that person on or before the due date had

SCHEDULE

---

*Liquor (Further Amendment).*

---

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5                   the reassessed license fee been the original  
license fee and the portion of the original  
license fee paid by him on or before the due  
date;

10                   (c) section 32 shall be construed as if after the  
words "the fee payable" wherever occurring  
there were inserted the words ", less the  
postponed amount referred to in section  
23B,";

(d) section 36 (2) shall be construed as if—

15                   (i) after the words "equal to the fee"  
there were inserted the words ", less  
the postponed amount referred to in  
section 23B,"; and

20                   (ii) the words "proportion to the sum so  
lodged as that period bears to one  
year and shall refund the balance to  
the applicant." were omitted there-  
from and there were inserted instead  
the following :—

25                   proportion—

30                   (a) where the decision of the  
licensing court is given  
before the postponed  
amount referred to in sec-  
tion 23B has been paid—  
to the sum so lodged as  
that period bears to six  
months; or

SCHEDULE

Liquor (Further Amendment).

SCHEDULE 3—continued.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS—continued.

5 (b) where that decision is  
 given after that postponed  
 amount has been paid—  
 to the aggregate of the  
 sum so lodged and that  
 10 postponed amount as that  
 period bears to one year,  
 and shall refund the balance to  
 the applicant.

(e) section 170 (2) shall be construed—

15 (i) as if the words “sum equal to the  
 fee payable for renewal of the  
 license, together with a further sum  
 of forty dollars as security for  
 costs.” were omitted therefrom and  
 20 there were inserted instead the fol-  
 lowing :—

sum—

25 (a) where the notice of inten-  
 tion to appeal is lodged  
 before the thirtieth day of  
 November next following  
 the expiry of the license  
 —equal to the fee, less  
 the postponed amount refer-  
 30 rred to in section 23B,  
 that is payable for the  
 renewal of the license;  
 and

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5 (b) where the notice of intention to appeal is lodged on or after that day—equal to the fee that is so payable,

10 together with a further sum of \$40 as security for costs.

and

15 (ii) as if after the words “proportionate part of the license fee” there were inserted the words “or proportionate part of the license fee, less the postponed amount referred to in section 23B, as the case may require,”.

(2) Section 150A (9), (10)—

20 After section 150A (8), insert :—

(9) The provisions of section 23B (1) and (2) apply to and in respect of fees payable for the renewal of a certificate of registration of a club as if a reference in those provisions to a license fee were a reference  
25 to a fee for a certificate of registration.

(10) Where a registered club has made an election referred to in section 23B (1), as applied by subsection (9), in respect of the fee payable for the renewal of its certificate of registration—

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5           (a) the reference in subsection (6) (a) to the  
            difference between the reassessed fee and  
            the original fee shall, if the reassessment of  
            the original fee was made before the  
10           thirtieth day of November next following  
            the due date referred to in section 23B (1),  
            be construed, for the purpose of making a  
            refund in relation to the original fee to  
            which the election relates, as a reference  
15           to the difference between the portion of the  
            original fee paid by that person on or before  
            the due date and the portion that would  
            have been payable by him on or before that  
            date had the reassessed fee been the original  
            fee; and
- 20           (b) a reference in subsection (6) (b) to the  
            difference between the original fee and the  
            reassessed fee shall, if the reassessment of  
            the original fee was made before the  
25           thirtieth day of November next following  
            the due date referred to in section 23B (1),  
            be construed, for the purpose of determining  
            the liability of the registered club, under  
            subsection (6) (b), in relation to the  
30           original fee to which the election relates, as  
            a reference to the difference between the  
            portion that would have been payable by  
            that person on or before the due date had  
            the reassessed fee been the original fee and  
35           the portion of the original fee paid by him  
            on or before the due date.

SCHEDULE

---

*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5 (3) (a) Section 152H (3)—

10 Omit “is final and conclusive unless, in its absolute discretion, it re-assesses the amount in which case its re-assessment is final and conclusive”, insert instead “, subject to subsection (5), is final and conclusive”.

(b) Section 152H (5)—

Omit the subsection, insert instead :—

15 (5) The provisions of section 23 (2), (4), (5), (6), (7) and (8) and of section 23B (1) and (2) apply to and in respect of fees payable for, or for the renewal of, a permit and the fixing and reassessment thereof—

20 (a) as if a reference in those provisions to a license fee were a reference to the fee for a permit;

25 (b) as if, where an election referred to in section 23B (1) is made by the holder of a permit, the provisions of section 23 (6) (a), (b) and (c) were required to be construed in the manner provided by section 23B (3) (a) and (b) with respect to the fee paid or payable for the renewal of that permit; and

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 (c) as if a reference in section 23 (8) to  
a license were a reference to a permit.

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SCHEDULE 4.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
10 CLUB.

- (1) Section 134A (4) (a)—  
After “subsection (2)”, insert “or (3)”.

- (2) Section 134A (4) (a)—

Omit :—

- 15 Any application under this paragraph shall be made  
within three years from the date of commencement  
of the Liquor (Amendment) Act, 1969, or such  
further time as the licensing court may in special  
circumstances allow.

- 20 Where a club has made an application under this  
paragraph it shall not be entitled to make any further  
application under this paragraph.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 4—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A  
REGISTERED CLUB—*continued.*

5 (3) Section 134A (4) (b) (iii)—

Omit “of the commencement of the Liquor (Amendment) Act, 1969,” insert instead “on which the hearing of the application commenced”.

(4) Section 134A (4) (b) (iv)—

10 Omit the subparagraph.

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SCHEDULE 5.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE.

15 (1) (a) Section 135 (1) (hi)—

Omit the paragraph, insert instead :—

20 (hi) no person under such age (not being less than eighteen years of age) as may be specified in the rules of the club shall use or operate or be allowed to use or operate poker machines in the club premises;

(b) Section 135 (1)—

25 Omit “Provided further that a club shall not admit members in accordance with paragraph (i) under the age of twenty-one years unless the members proposing and seconding the admission of such members have attained the age of twenty-one years.”.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 5—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE—*continued.*

5 (2) Section 149A—

Omit "Except in the case of a person who has attained  
the age of eighteen years and has served outside  
Australia as a member of the armed forces of the  
Commonwealth, any person under twenty-one years",  
10 insert instead "A person under eighteen years".

(3) Section 149B (1)—

Omit "twenty-one", insert instead "eighteen".

SCHEDULE 6.

Sec. 3.

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

15 (1) Section 15A—

After "liquor", insert ", subject to any conditions and  
provisions imposed on the grant of the license,".

(2) Section 23A—

After section 23, insert :—

20 23A. Any condition or provision imposed by the court on the grant of a license or a permit under  
section 57A or 57C—

Conditions  
and pro-  
visions  
attached  
to certain  
licenses  
and  
permits.

(a) shall attach to any renewal of the license or  
permit; and

25 (b) may be revoked or varied on application  
made to the court by the licensee or holder  
of the permit or by an inspector.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT,  
1912—*continued.*

(3) (a) Section 57A (1)—

5 Omit “the purposes for which such permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

(b) Section 57A (2)—

10 Omit “prescribed by”, insert instead “and provisions referred to in”.

(c) Section 57A (2A)—

After “conditions”, insert “and provisions”.

(d) Section 57A (2A) (a)—

Omit “and”.

15 (e) Section 57A (2A) (b)—

Omit “premises” where lastly occurring, insert instead “premises; and”.

(f) Section 57A (2A) (c)—

After section 57A (2A) (b), insert :—

20 (c) such other conditions and provisions as are imposed by the court on the grant of the permit.

(4) (a) Section 57C (1)—

25 After “section”, insert “but subject to such conditions and provisions as are imposed by the court on the grant of the permit”.

SCHEDULE

---

*Liquor (Further Amendment).*

---

SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

(b) Section 57c (1)—

- 5 Omit “the purposes for which the permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

(c) Section 57c (3)—

- 10 After “in force”, insert “, in accordance with any conditions and provisions imposed by the court on the grant of the permit,”.

(5) Section 69 (1)—

Omit “two gallons”, insert instead “nine litres”.

(6) (a) Section 125 (3), (4)—

- 15 Omit “whatever under this Act, or any permit under Part IIIA” wherever occurring, insert instead “, permit or certificate of registration under this Act”.

(b) Section 125 (5), (6)—

- 20 After section 125 (4), insert :—

(5) In subsection (4), “conduct” includes a breach of a condition or provision imposed by the court on the grant of a license.



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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

5 (6) Subsections (1), (2) and (4) apply so  
as to enable a complaint in respect of conduct,  
being a breach of a condition or provision im-  
posed by the court on the grant of a permit  
under section 57A to a registered club, to be  
made and dealt with as if, in those subsections  
10 and in section 123, as applied by subsection (2)  
to a complaint referred to in subsection (1), a  
reference—

- (a) to a licensee were a reference to the  
secretary of that club; and
- 15 (b) to a license (except the reference to a  
license lastly occurring in subsection  
(4)) were a reference to a certificate  
of registration.

(7) (a) Section 133 (1)—

20 Omit “and Part VIII”, insert instead “, Part  
VIII and section 131”.

(b) Section 133 (1)—

At the end of the subsection, insert :—

25 In applying section 131, the reference in that  
section to a license fee shall be construed as a  
reference to a fee for a certificate of registration.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

- (8) Section 152o—  
5 Omit “and 63”, insert instead “, 63 and 131”.
- (9) Section 170 (5) (a)—  
After “club,” where secondly occurring, insert “or an  
application for a permission under section 51B,”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

[48c]

Act No. 1976

Liquor (Amendment)

THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW SOUTH WALES  
and with the assent and consent of the Legislative  
Council and the concurrence of the majority of the members  
of the majority of the members of the House, has  
enacted as follows:—

1. This Act may be cited as the Liquor (Amendment)  
Act, 1976.

2. This Act shall be known as the Liquor (Amendment)  
Act, 1976.

No. , 1976.

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# A BILL

To amend the Liquor Act, 1912.

[MR MULOCK—16 November, 1976.]

---

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BE

*Liquor (Further Amendment).*

**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 (Further Short title. Amendment) Act, 1976".

2. This Act contains the following Schedules :— Schedules.

10 SCHEDULE 1.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

SCHEDULE 2.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION.

15 SCHEDULE 3.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

20 SCHEDULE 4.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED CLUB.

SCHEDULE 5.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE STATUS IN REGISTERED CLUBS OF PERSONS OVER 18 YEARS OF AGE.

25 SCHEDULE 6.—MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

3. The Liquor Act, 1912, is amended in the manner set forth in Schedules 1-6. Amendment of Act No. 42, 1912.

*Liquor (Further Amendment).*

4. Any undertaking recorded—

- (a) by the clerk of the licensing court on a spirit merchant's license or on a permit under section 57A or 57C of the Liquor Act, 1912, granted or renewed before the commencement of this Act; or
- (b) in the records kept by the licensing court in respect of the granting or renewal before that commencement of any such license or permit,

Under-  
takings  
given on  
grant of  
spirit  
merchants'  
licenses  
and permits  
under  
section 57A  
or 57C of  
the Liquor  
Act, 1912.

shall, for the purposes of sections 23A and 125 of the Liquor Act, 1912, as amended by this Act, be deemed to be a condition or provision imposed by the licensing court on the grant of the license or permit.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

- (1) (a) Section 3, definition of "Persons authorised to sell liquor"—

After the definition of "Near relative or connection", insert :—

"Persons authorised to sell liquor" means licensees and holders of permits or certificates of registration under this Act and includes persons authorised to sell liquor by the law of any other State or any Territory of the Commonwealth.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 (b) Section 3 (2), (3)—

At the end of section 3, insert :—

(2) A reference in this Act to the amount paid or payable by or on behalf of any person for any liquor is a reference—

10 (a) except as provided in paragraph (b), to the sum of—

(i) the amount paid or payable by or on behalf of that person for that liquor;

15 (ii) any amount paid or payable by or on behalf of that person for or for the hiring of any containers or packages (including corks, stoppers and labels attached thereto) in which that liquor is contained or packed when it is delivered to or purchased by or on behalf of that person or is to be contained or packed for sale or disposal by or on behalf of that person (whether or not any such amount is paid or payable to the supplier of that liquor);

20  
25  
30 (iii) any amount paid or payable for the packing or for the handling of that liquor and any such containers or packages or for putting it or them into the

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 state in which it is or they are  
when it is or they are delivered  
to or purchased by or on be-  
half of that person (whether or  
not any such amount is paid or  
10 payable to the supplier of that  
liquor);
- (iv) any amount paid or payable by  
or on behalf of that person as  
15 freight or other delivery  
charges in respect of the  
delivery of that liquor, being  
an amount so paid or payable  
to the supplier of that liquor  
but not being an amount so  
20 paid or payable to that sup-  
plier as reimbursement for  
those freight or delivery  
charges if those freight or  
delivery charges are paid or  
25 payable by that supplier to a  
common carrier; and
- (v) any amount paid or payable for  
duties or sales tax in respect of  
that liquor; or
- 30 (b) where the board is of the opinion that  
any amount paid or payable for any  
thing or for the doing of any thing  
referred to in paragraph (a) (i), (ii),  
(iii) or (iv) is less than the value of  
35 that thing or of the doing of that thing,

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 as the case may be, such amount as  
is determined by the board having re-  
gard to the circumstances in which  
that liquor was delivered to or pur-  
chased by or on behalf of that person.

10 (3) A reference in this Act to any amount  
paid or payable by or on behalf of any person  
for any liquor includes any amount paid or  
payable by any other person for the acquisition  
15 of that liquor for sale, supply or disposal by  
that firstmentioned person.

(2) (a) Section 21 (1) (b)—

20 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert  
instead “amount paid or payable by or on behalf  
of the licensee”.

(b) Section 21 (1) (b)—

Omit “other licensed persons”, insert instead  
“other persons authorised to sell liquor”.

(c) Section 21 (1) (d)—

25 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable by”, insert  
instead “amount paid or payable by or on behalf  
of”.

SCHEDULE



*Liquor (Further Amendment).*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (d) Section 21 (1) (d)—  
Omit “persons licensed to sell liquor” where  
firstly occurring, insert instead “persons  
authorised to sell liquor”.
- 10 (e) Section 21 (1) (d)—  
Omit “In this paragraph the expression ‘persons  
licensed to sell liquor’ includes not only persons  
licensed under this Act but also persons licensed  
to sell liquor in any State or Territory of the  
15 Commonwealth of Australia, under any law for  
the time being in force in such State or  
Territory.”.
- (f) Section 21 (1) (g)—  
Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
20 “amount paid or payable by or on behalf of the  
licensee”.
- (g) Section 21 (1) (i)—  
Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
25 “amount paid or payable by or on behalf of the  
licensee”.
- (h) Section 21 (1) (l)—  
Omit “gross amount (including any duties and  
sales tax thereon) paid or payable by”, insert  
30 instead “amount paid or payable by or on behalf  
of”.

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (i) Section 21 (1) (n)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.
- 10 (j) Section 21 (1) (q)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.
- 15 (k) Section 21 (1A)—  
Omit “gross”.
- (l) Section 21 (1A)—  
Omit “(g), (i), (l) and (n)”, insert instead “(d), (g), (i), (l), (n) and (q)”.
- 20 (3) (a) Section 22 (1) (a)—  
Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable therefor”.
- (b) Section 22 (1) (c)—  
25 After “person”, insert “from whom delivery of such liquor was taken or”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 (c) Section 22 (2)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(d) Section 22 (2)—

10 Omit “, including any duties and sales tax thereon,”.

(e) Section 22 (2)—

15 Omit “In this subsection the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act, but also persons holding any permit or certificate of registration under this Act and persons licensed to sell liquor in any State or Territory of the Commonwealth of Australia, under any law for the time being in  
20 force in such State or Territory.”.

(4) (a) Section 34 (2) (c)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

25 (b) Section 34 (2) (c)—

Omit “In this paragraph the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act, but also persons holding any permit or certificate of registration under this  
30 Act and persons licensed to sell liquor in any

*Liquor (Further Amendment).*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 State or Territory of the Commonwealth, under any law for the time being in force in such State or Territory.”.
- (5) (a) Section 78H (2)—  
10 Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the holder of the permit”.
- (b) Section 78H (3A)—  
Omit “gross”.
- 15 (6) (a) Section 150A (1) (b)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club”.
- 20 (b) Section 150A (2B)—  
Omit “gross”.
- (7) (a) Section 151A (a)—  
25 Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club for the liquor”.

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (b) Section 151A (c)—  
After “person”, insert “from whom delivery of  
such liquor was taken or”.
- (8) (a) Section 152H (1)—  
10 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
holder of the permit”.
- (b) Section 152H (4)—  
Omit “gross”.
- 15 (9) (a) Section 168B (1)—  
Omit “the holder of any license or permit under  
this Act or to a registered club”, insert instead  
“persons authorised to sell liquor”.
- (b) Section 168B (1) (a)—  
20 Omit “holder of a license or permit or registered  
club to whom or to which”, insert instead “person  
authorised to sell liquor to whom”.
- (c) Section 168B (1) (b)—  
25 Omit “holder of a license or permit and to each  
such registered club”, insert instead “person”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 (d) Section 168B (1) (c)—  
Omit “(including any duties) by each such holder of a license or permit and by each such registered club”, insert instead “by each such person”.

10 (10) Section 168c—  
Omit “holders of licenses or permits or to registered clubs”, insert instead “persons authorised to sell liquor”.

(11) Section 168D (1)—

15 Omit “holders of licenses or permits issued under this Act or to registered clubs”, insert instead “persons authorised to sell liquor”.

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SCHEDULE 2.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
20 APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES  
OF REGISTRATION.

(1) (a) Section 10 (1)—

After “license” where first and thirdly occurring,  
insert “, permit or certificate of registration”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) Section 10 (1)—

After “Part III”, insert “, a permit or a certificate  
of registration”.

(c) Section 10 (1)—

10 Omit “every such applicant”, insert instead  
“, except in the case of an application relating to  
a registered club or to prescribed premises as  
defined in section 152A (1), the applicant, or in  
15 the case of an application relating to a registered  
club or prescribed premises as defined in section  
152A (1), the secretary of the registered club or  
the person nominated pursuant to section 152C  
(2) (b) (iii), as the case may be,”.

(d) Section 10 (1)—

20 Omit “section 35”, insert instead “any other  
provision of this Act”.

(2) Section 23 (3)—

Omit the subsection.

(3) Section 26B (1)—

25 Omit “paragraphs (d) to (g) of section 29”, insert  
instead “section 29 (1) (d) to (g)”.

(4) Section 26c (1)—

Omit “paragraphs (e) to (g) of section 29”, insert  
instead “section 29 (1) (e) to (g)”.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (5) Section 27 (2)—

Omit “paragraph (iii) of section 29”, insert instead  
“section 29 (1) (iii)”.

(6) (a) Section 29—

10 After “application” where firstly occurring, insert  
“(not being an application made by the secretary  
of a registered club for a permit under section  
57A)”.

(b) Section 29 (2), (3)—

At the end of section 29, insert :—

15 (2) The provisions of sections 140 and 141  
apply to and in respect of an application for the  
grant of a permit under subsection (1) to the  
secretary of a registered club in the same way as  
20 they apply to and in respect of an application  
for a certificate of registration of a club.

(3) An objection to the granting of an appli-  
cation for the renewal of a license or permit  
under this Part may be made notwithstanding  
that the application has not been made.

25 (7) (a) Section 30 (1)—

Omit “paragraph (d) of section 29”, insert  
instead “section 29 (1) (d)”.

SCHEDULE



*Liquor (Further Amendment).*SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) Section 30 (1A)—  
Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.

(c) Section 30 (1B)—  
Omit “paragraph (f) of section 29”, insert  
10 instead “section 29 (1) (f)”.

(d) Section 30 (4)—  
Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.

(8) Section 31—

15 Omit the section, insert instead :—

31. (1) Where—

- (a) the court decides to grant an application for  
a new license, it shall authorise the issue  
by the clerk of the court; or
- 20 (b) an application (being an application for the  
renewal of a license) is, pursuant to section  
35, dealt with by the court and it decides  
to grant the application, it shall authorise  
the issue by the secretary of the board,
- 25 to the applicant of a license or a renewed license in  
accordance with its decision.

(2) The court shall record its decision in such  
manner as it thinks fit.

SCHEDULE

*Liquor (Further Amendment).*SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## 5 (9) (a) Section 32—

Omit "by the clerk of the court".

## (b) Section 32—

10 Omit "paid to him", insert instead "paid, in the  
case of a new license, to the clerk of the court  
or, in the case of a renewed license, to the  
secretary of the board".

## (c) Section 32—

15 Omit "is paid to the clerk of the court", insert  
instead "has been duly paid in accordance with  
the foregoing provisions of this section".

## (10) (a) Section 34 (2) (a)—

Omit the paragraph.

## (b) Section 34 (2) (b), (d)—

20 Omit "paragraph (e) of section 29" wherever  
occurring, insert instead "section 29 (1) (e)".

## (11) Section 35—

Omit the section, insert instead :—

25 35. (1) A licensee (other than a licensee under a <sup>Renewals of</sup>  
booth license or a limited public hall license) who licenses.  
makes an application to the secretary of the board  
for the renewal of his license is entitled to obtain  
the renewal of his license unless an objection to the  
renewal of his license is upheld by the licensing court.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

- 5           (2) An application referred to in subsection  
      (1) for the renewal of a license may be granted on or  
      after the first day of June next preceding the due  
      date for the expiry of the license—
- 10           (a) by the secretary of the board if there has  
      not, on or before the thirty-first day of May  
      next preceding the due date for the expiry  
      of the license, been lodged with him, as  
      referred to in section 167 (4), a copy of  
15       any notice of objection to the renewal of  
      the license; or
- (b) by the licensing court if the secretary of  
      the board has not granted the application  
      pursuant to paragraph (a).
- 20           (3) Notwithstanding section 10, a licensee  
      need not attend in person before the court on an  
      application for the renewal of his license to which  
      objection has been taken unless notice of the objection  
      was served on the licensee on or before the thirty-first  
25       day of May next preceding the due date for the expiry  
      of the license.
- (12) (a) Section 36 (1)—  
      Omit the subsection.
- (b) Section 36 (2)—  
30       Omit “application for the renewal of a license  
      has been made by a licensee who has complied  
      with the requirements of subsection (1) and the

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 application has not been heard and determined  
by the court”, insert instead “an application for  
the renewal of a license has not been granted”.

(c) Section 36 (2)—

10 Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

(13) Section 38 (2) (a)—

Omit “and section 36”.

(14) (a) Section 57A (1)—

15 Omit “, but may be renewed from time to time  
by a further grant”.

(b) Section 57A (1A), (1B), (1C), (1D)—

After section 57A (1), insert :—

20 (1A) The holder of any such permit who  
makes application to the secretary of the board  
for the renewal of the permit is entitled to obtain  
the renewal of the permit unless an objection to  
the renewal of the permit or the renewal of the  
license or certificate of registration held by that  
holder is upheld by the licensing court.

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (1B) An application for the renewal of any  
such permit may be granted on or after the first  
day of June next preceding the due date for the  
expiry of the permit—

10 (a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the permit, been  
lodged with him, as referred to in  
15 section 167 (4), a copy of any notice  
of objection to the renewal of the  
permit or, as the case may be, the  
license or certificate of registration; or

20 (b) by the licensing court if the secretary  
of the board has not granted the  
application pursuant to paragraph (a).

25 (1C) Notwithstanding section 10, the holder  
of any such permit need not attend in person  
before the court on the application for the  
renewal of his permit to which objection has  
been taken unless notice of the objection was  
served on the holder on or before the thirty-first  
day of May next preceding the due date for the  
expiry of the permit.

30 (1D) The provisions of sections 139, 140 and  
141 apply to and in respect of a permit (being a  
permit held by the secretary of a registered club)  
under subsection (1) and the holder thereof in  
the same way as the provisions of those sections  
35 apply to and in respect of a certificate of registra-  
tion of a registered club and the secretary of a  
registered club.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (15) (a) Section 57C (2)—

Omit “, but may be renewed from time to time  
by a further grant”.

(b) Section 57C (2A), (2B), (2C)—

After section 57C (2), insert :—

10

(2A) The holder of any such permit who  
makes application to the secretary of the board  
for the renewal of the permit is entitled to obtain  
the renewal of the permit unless an objection to  
the renewal of the permit or the renewal of the  
license held by that holder is upheld by the  
licensing court.

15

20

(2B) An application for the renewal of any  
such permit may be granted on or after the first  
day of June next preceding the due date for the  
expiry of the permit—

25

(a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the permit, been  
lodged with him, as referred to in sec-  
tion 167 (4), a copy of any notice of  
objection to the renewal of the permit  
or the license; or

30

(b) by the licensing court if the secretary  
of the board has not granted the appli-  
cation pursuant to paragraph (a).

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5                   (2c) Notwithstanding section 10, the holder  
of any such permit need not attend in person  
before the court on the application for the  
renewal of his permit to which objection has been  
10                   taken unless notice of the objection was served  
on the holder on or before the thirty-first day of  
May next preceding the due date for the expiry  
of the permit.

(16) (a) Section 78F (2) (a)—  
15                   Omit “paragraph (e)”, insert instead “subsection  
(1) (e) thereof”.

(b) Section 78F (2) (b)—  
After “omitting”, insert “from subsection (1)  
thereof”.

(c) Section 78F (3)—  
20                   Omit “paragraph (f) of section 29”, insert in-  
stead “section 29 (1) (f)”.

(17) (a) Section 78G (1)—  
25                   Omit “If the court decides to grant the applica-  
tion it shall authorise the issue by the clerk of  
the court to the applicant of a permit”, insert  
instead :—

Where—

(a) the court decides to grant an applica-  
30                   tion for a new permit, it shall authorise  
the issue by the clerk of the court; or

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) an application (being an application  
for the renewal of a permit) is, pur-  
suant to section 35, as applied by sec-  
tion 78I, dealt with by the court and  
10 it decides to grant the application, it  
shall authorise the issue by the secre-  
tary of the board,

to the applicant of a permit or a renewed permit

(b) Section 78G (1)—

15 After “authorise the clerk of the court”, insert  
“or the secretary of the board, as the case may  
be.”.

(c) Section 78G (2)—

20 Omit “by the clerk of the court nor shall he  
endorse any permit unless the fee payable in  
respect thereof has been paid to him”, insert  
instead “nor shall any permit be endorsed under  
this Act unless the fee payable in respect thereof  
has been paid to the clerk of the court or the  
secretary of the board, as the case may be”.

25 (18) (a) Section 131—

30 Omit “fails to give notice as prescribed in section  
36 of his intention to apply for a renewal of his  
license or, having given such notice, fails to apply  
in pursuance thereof”, insert instead “fails to  
apply for the renewal of his license”.



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

- 5 (b) Section 131—  
Omit “to give notice or”.
- (19) (a) Section 137 (1)—  
Omit “at least ten days before applying for such  
10 renewal”, insert instead “on or before the due  
date for the expiry thereof”.
- (b) Section 137 (1)—  
Omit “clerk of the licensing court for the licens-  
ing district in which the premises of the club are  
situate”, insert instead “secretary of the board”.
- 15 (c) Section 137 (3)—  
Omit the subsection, insert instead :—  
(3) The application may, if in the circum-  
stances the licensing court or the secretary of  
the board, as the case may be, thinks it reason-  
20 able so to do, be dealt with under section 139  
notwithstanding that the prescribed notice was  
not delivered to the secretary of the board on or  
before the due date for the expiry of the certifi-  
cate of registration.
- 25 (d) Section 137 (4)—  
Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (20) Section 138 (1)—

After "Part", insert "for the grant of a certificate of registration of a club".

(21) (a) Section 139 (1)—

10 Omit "Subject to subsection (2) where applica-  
tion is made for the grant or renewal of a certifi-  
cate of registration of a club", insert instead  
15 "Where an application is made for the grant of  
a certificate of registration of a club or where an  
application for the renewal of such a certificate  
may, under subsection (2), be granted only by  
the licensing court,".

(b) Section 139 (2), (2A)—

Omit section 139 (2), insert instead :—

20 (2) An application for the renewal of a cer-  
tificate of registration of a club may be granted  
on or after the first day of June next preceding  
the due date for the expiry of the certificate—

25 (a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the certificate of  
registration, been lodged with him, as  
referred to in section 167 (4), a copy  
30 of any notice of objection to the  
renewal of the certificate; or

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) by the licensing court if the secretary  
of the board has not granted the  
application pursuant to paragraph (a).

10 (2A) Notwithstanding section 10, the secre-  
tary of a registered club need not attend in person  
before the court on an application for the renewal  
of the club's certificate of registration to which  
objection has been taken unless notice of the  
objection was served on the secretary on or  
15 before the thirty-first day of May next preceding  
the due date for the expiry of the certificate of  
registration.

(22) Section 140 (4)—

After section 140 (3), insert :—

20 (4) An objection to the renewal of a certificate  
of registration may be made notwithstanding that an  
application for the renewal has not been made.

(23) Section 146—

Omit the section.

(24) Section 150A (4)—

25 Omit the subsection.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (25) (a) Section 152E (1)—

After “grant”, insert “or renewal”.

(b) Section 152E (1)—

After “application for”, insert “the grant or  
renewal of”.

10 (c) Section 152E (4)—

After section 152E (3), insert :—

(4) An objection to the granting of an appli-  
cation for the renewal of a permit may be made  
notwithstanding that the application has not been  
made.

(26) (a) Section 152G (2)—

Omit “clerk of the court”, insert instead  
“secretary of the board”.

(b) Section 152G (3) (b)—

20 Omit the paragraph.

(27) Section 158—

After “by the” where firstly occurring, insert “secretary  
of the board or”.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION—*continued.*

5 (28) Section 167 (4), (5), (6)—

Omit section 167 (4), insert instead :—

(4) No objection shall be heard—

10 (a) against any application (other than an application for the renewal of a license, permit or certificate of registration) unless notice of the objection, signed by each objector, has been given to the clerk of the licensing court and to the applicant at least three clear days before the time appointed for the hearing of the application to which the notice applies ; or

15 (b) against an application for the renewal of a license, permit or certificate of registration unless notice of the objection, signed by each objector, has been given to the clerk of the licensing court, to the secretary of the board and to the applicant on or before the thirty-first day of May next preceding the due date for the expiry of the license, permit or certificate.

25 (5) Nothing in—

30 (a) subsection (4) (a) prevents the licensing court from hearing any objection, against an application referred to in subsection (4) (a), that may arise during the hearing of an application if the applicant is given notice of the objection and if the hearing of the application is adjourned, where the

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 applicant so requests, for such period, not  
being less than three clear days, as the court  
thinks fit; or

(b) subsection (4) (b) prevents the licensing  
court from hearing any objection against an  
10 application referred to in subsection (4)  
(b) if the application has not been granted  
under this Act by the secretary of the board.

(6) The clerk of the court shall, forthwith after its  
15 receipt by him, forward every notice of objection  
received by him otherwise than from the inspector to  
the inspector for inquiry and report.

(29) Section 170 (2)—

Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

20

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SCHEDULE 3.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES  
BY INSTALMENTS.

(1) Section 23B—

25 Before Division 3 of Part III, insert :—

23B. (1) The person by whom the license fee for  
the renewal of any license is payable may, by notice  
in writing given to the person to whom the license  
Postpone-  
ment of  
payment  
of part of  
license fee.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 fee is payable and on or before the date (in this section  
referred to as “the due date”), being the twentieth day  
of June next preceding the due date for the expiry of  
the license, elect to postpone payment of so much of  
10 the license fee as is an amount (in this section referred  
to as “the postponed amount”) equal to—
- (a) where the license fee is exactly an even  
number of dollars—one-half of the license  
fee; or
  - 15 (b) where the license fee is not exactly an even  
number of dollars—one-half of the highest  
even number of dollars next below the  
license fee.
- (2) A person who makes an election referred  
to in subsection (1)—
- 20 (a) is, if on or before the due date he pays the  
license fee less the postponed amount to the  
person to whom the license fee is payable,  
entitled to postpone payment of the post-  
25 ponied amount until the thirtieth day of  
November next following the due date; and
  - (b) if, on that day, he has not paid the difference  
between the license fee, as originally fixed  
or as reassessed, as the case may be, and  
30 the portion of the license fee paid by him  
on or before the due date, ceases, until he  
pays that difference, to be a person  
authorised to sell liquor by the license,  
permit or certificate in respect of which the  
license fee was fixed or reassessed.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5

(3) Where a person has made an election referred to in subsection (1) in respect of the license fee payable for the renewal of a license—

10

(a) a reference in section 23 (6) (a) to the difference between the reassessed license fee and the original license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of making a refund in relation to the original license fee to which the election relates, as a reference to the difference between the portion of the original license fee paid by that person on or before the due date and the portion that would have been payable by him on or before that date had the reassessed license fee been the original license fee ;

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35

(b) a reference in section 23 (6) (b) or (c) to the difference between the original license fee and the reassessed license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of determining the liability of any person referred to in section 23 (6) (b) or (c) in relation to the original license fee to which the election relates, as a reference to the difference between the portion that would have been payable by that person on or before the due date had



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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5           the reassessed license fee been the original  
license fee and the portion of the original  
license fee paid by him on or before the due  
date;
- 10           (c) section 32 shall be construed as if after the  
words "the fee payable" wherever occurring  
there were inserted the words ", less the  
postponed amount referred to in section  
23B,";
- (d) section 36 (2) shall be construed as if—
- 15           (i) after the words "equal to the fee"  
there were inserted the words ", less  
the postponed amount referred to in  
section 23B,"; and
- 20           (ii) the words "proportion to the sum so  
lodged as that period bears to one  
year and shall refund the balance to  
the applicant." were omitted there-  
from and there were inserted instead  
the following :—
- 25           proportion—
- 30           (a) where the decision of the  
licensing court is given  
before the postponed  
amount referred to in sec-  
tion 23B has been paid—  
to the sum so lodged as  
that period bears to six  
months; or

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5 (b) where that decision is  
given after that postponed  
amount has been paid—  
to the aggregate of the  
10 sum so lodged and that  
postponed amount as that  
period bears to one year,  
and shall refund the balance to  
the applicant.

(e) section 170 (2) shall be construed—

15 (i) as if the words “sum equal to the  
fee payable for renewal of the  
license, together with a further sum  
of forty dollars as security for  
costs.” were omitted therefrom and  
20 there were inserted instead the fol-  
lowing :—

sum—

25 (a) where the notice of inten-  
tion to appeal is lodged  
before the thirtieth day of  
November next following  
the expiry of the license  
—equal to the fee, less  
the postponed amount referred to in section 23B,  
30 that is payable for the  
renewal of the license;  
and

SCHEDULE

*Liquor (Further Amendment).*SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 (b) where the notice of intention to appeal is lodged on or after that day—equal to the fee that is so payable,
- 10 together with a further sum of \$40 as security for costs.
- and
- 15 (ii) as if after the words “proportionate part of the license fee” there were inserted the words “or proportionate part of the license fee, less the postponed amount referred to in section 23B, as the case may require,”.
- (2) Section 150A (9), (10)—
- 20 After section 150A (8), insert :—
- (9) The provisions of section 23B (1) and (2) apply to and in respect of fees payable for the renewal of a certificate of registration of a club as if a reference in those provisions to a license fee were a reference
- 25 to a fee for a certificate of registration.
- (10) Where a registered club has made an election referred to in section 23B (1), as applied by subsection (9), in respect of the fee payable for the renewal of its certificate of registration—

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5           (a) the reference in subsection (6) (a) to the  
            difference between the reassessed fee and  
            the original fee shall, if the reassessment of  
            the original fee was made before the  
10           thirtieth day of November next following  
            the due date referred to in section 23B (1),  
            be construed, for the purpose of making a  
            refund in relation to the original fee to  
            which the election relates, as a reference  
15           to the difference between the portion of the  
            original fee paid by that person on or before  
            the due date and the portion that would  
            have been payable by him on or before that  
            date had the reassessed fee been the original  
            fee; and
- 20           (b) a reference in subsection (6) (b) to the  
            difference between the original fee and the  
            reassessed fee shall, if the reassessment of  
            the original fee was made before the  
25           thirtieth day of November next following  
            the due date referred to in section 23B (1),  
            be construed, for the purpose of determining  
            the liability of the registered club, under  
            subsection (6) (b), in relation to the  
30           original fee to which the election relates, as  
            a reference to the difference between the  
            portion that would have been payable by  
            that person on or before the due date had  
            the reassessed fee been the original fee and  
35           the portion of the original fee paid by him  
            on or before the due date.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5 (3) (a) Section 152H (3)—

10 Omit “is final and conclusive unless, in its absolute discretion, it re-assesses the amount in which case its re-assessment is final and conclusive”, insert instead “, subject to subsection (5), is final and conclusive”.

(b) Section 152H (5)—

Omit the subsection, insert instead :—

15 (5) The provisions of section 23 (2), (4), (5), (6), (7) and (8) and of section 23B (1) and (2) apply to and in respect of fees payable for, or for the renewal of, a permit and the fixing and reassessment thereof—

20 (a) as if a reference in those provisions to a license fee were a reference to the fee for a permit;

25 (b) as if, where an election referred to in section 23B (1) is made by the holder of a permit, the provisions of section 23 (6) (a), (b) and (c) were required to be construed in the manner provided by section 23B (3) (a) and (b) with respect to the fee paid or payable for the renewal of that permit; and

*Liquor (Further Amendment).*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 (c) as if a reference in section 23 (8) to  
a license were a reference to a permit.

SCHEDULE 4.

Sec. 3.

10 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
CLUB.

- (1) Section 134A (4) (a)—  
After “subsection (2)”, insert “or (3)”.

- (2) Section 134A (4) (a)—

Omit :—

- 15 Any application under this paragraph shall be made  
within three years from the date of commencement  
of the Liquor (Amendment) Act, 1969, or such  
further time as the licensing court may in special  
circumstances allow.

- 20 Where a club has made an application under this  
paragraph it shall not be entitled to make any further  
application under this paragraph.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 4—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A  
REGISTERED CLUB—*continued.*

5 (3) Section 134A (4) (b) (iii)—

Omit “of the commencement of the Liquor (Amendment) Act, 1969,” insert instead “on which the hearing of the application commenced”.

(4) Section 134A (4) (b) (iv)—

10 Omit the subparagraph.

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SCHEDULE 5.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE.

15 (1) (a) Section 135 (1) (hi)—

Omit the paragraph, insert instead :—

(hi) no person under such age (not being less than eighteen years of age) as may be specified in the rules of the club shall use or operate or be allowed to use or operate poker machines in the club premises;

20

(b) Section 135 (1)—

25

Omit “Provided further that a club shall not admit members in accordance with paragraph (i) under the age of twenty-one years unless the members proposing and seconding the admission of such members have attained the age of twenty-one years.”.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 5—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE STATUS IN REGISTERED CLUBS OF PERSONS OVER 18 YEARS OF AGE—*continued.*

5 (2) Section 149A—

Omit "Except in the case of a person who has attained the age of eighteen years and has served outside Australia as a member of the armed forces of the Commonwealth, any person under twenty-one years", insert instead "A person under eighteen years".

(3) Section 149B (1)—

Omit "twenty-one", insert instead "eighteen".

SCHEDULE 6.

Sec. 3.

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

15 (1) Section 15A—

After "liquor", insert ", subject to any conditions and provisions imposed on the grant of the license,".

(2) Section 23A—

After section 23, insert :—

20 23A. Any condition or provision imposed by the court on the grant of a license or a permit under section 57A or 57C—

Conditions and provisions attached to certain licenses and permits.

(a) shall attach to any renewal of the license or permit; and

25 (b) may be revoked or varied on application made to the court by the licensee or holder of the permit or by an inspector.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT,  
1912—*continued.*

(3) (a) Section 57A (1)—

5 Omit “the purposes for which such permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

(b) Section 57A (2)—

10 Omit “prescribed by”, insert instead “and provisions referred to in”.

(c) Section 57A (2A)—

After “conditions”, insert “and provisions”.

(d) Section 57A (2A) (a)—

Omit “and”.

15 (e) Section 57A (2A) (b)—

Omit “premises” where lastly occurring, insert instead “premises; and”.

(f) Section 57A (2A) (c)—

After section 57 (2A) (b), insert :—

20 (c) such other conditions and provisions as are imposed by the court on the grant of the permit.

(4) (a) Section 57c (1)—

25 After “section”, insert “but subject to such conditions and provisions as are imposed by the court on the grant of the permit”.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

## (b) Section 57c (1)—

- 5 Omit “the purposes for which the permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

## (c) Section 57c (3)—

- 10 After “in force”, insert “, in accordance with any conditions and provisions imposed by the court on the grant of the permit,”.

## (5) Section 69 (1)—

Omit “two gallons”, insert instead “nine litres”.

## (6) (a) Section 125 (3), (4)—

- 15 Omit “whatever under this Act, or any permit under Part IIIA” wherever occurring, insert instead “, permit or certificate of registration under this Act”.

## (b) Section 125 (5), (6)—

- 20 After section 125 (4), insert :—

(5) In subsection (4), “conduct” includes a breach of a condition or provision imposed by the court on the grant of a license.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

5 (6) Subsections (1), (2) and (4) apply so  
as to enable a complaint in respect of conduct,  
being a breach of a condition or provision im-  
posed by the court on the grant of a permit  
under section 57A to a registered club, to be  
made and dealt with as if, in those subsections  
10 and in section 123, as applied by subsection (2)  
to a complaint referred to in subsection (1), a  
reference—

(a) to a licensee were a reference to the  
secretary of that club; and

15 (b) to a license (except the reference to a  
license lastly occurring in subsection  
(4)) were a reference to a certificate  
of registration.

(7) (a) Section 133 (1)—

20 Omit “and Part VIII”, insert instead “, Part  
VIII and section 131”.

(b) Section 133 (1)—

At the end of the subsection, insert :—

25 In applying section 131, the reference in that  
section to a license fee shall be construed as a  
reference to a fee for a certificate of registration.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

- (8) Section 152o—  
5 Omit “and 63”, insert instead “, 63 and 131”.
- (9) Section 170 (5) (a)—  
After “club,” where secondly occurring, insert “or an  
application for a permission under section 51B,”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

[48c]

**LIQUOR (FURTHER AMENDMENT) BILL, 1976**

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**EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to provide that, in calculating license fees and other fees under the Liquor Act, 1912, that are fixed on a percentage basis, the amount paid or payable for liquor by or on behalf of any person shall include—
  - (i) any amount paid or payable for or for the hiring of any containers or packages in which the liquor is or is to be contained or packed;
  - (ii) any amount paid or payable as packing or handling charges;
  - (iii) any amount paid or payable as freight or other delivery charges to the supplier of the liquor,as well as any amount paid or payable for the liquor or for duties or sales tax (Schedule 1);
- (b) to enable the secretary of the Licenses Reduction Board to renew licenses, permits and certificates of registration under the Liquor Act, 1912, if no objection has been taken to the renewal (Schedule 2);
- (c) to permit license fees and other fees payable under the Liquor Act, 1912, on the renewal of a license, permit or certificate of registration to be paid by two instalments (Schedule 3);
- (d) to enable registered clubs to apply to the licensing court at any time for approval to increase the maximum number of its members beyond the limits fixed in the Liquor Act, 1912 (Schedule 4);
- (e) to accord to persons between the ages of 18 and 21 years the same status as persons 21 years of age or over with respect to their using or operating poker machines in registered clubs under the Liquor Act, 1912, and their joining those clubs (Schedule 5);
- (f) to empower the licensing court to impose conditions and provisions on the grant of a spirit merchant's license or a permit under section 57A or 57C of the Liquor Act, 1912, to revoke or vary any such conditions or provisions and to disqualify persons who breach any such conditions or provisions (Schedule 6 (1)–(4), (6));
- (g) to empower the licensing court to restore lapsed or expired certificates of registration of clubs and permits in respect of universities and colleges, granted under the Liquor Act, 1912, in the same way as it may restore lapsed or expired licenses under that Act (Schedule 6 (7), (8)); and
- (h) to make other provisions of a minor, ancillary or consequential character.

LEGION OF HONOR AWARD (1917-1918)

EXPLANATORY NOTES

- (1) To receive the Legion of Honor Award, the recipient must be a citizen of the United States or a resident of the United States for at least one year immediately preceding the date of the award.
- (2) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (3) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (4) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (5) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (6) To receive the award, the recipient must be a citizen of the United States or a resident of the United States for at least one year immediately preceding the date of the award.
- (7) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (8) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (9) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.
- (10) The award is given to individuals who have distinguished themselves in any of the following fields: science, literature, art, education, public service, or industry.

**PROOF**

No. , 1976.

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# A BILL

To amend the Liquor Act, 1912.

[MR MULOCK—16 November, 1976.]

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**BE**

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*Liquor (Further Amendment).*

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**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 (Further Short title. Amendment) Act, 1976".

2. This Act contains the following Schedules :— Schedules.

10 SCHEDULE 1.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

SCHEDULE 2.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION.

15 SCHEDULE 3.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

20 SCHEDULE 4.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED CLUB.

SCHEDULE 5.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE STATUS IN REGISTERED CLUBS OF PERSONS OVER 18 YEARS OF AGE.

25 SCHEDULE 6.—MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

3. The Liquor Act, 1912, is amended in the manner set Amendment forth in Schedules 1-6. of Act No. 42, 1912.

4.



*Liquor (Further Amendment).*

4. Any undertaking recorded—

- (a) by the clerk of the licensing court on a spirit merchant's license or on a permit under section 57A or 57C of the Liquor Act, 1912, granted or renewed before the commencement of this Act; or
- (b) in the records kept by the licensing court in respect of the granting or renewal before that commencement of any such license or permit,

Under-takings given on grant of spirit merchants' licenses and permits under section 57A or 57C of the Liquor Act, 1912.

shall, for the purposes of sections 23A and 125 of the Liquor Act, 1912, as amended by this Act, be deemed to be a condition or provision imposed by the licensing court on the grant of the license or permit.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

(1) (a) Section 3, definition of "Persons authorised to sell liquor"—

After the definition of "Near relative or connection", insert :—

"Persons authorised to sell liquor" means licensees and holders of permits or certificates of registration under this Act and includes persons authorised to sell liquor by the law of any other State or any Territory of the Commonwealth.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 (b) Section 3 (2), (3)—

At the end of section 3, insert :—

(2) A reference in this Act to the amount paid or payable by or on behalf of any person for any liquor is a reference—

10 (a) except as provided in paragraph (b), to the sum of—

(i) the amount paid or payable by or on behalf of that person for that liquor;

15 (ii) any amount paid or payable by or on behalf of that person for or for the hiring of any containers or packages (including corks, stoppers and labels attached thereto) in which that liquor is contained or packed when it is delivered to or purchased by or on behalf of that person or is to be contained or packed for sale or disposal by or on behalf of that person (whether or not any such amount is paid or payable to the supplier of that liquor);

20  
25  
30 (iii) any amount paid or payable for the packing or for the handling of that liquor and any such containers or packages or for putting it or them into the

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 state in which it is or they are  
when it is or they are delivered  
to or purchased by or on be-  
half of that person (whether or  
not any such amount is paid or  
10 payable to the supplier of that  
liquor);
- (iv) any amount paid or payable by  
or on behalf of that person as  
15 freight or other delivery  
charges in respect of the  
delivery of that liquor, being  
an amount so paid or payable  
to the supplier of that liquor  
but not being an amount so  
20 paid or payable to that sup-  
plier as reimbursement for  
those freight or delivery  
charges if those freight or  
delivery charges are paid or  
25 payable by that supplier to a  
common carrier; and
- (v) any amount paid or payable for  
duties or sales tax in respect of  
that liquor; or
- 30 (b) where the board is of the opinion that  
any amount paid or payable for any  
thing or for the doing of any thing  
referred to in paragraph (a) (i), (ii),  
(iii) or (iv) is less than the value of  
35 that thing or of the doing of that thing,

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 as the case may be, such amount as  
is determined by the board having regard  
to the circumstances in which  
that liquor was delivered to or purchased  
by or on behalf of that person.

10 (3) A reference in this Act to any amount  
paid or payable by or on behalf of any person  
for any liquor includes any amount paid or  
payable by any other person for the acquisition  
15 of that liquor for sale, supply or disposal by  
that firstmentioned person.

(2) (a) Section 21 (1) (b)—

Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert  
20 instead “amount paid or payable by or on behalf  
of the licensee”.

(b) Section 21 (1) (b)—

Omit “other licensed persons”, insert instead  
“other persons authorised to sell liquor”.

(c) Section 21 (1) (d)—

25 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable by”, insert  
instead “amount paid or payable by or on behalf  
of”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (d) Section 21 (1) (d)—  
Omit “persons licensed to sell liquor” where  
firstly occurring, insert instead “persons  
authorised to sell liquor”.
- 10 (e) Section 21 (1) (d)—  
Omit “In this paragraph the expression ‘persons  
licensed to sell liquor’ includes not only persons  
licensed under this Act but also persons licensed  
15 to sell liquor in any State or Territory of the  
Commonwealth of Australia, under any law for  
the time being in force in such State or  
Territory.”.
- (f) Section 21 (1) (g)—  
Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
20 “amount paid or payable by or on behalf of the  
licensee”.
- (g) Section 21 (1) (i)—  
Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
25 “amount paid or payable by or on behalf of the  
licensee”.
- (h) Section 21 (1) (l)—  
Omit “gross amount (including any duties and  
sales tax thereon) paid or payable by”, insert  
30 instead “amount paid or payable by or on behalf  
of”.

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (i) Section 21 (1) (n)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.
- 10 (j) Section 21 (1) (q)—  
Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.
- 15 (k) Section 21 (1A)—  
Omit “gross”.
- (l) Section 21 (1A)—  
Omit “(g), (i), (l) and (n)”, insert instead “(d), (g), (i), (l), (n) and (q)”.
- 20 (3) (a) Section 22 (1) (a)—  
Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable therefor”.
- (b) Section 22 (1) (c)—  
25 After “person”, insert “from whom delivery of such liquor was taken or”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5       (c) Section 22 (2)—  
          Omit “persons licensed to sell liquor” where  
          firstly occurring, insert instead “persons  
          authorised to sell liquor”.
- (d) Section 22 (2)—  
10       Omit “, including any duties and sales tax  
          thereon,”.
- (e) Section 22 (2)—  
15       Omit “In this subsection the expression ‘persons  
          licensed to sell liquor’ includes not only persons  
          licensed under this Act, but also persons holding  
          any permit or certificate of registration under  
          this Act and persons licensed to sell liquor in  
20       any State or Territory of the Commonwealth of  
          Australia, under any law for the time being in  
          force in such State or Territory.”.
- (4) (a) Section 34 (2) (c)—  
          Omit “persons licensed to sell liquor” where  
          firstly occurring, insert instead “persons  
          authorised to sell liquor”.
- 25       (b) Section 34 (2) (c)—  
          Omit “In this paragraph the expression ‘persons  
          licensed to sell liquor’ includes not only persons  
          licensed under this Act, but also persons holding  
          any permit or certificate of registration under this  
30       Act and persons licensed to sell liquor in any

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

5 State or Territory of the Commonwealth, under  
any law for the time being in force in such State  
or Territory.”.

(5) (a) Section 78H (2)—

10 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
holder of the permit”.

(b) Section 78H (3A)—

Omit “gross”.

15 (6) (a) Section 150A (1) (b)—

Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
club or the secretary of the club”.

20 (b) Section 150A (2B)—

Omit “gross”.

(7) (a) Section 151A (a)—

25 Omit “total amount paid or payable therefor,  
including any duties and sales tax thereon”, insert  
instead “amount paid or payable by or on behalf  
of the club or the secretary of the club for the  
liquor”.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (b) Section 151A (c)—  
After “person”, insert “from whom delivery of  
such liquor was taken or”.
- (8) (a) Section 152H (1)—  
10 Omit “gross amount (including any duties and  
sales tax thereon) paid or payable”, insert instead  
“amount paid or payable by or on behalf of the  
holder of the permit”.
- (b) Section 152H (4)—  
Omit “gross”.
- 15 (9) (a) Section 168B (1)—  
Omit “the holder of any license or permit under  
this Act or to a registered club”, insert instead  
“persons authorised to sell liquor”.
- (b) Section 168B (1) (a)—  
20 Omit “holder of a license or permit or registered  
club to whom or to which”, insert instead “person  
authorised to sell liquor to whom”.
- (c) Section 168B (1) (b)—  
25 Omit “holder of a license or permit and to each  
such registered club”, insert instead “person”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

- 5 (d) Section 168B (1) (c)—  
Omit “(including any duties) by each such holder of a license or permit and by each such registered club”, insert instead “by each such person”.
- 10 (10) Section 168c—  
Omit “holders of licenses or permits or to registered clubs”, insert instead “persons authorised to sell liquor”.
- (11) Section 168D (1)—
- 15 Omit “holders of licenses or permits issued under this Act or to registered clubs”, insert instead “persons authorised to sell liquor”.

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SCHEDULE 2.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
20 APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES  
OF REGISTRATION.

- (1) (a) Section 10 (1)—  
After “license” where first and thirdly occurring,  
insert “, permit or certificate of registration”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) Section 10 (1)—

After “Part III”, insert “, a permit or a certificate  
of registration”.

(c) Section 10 (1)—

10 Omit “every such applicant”, insert instead  
“, except in the case of an application relating to  
a registered club or to prescribed premises as  
defined in section 152A (1), the applicant, or in  
15 the case of an application relating to a registered  
club or prescribed premises as defined in section  
152A (1), the secretary of the registered club or  
the person nominated pursuant to section 152C  
(2) (b) (iii), as the case may be,”.

(d) Section 10 (1)—

20 Omit “section 35”, insert instead “any other  
provision of this Act”.

(2) Section 23 (3)—

Omit the subsection.

(3) Section 26B (1)—

25 Omit “paragraphs (d) to (g) of section 29”, insert  
instead “section 29 (1) (d) to (g)”.

(4) Section 26c (1)—

Omit “paragraphs (e) to (g) of section 29”, insert  
instead “section 29 (1) (e) to (g)”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (5) Section 27 (2)—

Omit “paragraph (iii) of section 29”, insert instead  
“section 29 (1) (iii)”.

(6) (a) Section 29—

10 After “application” where firstly occurring, insert  
“(not being an application made by the secretary  
of a registered club for a permit under section  
57A)”.

(b) Section 29 (2), (3)—

At the end of section 29, insert :—

15 (2) The provisions of sections 140 and 141  
apply to and in respect of an application for the  
grant of a permit under subsection (1) to the  
secretary of a registered club in the same way as  
20 they apply to and in respect of an application  
for a certificate of registration of a club.

(3) An objection to the granting of an appli-  
cation for the renewal of a license or permit  
under this Part may be made notwithstanding  
that the application has not been made.

25 (7) (a) Section 30 (1)—

Omit “paragraph (d) of section 29”, insert  
instead “section 29 (1) (d)”.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION—*continued.*

- 5 (b) Section 30 (1A)—  
Omit “paragraph (e) of section 29”, insert instead “section 29 (1) (e)”.
- (c) Section 30 (1B)—  
10 Omit “paragraph (f) of section 29”, insert instead “section 29 (1) (f)”.
- (d) Section 30 (4)—  
Omit “paragraph (e) of section 29”, insert instead “section 29 (1) (e)”.
- (8) Section 31—
- 15 Omit the section, insert instead :—
31. (1) Where—
- (a) the court decides to grant an application for a new license, it shall authorise the issue by the clerk of the court; or
- 20 (b) an application (being an application for the renewal of a license) is, pursuant to section 35, dealt with by the court and it decides to grant the application, it shall authorise the issue by the secretary of the board,
- 25 to the applicant of a license or a renewed license in accordance with its decision.
- (2) The court shall record its decision in such manner as it thinks fit.

Issue of licenses.

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (9) (a) Section 32—

Omit “by the clerk of the court”.

(b) Section 32—

10 Omit “paid to him”, insert instead “paid, in the  
case of a new license, to the clerk of the court  
or, in the case of a renewed license, to the  
secretary of the board”.

(c) Section 32—

15 Omit “is paid to the clerk of the court”, insert  
instead “has been duly paid in accordance with  
the foregoing provisions of this section”.

(10) (a) Section 34 (2) (a)—

Omit the paragraph.

(b) Section 34 (2) (b), (d)—

20 Omit “paragraph (e) of section 29” wherever  
occurring, insert instead “section 29 (1) (e)”.

(11) Section 35—

Omit the section, insert instead :—

25 35. (1) A licensee (other than a licensee under a <sup>Renewals of</sup>  
booth license or a limited public hall license) who licenses.  
makes an application to the secretary of the board  
for the renewal of his license is entitled to obtain  
the renewal of his license unless an objection to the  
renewal of his license is upheld by the licensing court.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (2) An application referred to in subsection  
(1) for the renewal of a license may be granted on or  
after the first day of June next preceding the due  
date for the expiry of the license—

10 (a) by the secretary of the board if there has  
not, on or before the thirty-first day of May  
next preceding the due date for the expiry  
of the license, been lodged with him, as  
referred to in section 167 (4), a copy of  
15 any notice of objection to the renewal of  
the license; or

(b) by the licensing court if the secretary of  
the board has not granted the application  
pursuant to paragraph (a).

20 (3) Notwithstanding section 10, a licensee  
need not attend in person before the court on an  
application for the renewal of his license to which  
objection has been taken unless notice of the objection  
was served on the licensee on or before the thirty-first  
25 day of May next preceding the due date for the expiry  
of the license.

(12) (a) Section 36 (1)—

Omit the subsection.

(b) Section 36 (2)—

30 Omit “application for the renewal of a license  
has been made by a licensee who has complied  
with the requirements of subsection (1) and the

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 application has not been heard and determined  
by the court”, insert instead “an application for  
the renewal of a license has not been granted”.

(c) Section 36 (2)—

10 Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

(13) Section 38 (2) (a)—

Omit “and section 36”.

(14) (a) Section 57A (1)—

15 Omit “, but may be renewed from time to time  
by a further grant”.

(b) Section 57A (1A), (1B), (1C), (1D)—

After section 57A (1), insert :—

20 (1A) The holder of any such permit who  
makes application to the secretary of the board  
for the renewal of the permit is entitled to obtain  
the renewal of the permit unless an objection to  
the renewal of the permit or the renewal of the  
license or certificate of registration held by that  
holder is upheld by the licensing court.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (1B) An application for the renewal of any  
such permit may be granted on or after the first  
day of June next preceding the due date for the  
expiry of the permit—

10 (a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the permit, been  
lodged with him, as referred to in  
15 section 167 (4), a copy of any notice  
of objection to the renewal of the  
permit or, as the case may be, the  
license or certificate of registration; or

20 (b) by the licensing court if the secretary  
of the board has not granted the  
application pursuant to paragraph (a).

25 (1C) Notwithstanding section 10, the holder  
of any such permit need not attend in person  
before the court on the application for the  
renewal of his permit to which objection has  
been taken unless notice of the objection was  
served on the holder on or before the thirty-first  
day of May next preceding the due date for the  
expiry of the permit.

30 (1D) The provisions of sections 139, 140 and  
141 apply to and in respect of a permit (being a  
permit held by the secretary of a registered club)  
under subsection (1) and the holder thereof in  
the same way as the provisions of those sections  
35 apply to and in respect of a certificate of registra-  
tion of a registered club and the secretary of a  
registered club.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (15) (a) Section 57C (2)—

Omit “, but may be renewed from time to time  
by a further grant”.

(b) Section 57C (2A), (2B), (2C)—

After section 57C (2), insert :—

10 (2A) The holder of any such permit who  
makes application to the secretary of the board  
for the renewal of the permit is entitled to obtain  
the renewal of the permit unless an objection to  
15 the renewal of the permit or the renewal of the  
license held by that holder is upheld by the  
licensing court.

(2B) An application for the renewal of any  
such permit may be granted on or after the first  
day of June next preceding the due date for the  
20 expiry of the permit—

(a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the permit, been  
25 lodged with him, as referred to in sec-  
tion 167 (4), a copy of any notice of  
objection to the renewal of the permit  
or the license; or

(b) by the licensing court if the secretary  
of the board has not granted the appli-  
30 cation pursuant to paragraph (a).

SCHEDULE

*Liquor (Further Amendment).*SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

- 5 (2c) Notwithstanding section 10, the holder  
of any such permit need not attend in person  
before the court on the application for the  
renewal of his permit to which objection has been  
taken unless notice of the objection was served  
10 on the holder on or before the thirty-first day of  
May next preceding the due date for the expiry  
of the permit.
- (16) (a) Section 78F (2) (a)—  
15 Omit “paragraph (e)”, insert instead “subsection  
(1) (e) thereof”.
- (b) Section 78F (2) (b)—  
After “omitting”, insert “from subsection (1)  
thereof”.
- (c) Section 78F (3)—  
20 Omit “paragraph (f) of section 29”, insert in-  
stead “section 29 (1) (f)”.
- (17) (a) Section 78G (1)—  
25 Omit “If the court decides to grant the applica-  
tion it shall authorise the issue by the clerk of  
the court to the applicant of a permit”, insert  
instead :—  
Where—  
(a) the court decides to grant an applica-  
30 tion for a new permit, it shall authorise  
the issue by the clerk of the court; or

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) an application (being an application  
for the renewal of a permit) is, pur-  
suant to section 35, as applied by sec-  
tion 78I, dealt with by the court and  
10 it decides to grant the application, it  
shall authorise the issue by the secre-  
tary of the board,  
to the applicant of a permit or a renewed permit

(b) Section 78G (1)—

15 After “authorise the clerk of the court”, insert  
“or the secretary of the board, as the case may  
be,”.

(c) Section 78G (2)—

20 Omit “by the clerk of the court nor shall he  
endorse any permit unless the fee payable in  
respect thereof has been paid to him”, insert  
instead “nor shall any permit be endorsed under  
this Act unless the fee payable in respect thereof  
has been paid to the clerk of the court or the  
secretary of the board, as the case may be”.

25 (18) (a) Section 131—

30 Omit “fails to give notice as prescribed in section  
36 of his intention to apply for a renewal of his  
license or, having given such notice, fails to apply  
in pursuance thereof”, insert instead “fails to  
apply for the renewal of his license”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (b) Section 131—

Omit “to give notice or”.

(19) (a) Section 137 (1)—

10 Omit “at least ten days before applying for such  
renewal”, insert instead “on or before the due  
date for the expiry thereof”.

(b) Section 137 (1)—

Omit “clerk of the licensing court for the licens-  
ing district in which the premises of the club are  
situate”, insert instead “secretary of the board”.

15 (c) Section 137 (3)—

Omit the subsection, insert instead :—

20 (3) The application may, if in the circum-  
stances the licensing court or the secretary of  
the board, as the case may be, thinks it reason-  
able so to do, be dealt with under section 139  
notwithstanding that the prescribed notice was  
not delivered to the secretary of the board on or  
before the due date for the expiry of the certifi-  
cate of registration.

25 (d) Section 137 (4)—

Omit “clerk of the licensing court”, insert instead  
“secretary of the board”.

SCHEDULE

---

*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (20) Section 138 (1)—

After "Part", insert "for the grant of a certificate of registration of a club".

(21) (a) Section 139 (1)—

10 Omit "Subject to subsection (2) where applica-  
tion is made for the grant or renewal of a certifi-  
cate of registration of a club", insert instead  
"Where an application is made for the grant of  
15 a certificate of registration of a club or where an  
application for the renewal of such a certificate  
may, under subsection (2), be granted only by  
the licensing court,".

(b) Section 139 (2), (2A)—

Omit section 139 (2), insert instead :—

20 (2) An application for the renewal of a cer-  
tificate of registration of a club may be granted  
on or after the first day of June next preceding  
the due date for the expiry of the certificate—

25 (a) by the secretary of the board if there  
has not, on or before the thirty-first  
day of May next preceding the due  
date for the expiry of the certificate of  
registration, been lodged with him, as  
referred to in section 167 (4), a copy  
30 of any notice of objection to the  
renewal of the certificate; or

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION—*continued.*

5 (b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

10 (2A) Notwithstanding section 10, the secretary of a registered club need not attend in person before the court on an application for the renewal of the club's certificate of registration to which objection has been taken unless notice of the objection was served on the secretary on or before the thirty-first day of May next preceding  
15 the due date for the expiry of the certificate of registration.

(22) Section 140 (4)—

After section 140 (3), insert :—

20 (4) An objection to the renewal of a certificate of registration may be made notwithstanding that an application for the renewal has not been made.

(23) Section 146—

Omit the section.

(24) Section 150A (4)—

25 Omit the subsection.

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (25) (a) Section 152E (1)—

After “grant”, insert “or renewal”.

(b) Section 152E (1)—

After “application for”, insert “the grant or  
renewal of”.

10 (c) Section 152E (4)—

After section 152E (3), insert :—

15

(4) An objection to the granting of an appli-  
cation for the renewal of a permit may be made  
notwithstanding that the application has not been  
made.

(26) (a) Section 152G (2)—

Omit “clerk of the court”, insert instead  
“secretary of the board”.

(b) Section 152G (3) (b)—

20

Omit the paragraph.

(27) Section 158—

After “by the” where firstly occurring, insert “secretary  
of the board or”.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

5 (28) Section 167 (4), (5), (6)—

Omit section 167 (4), insert instead :—

(4) No objection shall be heard—

- 10 (a) against any application (other than an  
application for the renewal of a license,  
permit or certificate of registration) unless  
notice of the objection, signed by each  
objector, has been given to the clerk of the  
licensing court and to the applicant at least  
15 three clear days before the time appointed  
for the hearing of the application to which  
the notice applies; or
- 20 (b) against an application for the renewal of a  
license, permit or certificate of registration  
unless notice of the objection, signed by  
each objector, has been given to the clerk  
of the licensing court, to the secretary of  
the board and to the applicant on or before  
25 the thirty-first day of May next preceding  
the due date for the expiry of the license,  
permit or certificate.

(5) Nothing in—

- 30 (a) subsection (4) (a) prevents the licensing  
court from hearing any objection, against  
an application referred to in subsection (4)  
(a), that may arise during the hearing of an  
application if the applicant is given notice  
of the objection and if the hearing of the  
application is adjourned, where the

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION—*continued.*

- 5 applicant so requests, for such period, not being less than three clear days, as the court thinks fit; or
- (b) subsection (4) (b) prevents the licensing court from hearing any objection against an application referred to in subsection (4) (b) if the application has not been granted under this Act by the secretary of the board.
- 10
- (6) The clerk of the court shall, forthwith after its receipt by him, forward every notice of objection received by him otherwise than from the inspector to the inspector for inquiry and report.
- 15

(29) Section 170 (2)—  
 Omit “clerk of the licensing court”, insert instead “secretary of the board”.

20 SCHEDULE 3. Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

- (1) Section 23B—
- 25 Before Division 3 of Part III, insert :—
- 23B. (1) The person by whom the license fee for the renewal of any license is payable may, by notice in writing given to the person to whom the license

Postpone-  
 ment of  
 payment  
 of part of  
 license fee.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 fee is payable and on or before the date (in this section  
referred to as “the due date”), being the twentieth day  
of June next preceding the due date for the expiry of  
the license, elect to postpone payment of so much of  
10 the license fee as is an amount (in this section referred  
to as “the postponed amount”) equal to—
- (a) where the license fee is exactly an even  
number of dollars—one-half of the license  
fee; or
  - 15 (b) where the license fee is not exactly an even  
number of dollars—one-half of the highest  
even number of dollars next below the  
license fee.
- (2) A person who makes an election referred  
to in subsection (1)—
- 20 (a) is, if on or before the due date he pays the  
license fee less the postponed amount to the  
person to whom the license fee is payable,  
entitled to postpone payment of the post-  
poned amount until the thirtieth day of  
25 November next following the due date; and
  - (b) if, on that day, he has not paid the difference  
between the license fee, as originally fixed  
or as reassessed, as the case may be, and  
the portion of the license fee paid by him  
30 on or before the due date, ceases, until he  
pays that difference, to be a person  
authorised to sell liquor by the license,  
permit or certificate in respect of which the  
license fee was fixed or reassessed.

SCHEDULE

*Liquor (Further Amendment).*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5           (3) Where a person has made an election referred to in subsection (1) in respect of the license fee payable for the renewal of a license—
- 10                   (a) a reference in section 23 (6) (a) to the difference between the reassessed license fee and the original license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of making a refund in relation to the original license fee to which the election relates, as a reference to the difference between the portion of the original license fee paid by that person on or before the due date and the portion that would have been payable by him on or before that date had the reassessed license fee been the original license fee;
- 15
- 20
- 25                   (b) a reference in section 23 (6) (b) or (c) to the difference between the original license fee and the reassessed license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of determining the liability of any person referred to in section 23 (6) (b) or (c) in relation to the original license fee to which the election relates, as a reference to the difference between the portion that would have been payable by that person on or before the due date had
- 30
- 35

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5                   the reassessed license fee been the original  
                    licence fee and the portion of the original  
                    license fee paid by him on or before the due  
                    date;
- 10                   (c) section 32 shall be construed as if after the  
                    words "the fee payable" wherever occurring  
                    there were inserted the words ", less the  
                    postponed amount referred to in section  
                    23B,";
- (d) section 36 (2) shall be construed as if—
- 15                   (i) after the words "equal to the fee"  
                    there were inserted the words ", less  
                    the postponed amount referred to in  
                    section 23B,"; and
- 20                   (ii) the words "proportion to the sum so  
                    lodged as that period bears to one  
                    year and shall refund the balance to  
                    the applicant." were omitted there-  
                    from and there were inserted instead  
                    the following :—
- 25                   proportion—
- (a) where the decision of the  
                    licensing court is given  
                    before the postponed  
                    amount referred to in sec-  
30                   tion 23B has been paid—  
                    to the sum so lodged as  
                    that period bears to six  
                    months; or

SCHEDULE

Liquor (Further Amendment).

SCHEDULE 3—continued.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS—continued.

- 5 (b) where that decision is given after that postponed amount has been paid—
- 10 to the aggregate of the sum so lodged and that postponed amount as that period bears to one year,
- and shall refund the balance to the applicant.
- (e) section 170 (2) shall be construed—
- 15 (i) as if the words “sum equal to the fee payable for renewal of the license, together with a further sum of forty dollars as security for costs.” were omitted therefrom and
- 20 there were inserted instead the following :—
- sum—
- 25 (a) where the notice of intention to appeal is lodged before the thirtieth day of November next following the expiry of the license
- 30 —equal to the fee, less the postponed amount referred to in section 23B, that is payable for the renewal of the license; and

*Liquor (Further Amendment).*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS—*continued.*

5 (b) where the notice of intention to appeal is lodged on or after that day—equal to the fee that is so payable,

10 together with a further sum of \$40 as security for costs.

and

15 (ii) as if after the words “proportionate part of the licence fee” there were inserted the words “or proportionate part of the license fee, less the postponed amount referred to in section 23B, as the case may require,”.

(2) Section 150A (9), (10)—

20 After section 150A (8), insert :—

(9) The provisions of section 23B (1) and (2) apply to and in respect of fees payable for the renewal of a certificate of registration of a club as if a reference in those provisions to a license fee were a reference to a fee for a certificate of registration.

(10) Where a registered club has made an election referred to in section 23B (1), as applied by subsection (9), in respect of the fee payable for the renewal of its certificate of registration—

*Liquor (Further Amendment).*

SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 (a) the reference in subsection (6) (a) to the  
difference between the reassessed fee and  
the original fee shall, if the reassessment of  
10 the original fee was made before the  
thirtieth day of November next following  
the due date referred to in section 23B (1),  
be construed, for the purpose of making a  
refund in relation to the original fee to  
15 which the election relates, as a reference  
to the difference between the portion of the  
original fee paid by that person on or before  
the due date and the portion that would  
have been payable by him on or before that  
date had the reassessed fee been the original  
fee; and
- 20 (b) a reference in subsection (6) (b) to the  
difference between the original fee and the  
reassessed fee shall, if the reassessment of  
25 the original fee was made before the  
thirtieth day of November next following  
the due date referred to in section 23B (1),  
be construed, for the purpose of determining  
the liability of the registered club, under  
30 subsection (6) (b), in relation to the  
original fee to which the election relates, as  
a reference to the difference between the  
portion that would have been payable by  
that person on or before the due date had  
35 the reassessed fee been the original fee and  
the portion of the original fee paid by him  
on or before the due date.



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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

5 (3) (a) Section 152H (3)—

10 Omit "is final and conclusive unless, in its absolute discretion, it re-assesses the amount in which case its re-assessment is final and conclusive", insert instead "subject to subsection (5), is final and conclusive".

(b) Section 152H (5)—

Omit the subsection, insert instead :—

15 (5) The provisions of section 23 (2), (4), (5), (6), (7) and (8) and of section 23B (1) and (2) apply to and in respect of fees payable for, or for the renewal of, a permit and the fixing and reassessment thereof—

20 (a) as if a reference in those provisions to a license fee were a reference to the fee for a permit;

25 (b) as if, where an election referred to in section 23B (1) is made by the holder of a permit, the provisions of section 23 (6) (a), (b) and (c) were required to be construed in the manner provided by section 23B (3) (a) and (b) with respect to the fee paid or payable for the renewal of that permit; and

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- 5 (c) as if a reference in section 23 (8) to  
a license were a reference to a permit.
- 

SCHEDULE 4.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
10 CLUB.

- (1) Section 134A (4) (a)—  
After “subsection (2)”, insert “or (3)”.
- (2) Section 134A (4) (a)—  
Omit :—  
15 Any application under this paragraph shall be made  
within three years from the date of commencement  
of the Liquor (Amendment) Act, 1969, or such  
further time as the licensing court may in special  
circumstances allow.
- 20 Where a club has made an application under this  
paragraph it shall not be entitled to make any further  
application under this paragraph.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 4—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A  
REGISTERED CLUB—*continued.*

5 (3) Section 134A (4) (b) (iii)—

Omit “of the commencement of the Liquor (Amendment) Act, 1969,” insert instead “on which the hearing of the application commenced”.

(4) Section 134A (4) (b) (iv)—

10 Omit the subparagraph.

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SCHEDULE 5.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE.

15 (1) (a) Section 135 (1) (hi)—

Omit the paragraph, insert instead :—

(hi) no person under such age (not being less than eighteen years of age) as may be specified in the rules of the club shall use or operate or be allowed to use or operate poker machines in the club premises;

20

(b) Section 135 (1)—

Omit “Provided further that a club shall not admit members in accordance with paragraph (i) under the age of twenty-one years unless the members proposing and seconding the admission of such members have attained the age of twenty-one years.”.

25

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 5—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE—*continued.*

5 (2) Section 149A—

Omit "Except in the case of a person who has attained  
the age of eighteen years and has served outside  
Australia as a member of the armed forces of the  
Commonwealth, any person under twenty-one years",  
10 insert instead "A person under eighteen years".

(3) Section 149B (1)—

Omit "twenty-one", insert instead "eighteen".

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SCHEDULE 6.

Sec. 3.

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

15 (1) Section 15A—

After "liquor", insert ", subject to any conditions and  
provisions imposed on the grant of the license,".

(2) Section 23A—

After section 23, insert :—

20 23A. Any condition or provision imposed by the court on the grant of a license or a permit under section 57A or 57C—

(a) shall attach to any renewal of the license or permit; and

25 (b) may be revoked or varied on application made to the court by the licensee or holder of the permit or by an inspector.

Conditions  
and pro-  
visions  
attached  
to certain  
licenses  
and  
permits.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT,  
1912—*continued.*

(3) (a) Section 57A (1)—

5 Omit “the purposes for which such permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

(b) Section 57A (2)—

10 Omit “prescribed by”, insert instead “and provisions referred to in”.

(c) Section 57A (2A)—

After “conditions”, insert “and provisions”.

(d) Section 57A (2A) (a)—

Omit “and”.

15 (e) Section 57A (2A) (b)—

Omit “premises” where lastly occurring, insert instead “premises; and”.

(f) Section 57A (2A) (c)—

After section 57 (2A) (b), insert :—

20 (c) such other conditions and provisions as are imposed by the court on the grant of the permit.

(4) (a) Section 57C (1)—

25 After “section”, insert “but subject to such conditions and provisions as are imposed by the court on the grant of the permit”.

*Liquor (Further Amendment).*SCHEDULE 6—*continued.*MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

- (b) Section 57c (1)—  
5 Omit “the purposes for which the permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.
- (c) Section 57c (3)—  
10 After “in force”, insert “, in accordance with any conditions and provisions imposed by the court on the grant of the permit.”.
- (5) Section 69 (1)—  
Omit “two gallons”, insert instead “nine litres”.
- (6) (a) Section 125 (3), (4)—  
15 Omit “whatever under this Act, or any permit under Part IIIA” wherever occurring, insert instead “, permit or certificate of registration under this Act”.
- (b) Section 125 (5), (6)—  
20 After section 125 (4), insert :—  
(5) In subsection (4), “conduct” includes a breach of a condition or provision imposed by the court on the grant of a license.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

5 (6) Subsections (1), (2) and (4) apply so  
as to enable a complaint in respect of conduct,  
being a breach of a condition or provision im-  
posed by the court on the grant of a permit  
under section 57A to a registered club, to be  
made and dealt with as if, in those subsections  
10 and in section 123, as applied by subsection (2)  
to a complaint referred to in subsection (1), a  
reference—

(a) to a licensee were a reference to the  
secretary of that club; and

15 (b) to a license (except the reference to a  
license lastly occurring in subsection  
(4)) were a reference to a certificate  
of registration.

(7) (a) Section 133 (1)—

20 Omit “and Part VIII”, insert instead “, Part  
VIII and section 131”.

(b) Section 133 (1)—

At the end of the subsection, insert :—

25 In applying section 131, the reference in that  
section to a license fee shall be construed as a  
reference to a fee for a certificate of registration.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

(8) Section 152o—

5 Omit “and 63”, insert instead “, 63 and 131”.

(9) Section 170 (5) (a)—

After “club,” where secondly occurring, insert “or an application for a permission under section 51B.”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976



New South Wales



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 93, 1976.**

An Act to amend the Liquor Act, 1912. [Assented to, 8th  
December, 1976.]

**BE**

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*Liquor (Further Amendment).*

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**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 :—

**Short title.** 1. This Act may be cited as the "Liquor (Further Amendment) Act, 1976".

**Schedules.** 2. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

SCHEDULE 2.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION.

SCHEDULE 3.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

SCHEDULE 4.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED CLUB.

SCHEDULE 5.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE STATUS IN REGISTERED CLUBS OF PERSONS OVER 18 YEARS OF AGE.

SCHEDULE 6.—MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

**Amendment of Act No. 42, 1912.** 3. The Liquor Act, 1912, is amended in the manner set forth in Schedules 1–6.

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*Liquor (Further Amendment).*


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## 4. Any undertaking recorded—

- (a) by the clerk of the licensing court on a spirit merchant's license or on a permit under section 57A or 57C of the Liquor Act, 1912, granted or renewed before the commencement of this Act; or
- (b) in the records kept by the licensing court in respect of the granting or renewal before that commencement of any such license or permit,

Undertakings given on grant of spirit merchants' licenses and permits under section 57A or 57C of the Liquor Act, 1912.

shall, for the purposes of sections 23A and 125 of the Liquor Act, 1912, as amended by this Act, be deemed to be a condition or provision imposed by the licensing court on the grant of the license or permit.

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**SCHEDULE 1.**
**Sec. 3.**
**AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.**

- (1) (a) Section 3, definition of "Persons authorised to sell liquor"—

After the definition of "Near relative or connection", insert :—

"Persons authorised to sell liquor" means licensees and holders of permits or certificates of registration under this Act and includes persons authorised to sell liquor by the law of any other State or any Territory of the Commonwealth.

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

## (b) Section 3 (2), (3)—

At the end of section 3, insert :—

(2) A reference in this Act to the amount paid or payable by or on behalf of any person for any liquor is a reference—

(a) except as provided in paragraph (b), to the sum of—

- (i) the amount paid or payable by or on behalf of that person for that liquor;
- (ii) any amount paid or payable by or on behalf of that person for or for the hiring of any containers or packages (including corks, stoppers and labels attached thereto) in which that liquor is contained or packed when it is delivered to or purchased by or on behalf of that person or is to be contained or packed for sale or disposal by or on behalf of that person (whether or not any such amount is paid or payable to the supplier of that liquor);
- (iii) any amount paid or payable for the packing or for the handling of that liquor and any such containers or packages or for putting it or them into the

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

state in which it is or they are when it is or they are delivered to or purchased by or on behalf of that person (whether or not any such amount is paid or payable to the supplier of that liquor);

(iv) any amount paid or payable by or on behalf of that person as freight or other delivery charges in respect of the delivery of that liquor, being an amount so paid or payable to the supplier of that liquor but not being an amount so paid or payable to that supplier as reimbursement for those freight or delivery charges if those freight or delivery charges are paid or payable by that supplier to a common carrier; and

(v) any amount paid or payable for duties or sales tax in respect of that liquor; or

(b) where the board is of the opinion that any amount paid or payable for any thing or for the doing of any thing referred to in paragraph (a) (i), (ii), (iii) or (iv) is less than the value of that thing or of the doing of that thing,

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

as the case may be, such amount as is determined by the board having regard to the circumstances in which that liquor was delivered to or purchased by or on behalf of that person.

(3) A reference in this Act to any amount paid or payable by or on behalf of any person for any liquor includes any amount paid or payable by any other person for the acquisition of that liquor for sale, supply or disposal by that firstmentioned person.

(2) (a) Section 21 (1) (b)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the licensee”.

(b) Section 21 (1) (b)—

Omit “other licensed persons”, insert instead “other persons authorised to sell liquor”.

(c) Section 21 (1) (d)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

(d) Section 21 (1) (d)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(e) Section 21 (1) (d)—

Omit “In this paragraph the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act but also persons licensed to sell liquor in any State or Territory of the Commonwealth of Australia, under any law for the time being in force in such State or Territory.”.

(f) Section 21 (1) (g)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the licensee”.

(g) Section 21 (1) (i)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the licensee”.

(h) Section 21 (1) (l)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

## (i) Section 21 (1) (n)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.

## (j) Section 21 (1) (q)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.

## (k) Section 21 (1A)—

Omit “gross”.

## (l) Section 21 (1A)—

Omit “(g), (i), (l) and (n)”, insert instead “(d), (g), (i), (l), (n) and (q)”.

## (3) (a) Section 22 (1) (a)—

Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable therefor”.

## (b) Section 22 (1) (c)—

After “person”, insert “from whom delivery of such liquor was taken or”.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

(c) Section 22 (2)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(d) Section 22 (2)—

Omit “, including any duties and sales tax thereon,”.

(e) Section 22 (2)—

Omit “In this subsection the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act, but also persons holding any permit or certificate of registration under this Act and persons licensed to sell liquor in any State or Territory of the Commonwealth of Australia, under any law for the time being in force in such State or Territory.”.

(4) (a) Section 34 (2) (c)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(b) Section 34 (2) (c)—

Omit “In this paragraph the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act, but also persons holding any permit or certificate of registration under this Act and persons licensed to sell liquor in any

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*Liquor (Further Amendment).*


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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

State or Territory of the Commonwealth, under any law for the time being in force in such State or Territory.”.

## (5) (a) Section 78H (2)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the holder of the permit”.

## (b) Section 78H (3A)—

Omit “gross”.

## (6) (a) Section 150A (1) (b)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club”.

## (b) Section 150A (2B)—

Omit “gross”.

## (7) (a) Section 151A (a)—

Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club for the liquor”.

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

(b) Section 151A (c)—

After “person”, insert “from whom delivery of such liquor was taken or”.

(8) (a) Section 152H (1)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the holder of the permit”.

(b) Section 152H (4)—

Omit “gross”.

(9) (a) Section 168B (1)—

Omit “the holder of any license or permit under this Act or to a registered club”, insert instead “persons authorised to sell liquor”.

(b) Section 168B (1) (a)—

Omit “holder of a license or permit or registered club to whom or to which”, insert instead “person authorised to sell liquor to whom”.

(c) Section 168B (1) (b)—

Omit “holder of a license or permit and to each such registered club”, insert instead “person”.

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

## (d) Section 168B (1) (c)—

Omit “(including any duties) by each such holder of a license or permit and by each such registered club”, insert instead “by each such person”.

## (10) Section 168c—

Omit “holders of licenses or permits or to registered clubs”, insert instead “persons authorised to sell liquor”.

## (11) Section 168D (1)—

Omit “holders of licenses or permits issued under this Act or to registered clubs”, insert instead “persons authorised to sell liquor”.

**Sec. 3.**

## SCHEDULE 2.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES  
OF REGISTRATION.

## (1) (a) Section 10 (1)—

After “license” where firstly and thirdly occurring, insert “, permit or certificate of registration”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) Section 10 (1)—

After “Part III”, insert “, a permit or a certificate of registration”.

(c) Section 10 (1)—

Omit “every such applicant”, insert instead “, except in the case of an application relating to a registered club or to prescribed premises as defined in section 152A (1), the applicant, or in the case of an application relating to a registered club or prescribed premises as defined in section 152A (1), the secretary of the registered club or the person nominated pursuant to section 152C (2) (b) (iii), as the case may be,”.

(d) Section 10 (1)—

Omit “section 35”, insert instead “any other provision of this Act”.

(2) Section 23 (3)—

Omit the subsection.

(3) Section 26B (1)—

Omit “paragraphs (d) to (g) of section 29”, insert instead “section 29 (1) (d) to (g)”.

(4) Section 26C (1)—

Omit “paragraphs (e) to (g) of section 29”, insert instead “section 29 (1) (e) to (g)”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## (5) Section 27 (2)—

Omit “paragraph (iii) of section 29”, insert instead “section 29 (1) (iii)”.

## (6) (a) Section 29—

After “application” where firstly occurring, insert “(not being an application made by the secretary of a registered club for a permit under section 57A)”.

## (b) Section 29 (2), (3)—

At the end of section 29, insert :—

(2) The provisions of sections 140 and 141 apply to and in respect of an application for the grant of a permit under subsection (1) to the secretary of a registered club in the same way as they apply to and in respect of an application for a certificate of registration of a club.

(3) An objection to the granting of an application for the renewal of a license or permit under this Part may be made notwithstanding that the application has not been made.

## (7) (a) Section 30 (1)—

Omit “paragraph (d) of section 29”, insert instead “section 29 (1) (d)”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) Section 30 (1A)—

Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.

(c) Section 30 (1B)—

Omit “paragraph (f) of section 29”, insert  
instead “section 29 (1) (f)”.

(d) Section 30 (4)—

Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.

(8) Section 31—

Omit the section, insert instead :—

31. (1) Where—

(a) the court decides to grant an application for  
a new license, it shall authorise the issue  
by the clerk of the court; or

(b) an application (being an application for the  
renewal of a license) is, pursuant to section  
35, dealt with by the court and it decides  
to grant the application, it shall authorise  
the issue by the secretary of the board,

to the applicant of a license or a renewed license in  
accordance with its decision.

(2) The court shall record its decision in such  
manner as it thinks fit.

Issue of  
licenses.

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*Liquor (Further Amendment).*


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 SCHEDULE 2—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

## (9) (a) Section 32—

Omit “by the clerk of the court”.

## (b) Section 32—

Omit “paid to him”, insert instead “paid, in the case of a new license, to the clerk of the court or, in the case of a renewed license, to the secretary of the board”.

## (c) Section 32—

Omit “is paid to the clerk of the court”, insert instead “has been duly paid in accordance with the foregoing provisions of this section”.

## (10) (a) Section 34 (2) (a)—

Omit the paragraph.

## (b) Section 34 (2) (b), (d)—

Omit “paragraph (e) of section 29” wherever occurring, insert instead “section 29 (1) (e)”.

## (11) Section 35—

Omit the section, insert instead :—

35. (1) A licensee (other than a licensee under a booth license or a limited public hall license) who makes an application to the secretary of the board for the renewal of his license is entitled to obtain the renewal of his license unless an objection to the renewal of his license is upheld by the licensing court.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(2) An application referred to in subsection (1) for the renewal of a license may be granted on or after the first day of June next preceding the due date for the expiry of the license—

(a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the license, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the license; or

(b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(3) Notwithstanding section 10, a licensee need not attend in person before the court on an application for the renewal of his license to which objection has been taken unless notice of the objection was served on the licensee on or before the thirty-first day of May next preceding the due date for the expiry of the license.

(12) (a) Section 36 (1)—

Omit the subsection.

(b) Section 36 (2)—

Omit “application for the renewal of a license has been made by a licensee who has complied with the requirements of subsection (1) and the

SCHEDULE

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*Liquor (Further Amendment).*


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 SCHEDULE 2—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

application has not been heard and determined by the court”, insert instead “an application for the renewal of a license has not been granted”.

## (c) Section 36 (2)—

Omit “clerk of the licensing court”, insert instead “secretary of the board”.

## (13) Section 38 (2) (a)—

Omit “and section 36”.

## (14) (a) Section 57A (1)—

Omit “, but may be renewed from time to time by a further grant”.

## (b) Section 57A (1A), (1B), (1C), (1D)—

After section 57A (1), insert :—

(1A) The holder of any such permit who makes application to the secretary of the board for the renewal of the permit is entitled to obtain the renewal of the permit unless an objection to the renewal of the permit or the renewal of the license or certificate of registration held by that holder is upheld by the licensing court.

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(1B) An application for the renewal of any such permit may be granted on or after the first day of June next preceding the due date for the expiry of the permit—

- (a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the permit, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the permit or, as the case may be, the license or certificate of registration; or
- (b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(1C) Notwithstanding section 10, the holder of any such permit need not attend in person before the court on the application for the renewal of his permit to which objection has been taken unless notice of the objection was served on the holder on or before the thirty-first day of May next preceding the due date for the expiry of the permit.

(1D) The provisions of sections 139, 140 and 141 apply to and in respect of a permit (being a permit held by the secretary of a registered club) under subsection (1) and the holder thereof in the same way as the provisions of those sections apply to and in respect of a certificate of registration of a registered club and the secretary of a registered club.

**SCHEDULE**

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*Liquor (Further Amendment).*


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 SCHEDULE 2—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

## (15) (a) Section 57C (2)—

Omit “, but may be renewed from time to time by a further grant”.

## (b) Section 57C (2A), (2B), (2C)—

After section 57C (2), insert :—

(2A) The holder of any such permit who makes application to the secretary of the board for the renewal of the permit is entitled to obtain the renewal of the permit unless an objection to the renewal of the permit or the renewal of the license held by that holder is upheld by the licensing court.

(2B) An application for the renewal of any such permit may be granted on or after the first day of June next preceding the due date for the expiry of the permit—

- (a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the permit, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the permit or the license; or
- (b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(2c) Notwithstanding section 10, the holder of any such permit need not attend in person before the court on the application for the renewal of his permit to which objection has been taken unless notice of the objection was served on the holder on or before the thirty-first day of May next preceding the due date for the expiry of the permit.

(16) (a) Section 78F (2) (a)—

Omit “paragraph (e)”, insert instead “subsection (1) (e) thereof”.

(b) Section 78F (2) (b)—

After “omitting”, insert “from subsection (1) thereof”.

(c) Section 78F (3)—

Omit “paragraph (f) of section 29”, insert instead “section 29 (1) (f)”.

(17) (a) Section 78G (1)—

Omit “If the court decides to grant the application it shall authorise the issue by the clerk of the court to the applicant of a permit”, insert instead :—

Where—

- (a) the court decides to grant an application for a new permit, it shall authorise the issue by the clerk of the court; or

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*Liquor (Further Amendment).*


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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) an application (being an application for the renewal of a permit) is, pursuant to section 35, as applied by section 78I, dealt with by the court and it decides to grant the application, it shall authorise the issue by the secretary of the board,

to the applicant of a permit or a renewed permit

(b) Section 78G (1)—

After “authorise the clerk of the court”, insert “or the secretary of the board, as the case may be,”.

(c) Section 78G (2)—

Omit “by the clerk of the court nor shall he endorse any permit unless the fee payable in respect thereof has been paid to him”, insert instead “nor shall any permit be endorsed under this Act unless the fee payable in respect thereof has been paid to the clerk of the court or the secretary of the board, as the case may be”.

(18) (a) Section 131—

Omit “fails to give notice as prescribed in section 36 of his intention to apply for a renewal of his license or, having given such notice, fails to apply in pursuance thereof”, insert instead “fails to apply for the renewal of his license”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) Section 131—

Omit “to give notice or”.

(19) (a) Section 137 (1)—

Omit “at least ten days before applying for such renewal”, insert instead “on or before the due date for the expiry thereof”.

(b) Section 137 (1)—

Omit “clerk of the licensing court for the licensing district in which the premises of the club are situate”, insert instead “secretary of the board”.

(c) Section 137 (3)—

Omit the subsection, insert instead :—

(3) The application may, if in the circumstances the licensing court or the secretary of the board, as the case may be, thinks it reasonable so to do, be dealt with under section 139 notwithstanding that the prescribed notice was not delivered to the secretary of the board on or before the due date for the expiry of the certificate of registration.

(d) Section 137 (4)—

Omit “clerk of the licensing court”, insert instead “secretary of the board”.

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*Liquor (Further Amendment).*


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 SCHEDULE 2—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

## (20) Section 138 (1)—

After “Part”, insert “for the grant of a certificate of registration of a club”.

## (21) (a) Section 139 (1)—

Omit “Subject to subsection (2) where application is made for the grant or renewal of a certificate of registration of a club”, insert instead “Where an application is made for the grant of a certificate of registration of a club or where an application for the renewal of such a certificate may, under subsection (2), be granted only by the licensing court,”.

## (b) Section 139 (2), (2A)—

Omit section 139 (2), insert instead :—

(2) An application for the renewal of a certificate of registration of a club may be granted on or after the first day of June next preceding the due date for the expiry of the certificate—

- (a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the certificate of registration, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the certificate; or

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(2A) Notwithstanding section 10, the secretary of a registered club need not attend in person before the court on an application for the renewal of the club's certificate of registration to which objection has been taken unless notice of the objection was served on the secretary on or before the thirty-first day of May next preceding the due date for the expiry of the certificate of registration.

(22) Section 140 (4)—

After section 140 (3), insert :—

(4) An objection to the renewal of a certificate of registration may be made notwithstanding that an application for the renewal has not been made.

(23) Section 146—

Omit the section.

(24) Section 150A (4)—

Omit the subsection.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## (25) (a) Section 152E (1)—

After “grant”, insert “or renewal”.

## (b) Section 152E (1)—

After “application for”, insert “the grant or renewal of”.

## (c) Section 152E (4)—

After section 152E (3), insert :—

(4) An objection to the granting of an application for the renewal of a permit may be made notwithstanding that the application has not been made.

## (26) (a) Section 152G (2)—

Omit “clerk of the court”, insert instead “secretary of the board”.

## (b) Section 152G (3) (b)—

Omit the paragraph.

## (27) Section 158—

After “by the” where firstly occurring, insert “secretary of the board or”.

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(28) Section 167 (4), (5), (6)—

Omit section 167 (4), insert instead :—

(4) No objection shall be heard—

(a) against any application (other than an application for the renewal of a license, permit or certificate of registration) unless notice of the objection, signed by each objector, has been given to the clerk of the licensing court and to the applicant at least three clear days before the time appointed for the hearing of the application to which the notice applies; or

(b) against an application for the renewal of a license, permit or certificate of registration unless notice of the objection, signed by each objector, has been given to the clerk of the licensing court, to the secretary of the board and to the applicant on or before the thirty-first day of May next preceding the due date for the expiry of the license, permit or certificate.

(5) Nothing in—

(a) subsection (4) (a) prevents the licensing court from hearing any objection, against an application referred to in subsection (4) (a), that may arise during the hearing of an application if the applicant is given notice of the objection and if the hearing of the application is adjourned, where the

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 2—*continued.*
 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

applicant so requests, for such period, not being less than three clear days, as the court thinks fit; or

- (b) subsection (4) (b) prevents the licensing court from hearing any objection against an application referred to in subsection (4) (b) if the application has not been granted under this Act by the secretary of the board.

(6) The clerk of the court shall, forthwith after its receipt by him, forward every notice of objection received by him otherwise than from the inspector to the inspector for inquiry and report.

(29) Section 170 (2)—

Omit “clerk of the licensing court”, insert instead “secretary of the board”.

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 SCHEDULE 3.

## Sec. 3.

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
 PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES  
 BY INSTALMENTS.

(1) Section 23B—

Before Division 3 of Part III, insert :—

23B. (1) The person by whom the license fee for the renewal of any license is payable may, by notice in writing given to the person to whom the license

Postpone-  
ment of  
payment  
of part of  
license fee.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

fee is payable and on or before the date (in this section referred to as “the due date”), being the twentieth day of June next preceding the date of expiry of the license, elect to postpone payment of so much of the license fee as is an amount (in this section referred to as “the postponed amount”) equal to—

- (a) where the license fee is exactly an even number of dollars—one-half of the license fee; or
- (b) where the license fee is not exactly an even number of dollars—one-half of the highest even number of dollars next below the license fee.

(2) A person who makes an election referred to in subsection (1)—

- (a) is, if on or before the due date he pays the license fee less the postponed amount to the person to whom the license fee is payable, entitled to postpone payment of the postponed amount until the thirtieth day of November next following the due date; and
- (b) if, on that day, he has not paid the difference between the license fee, as originally fixed or as reassessed, as the case may be, and the portion of the license fee paid by him on or before the due date, ceases, until he pays that difference, to be a person authorised to sell liquor by the license, permit or certificate in respect of which the license fee was fixed or reassessed.

## SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

(3) Where a person has made an election referred to in subsection (1) in respect of the license fee payable for the renewal of a license—

(a) a reference in section 23 (6) (a) to the difference between the reassessed license fee and the original license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of making a refund in relation to the original license fee to which the election relates, as a reference to the difference between the portion of the original license fee paid by that person on or before the due date and the portion that would have been payable by him on or before that date had the reassessed license fee been the original license fee;

(b) a reference in section 23 (6) (b) or (c) to the difference between the original license fee and the reassessed license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of determining the liability of any person referred to in section 23 (6) (b) or (c) in relation to the original license fee to which the election relates, as a reference to the difference between the portion that would have been payable by that person on or before the due date had

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

the reassessed license fee been the original license fee and the portion of the original license fee paid by him on or before the due date;

- (c) section 32 shall be construed as if after the words "the fee payable" wherever occurring there were inserted the words ", less the postponed amount referred to in section 23B,";

- (d) section 36 (2) shall be construed as if—

(i) after the words "equal to the fee" there were inserted the words ", less the postponed amount referred to in section 23B,"; and

(ii) the words "proportion to the sum so lodged as that period bears to one year and shall refund the balance to the applicant." were omitted therefrom and there were inserted instead the following :—

proportion—

- (a) where the decision of the licensing court is given before the postponed amount referred to in section 23B has been paid—  
to the sum so lodged as that period bears to six months; or

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

(b) where that decision is given after that postponed amount has been paid—to the aggregate of the sum so lodged and that postponed amount as that period bears to one year,

and shall refund the balance to the applicant.

(e) section 170 (2) shall be construed—

(i) as if the words “sum equal to the fee payable for renewal of the license, together with a further sum of forty dollars as security for costs.” were omitted therefrom and there were inserted instead the following :—

sum—

(a) where the notice of intention to appeal is lodged before the thirtieth day of November next following the expiry of the license—equal to the fee, less the postponed amount referred to in section 23B, that is payable for the renewal of the license; and

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- (b) where the notice of intention to appeal is lodged on or after that day—equal to the fee that is so payable,

together with a further sum of \$40 as security for costs.

**and**

- (ii) as if after the words “proportionate part of the license fee” there were inserted the words “or proportionate part of the license fee, less the postponed amount referred to in section 23B, as the case may require,”.

(2) Section 150A (9), (10)—

After section 150A (8), insert :—

(9) The provisions of section 23B (1) and (2) apply to and in respect of fees payable for the renewal of a certificate of registration of a club as if a reference in those provisions to a license fee were a reference to a fee for a certificate of registration.

(10) Where a registered club has made an election referred to in section 23B (1), as applied by subsection (9), in respect of the fee payable for the renewal of its certificate of registration—

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- (a) the reference in subsection (6) (a) to the difference between the reassessed fee and the original fee shall, if the reassessment of the original fee was made before the thirtieth day of November next following the due date referred to in section 23B (1), be construed, for the purpose of making a refund in relation to the original fee to which the election relates, as a reference to the difference between the portion of the original fee paid by that person on or before the due date and the portion that would have been payable by him on or before that date had the reassessed fee been the original fee; and
- (b) a reference in subsection (6) (b) to the difference between the original fee and the reassessed fee shall, if the reassessment of the original fee was made before the thirtieth day of November next following the due date referred to in section 23B (1), be construed, for the purpose of determining the liability of the registered club, under subsection (6) (b), in relation to the original fee to which the election relates, as a reference to the difference between the portion that would have been payable by that person on or before the due date had the reassessed fee been the original fee and the portion of the original fee paid by him on or before the due date.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

(3) (a) Section 152H (3)—

Omit “is final and conclusive unless, in its absolute discretion, it re-assesses the amount in which case its re-assessment is final and conclusive”, insert instead “, subject to subsection (5), is final and conclusive”.

(b) Section 152H (5)—

Omit the subsection, insert instead :—

(5) The provisions of section 23 (2), (4), (5), (6), (7) and (8) and of section 23B (1) and (2) apply to and in respect of fees payable for, or for the renewal of, a permit and the fixing and reassessment thereof—

(a) as if a reference in those provisions to a license fee were a reference to the fee for a permit;

(b) as if, where an election referred to in section 23B (1) is made by the holder of a permit, the provisions of section 23 (6) (a), (b) and (c) were required to be construed in the manner provided by section 23B (3) (a) and (b) with respect to the fee paid or payable for the renewal of that permit;  
**and**

SCHEDULE

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*Liquor (Further Amendment).*


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**SCHEDULE 3—continued.**
**AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—continued.**

- (c) as if a reference in section 23 (8) to a license were a reference to a permit.
- 

Sec. 3.

**SCHEDULE 4.**
**AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
CLUB.**

- (1) Section 134A (4) (a)—

After “subsection (2)”, insert “or (3)”.

- (2) Section 134A (4) (a)—

Omit :—

Any application under this paragraph shall be made within three years from the date of commencement of the Liquor (Amendment) Act, 1969, or such further time as the licensing court may in special circumstances allow.

Where a club has made an application under this paragraph it shall not be entitled to make any further application under this paragraph.

**SCHEDULE**

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*Liquor (Further Amendment).*

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SCHEDULE 4—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A  
REGISTERED CLUB—*continued.*

(3) Section 134A (4) (b) (iii)—

Omit “of the commencement of the Liquor (Amendment) Act, 1969,”; insert instead “on which the hearing of the application commenced”.

(4) Section 134A (4) (b) (iv)—

Omit the subparagraph.

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SCHEDULE 5.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE.

(1) (a) Section 135 (1) (hi)—

Omit the paragraph, insert instead :—

(hi) no person under such age (not being less than eighteen years of age) as may be specified in the rules of the club shall use or operate or be allowed to use or operate poker machines in the club premises;

(b) Section 135 (1)—

Omit “Provided further that a club shall not admit members in accordance with paragraph (i) under the age of twenty-one years unless the members proposing and seconding the admission of such members have attained the age of twenty-one years.”.

SCHEDULE

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*Liquor (Further Amendment).*


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 SCHEDULE 5—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
 18 YEARS OF AGE—*continued.*

## (2) Section 149A—

Omit “Except in the case of a person who has attained the age of eighteen years and has served outside Australia as a member of the armed forces of the Commonwealth, any person under twenty-one years”, insert instead “A person under eighteen years”.

## (3) Section 149B (1)—

Omit “twenty-one”, insert instead “eighteen”.

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## Sec. 3.

## SCHEDULE 6.

## MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

## (1) Section 15A—

After “liquor”, insert “, subject to any conditions and provisions imposed on the grant of the license,”.

## (2) Section 23A—

After section 23, insert :—

23A. Any condition or provision imposed by the court on the grant of a license or a permit under section 57A or 57C—

- (a) shall attach to any renewal of the license or permit; and
- (b) may be revoked or varied on application made to the court by the licensee or holder of the permit or by an inspector.

Conditions  
and pro-  
visions  
attached  
to certain  
licenses  
and  
permits.

## SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT,  
1912—*continued.*

(3) (a) Section 57A (1)—

Omit “the purposes for which such permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

(b) Section 57A (2)—

Omit “prescribed by”, insert instead “and provisions referred to in”.

(c) Section 57A (2A)—

After “conditions”, insert “and provisions”.

(d) Section 57A (2A) (a)—

Omit “and”.

(e) Section 57A (2A) (b)—

Omit “premises” where lastly occurring, insert instead “premises; and”.

(f) Section 57A (2A) (c)—

After section 57A (2A) (b), insert :—

(c) such other conditions and provisions as are imposed by the court on the grant of the permit.

(4) (a) Section 57C (1)—

After “section”, insert “but subject to such conditions and provisions as are imposed by the court on the grant of the permit”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

## (b) Section 57C (1)—

Omit “the purposes for which the permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

## (c) Section 57C (3)—

After “in force”, insert “, in accordance with any conditions and provisions imposed by the court on the grant of the permit.”.

## (5) Section 69 (1)—

Omit “two gallons”, insert instead “nine litres”.

## (6) (a) Section 125 (3), (4)—

Omit “whatever under this Act, or any permit under Part IIIA” wherever occurring, insert instead “, permit or certificate of registration under this Act”.

## (b) Section 125 (5), (6)—

After section 125 (4), insert :—

(5) In subsection (4), “conduct” includes a breach of a condition or provision imposed by the court on the grant of a license.



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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

(6) Subsections (1), (2) and (4) apply so as to enable a complaint in respect of conduct, being a breach of a condition or provision imposed by the court on the grant of a permit under section 57A to a registered club, to be made and dealt with as if, in those subsections and in section 123, as applied by subsection (2) to a complaint referred to in subsection (1), a reference—

- (a) to a licensee were a reference to the secretary of that club; and
- (b) to a license (except the reference to a license lastly occurring in subsection (4)) were a reference to a certificate of registration.

(7) (a) Section 133 (1)—

Omit “and Part VIII”, insert instead “, Part VIII and section 131”.

(b) Section 133 (1)—

At the end of the subsection, insert :—

In applying section 131, the reference in that section to a license fee shall be construed as a reference to a fee for a certificate of registration.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

## (8) Section 152o—

Omit “and 63”, insert instead “, 63 and 131”.

## (9) Section 170 (5) (a)—

After “club,” where secondly occurring, insert “or an application for a permission under section 51B,”.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

*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, 23 November, 1976.*

## **New South Wales**



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. 93, 1976.**

An Act to amend the Liquor Act, 1912. [Assented to, 8th  
December, 1976.]

**BE**

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

**T. J. CAHILL,**  
*Chairman of Committees of the Legislative Assembly.*

*Liquor (Further Amendment).*

**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 :—

Short title. 1. This Act may be cited as the "Liquor (Further Amendment) Act, 1976".

Schedules. 2. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

SCHEDULE 2.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES OF REGISTRATION.

SCHEDULE 3.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES BY INSTALMENTS.

SCHEDULE 4.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED CLUB.

SCHEDULE 5.—AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE STATUS IN REGISTERED CLUBS OF PERSONS OVER 18 YEARS OF AGE.

SCHEDULE 6.—MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

Amendment of Act No. 42, 1912. 3. The Liquor Act, 1912, is amended in the manner set forth in Schedules 1–6.

*Liquor (Further Amendment).*

4. Any undertaking recorded—

- (a) by the clerk of the licensing court on a spirit merchant's license or on a permit under section 57A or 57C of the Liquor Act, 1912, granted or renewed before the commencement of this Act; or
- (b) in the records kept by the licensing court in respect of the granting or renewal before that commencement of any such license or permit,

Under-takings given on grant of spirit merchants' licenses and permits under section 57A or 57C of the Liquor Act, 1912.

shall, for the purposes of sections 23A and 125 of the Liquor Act, 1912, as amended by this Act, be deemed to be a condition or provision imposed by the licensing court on the grant of the license or permit.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE CALCULATION OF LICENSE FEES AND OTHER FEES.

- (1) (a) Section 3, definition of "Persons authorised to sell liquor"—

After the definition of "Near relative or connection", insert :—

"Persons authorised to sell liquor" means licensees and holders of permits or certificates of registration under this Act and includes persons authorised to sell liquor by the law of any other State or any Territory of the Commonwealth.

SCHEDULE

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*Liquor (Further Amendment).*


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 SCHEDULE 1—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
 CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

## (b) Section 3 (2), (3)—

At the end of section 3, insert :—

(2) A reference in this Act to the amount paid or payable by or on behalf of any person for any liquor is a reference—

(a) except as provided in paragraph (b), to the sum of—

(i) the amount paid or payable by or on behalf of that person for that liquor;

(ii) any amount paid or payable by or on behalf of that person for or for the hiring of any containers or packages (including corks, stoppers and labels attached thereto) in which that liquor is contained or packed when it is delivered to or purchased by or on behalf of that person or is to be contained or packed for sale or disposal by or on behalf of that person (whether or not any such amount is paid or payable to the supplier of that liquor);

(iii) any amount paid or payable for the packing or for the handling of that liquor and any such containers or packages or for putting it or them into the

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

state in which it is or they are when it is or they are delivered to or purchased by or on behalf of that person (whether or not any such amount is paid or payable to the supplier of that liquor);

(iv) any amount paid or payable by or on behalf of that person as freight or other delivery charges in respect of the delivery of that liquor, being an amount so paid or payable to the supplier of that liquor but not being an amount so paid or payable to that supplier as reimbursement for those freight or delivery charges if those freight or delivery charges are paid or payable by that supplier to a common carrier; and

(v) any amount paid or payable for duties or sales tax in respect of that liquor; or

(b) where the board is of the opinion that any amount paid or payable for any thing or for the doing of any thing referred to in paragraph (a) (i), (ii), (iii) or (iv) is less than the value of that thing or of the doing of that thing,

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

as the case may be, such amount as is determined by the board having regard to the circumstances in which that liquor was delivered to or purchased by or on behalf of that person.

(3) A reference in this Act to any amount paid or payable by or on behalf of any person for any liquor includes any amount paid or payable by any other person for the acquisition of that liquor for sale, supply or disposal by that firstmentioned person.

## (2) (a) Section 21 (1) (b)—

Omit "gross amount (including any duties and sales tax thereon) paid or payable", insert instead "amount paid or payable by or on behalf of the licensee".

## (b) Section 21 (1) (b)—

Omit "other licensed persons", insert instead "other persons authorised to sell liquor".

## (c) Section 21 (1) (d)—

Omit "gross amount (including any duties and sales tax thereon) paid or payable by", insert instead "amount paid or payable by or on behalf of".

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

(d) Section 21 (1) (d)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(e) Section 21 (1) (d)—

Omit “In this paragraph the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act but also persons licensed to sell liquor in any State or Territory of the Commonwealth of Australia, under any law for the time being in force in such State or Territory.”.

(f) Section 21 (1) (g)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the licensee”.

(g) Section 21 (1) (i)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the licensee”.

(h) Section 21 (1) (l)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable by”, insert instead “amount paid or payable by or on behalf of”.

SCHEDULE

---

*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

## (i) Section 21 (1) (n)—

Omit "gross amount (including any duties and sales tax thereon) paid or payable by", insert instead "amount paid or payable by or on behalf of".

## (j) Section 21 (1) (q)—

Omit "gross amount (including any duties and sales tax thereon) paid or payable by", insert instead "amount paid or payable by or on behalf of".

## (k) Section 21 (1A)—

Omit "gross".

## (l) Section 21 (1A)—

Omit "(g), (i), (l) and (n)", insert instead "(d), (g), (i), (l), (n) and (q)".

## (3) (a) Section 22 (1) (a)—

Omit "total amount paid or payable therefor, including any duties and sales tax thereon", insert instead "amount paid or payable therefor".

## (b) Section 22 (1) (c)—

After "person", insert "from whom delivery of such liquor was taken or".

SCHEDULE

---

*Liquor (Further Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

(c) Section 22 (2)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(d) Section 22 (2)—

Omit “, including any duties and sales tax thereon,”.

(e) Section 22 (2)—

Omit “In this subsection the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act, but also persons holding any permit or certificate of registration under this Act and persons licensed to sell liquor in any State or Territory of the Commonwealth of Australia, under any law for the time being in force in such State or Territory.”.

(4) (a) Section 34 (2) (c)—

Omit “persons licensed to sell liquor” where firstly occurring, insert instead “persons authorised to sell liquor”.

(b) Section 34 (2) (c)—

Omit “In this paragraph the expression ‘persons licensed to sell liquor’ includes not only persons licensed under this Act, but also persons holding any permit or certificate of registration under this Act and persons licensed to sell liquor in any

SCHEDULE

---

*Liquor (Further Amendment).*


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 SCHEDULE 1—*continued.*


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 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
 CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

State or Territory of the Commonwealth, under any law for the time being in force in such State or Territory.”.

(5) (a) Section 78H (2)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the holder of the permit”.

(b) Section 78H (3A)—

Omit “gross”.

(6) (a) Section 150A (1) (b)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club”.

(b) Section 150A (2B)—

Omit “gross”.

(7) (a) Section 151A (a)—

Omit “total amount paid or payable therefor, including any duties and sales tax thereon”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club for the liquor”.

SCHEDULE

---

*Liquor (Further Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

(b) Section 151A (c)—

After "person", insert "from whom delivery of such liquor was taken or".

(8) (a) Section 152H (1)—

Omit "gross amount (including any duties and sales tax thereon) paid or payable", insert instead "amount paid or payable by or on behalf of the holder of the permit".

(b) Section 152H (4)—

Omit "gross".

(9) (a) Section 168B (1)—

Omit "the holder of any license or permit under this Act or to a registered club", insert instead "persons authorised to sell liquor".

(b) Section 168B (1) (a)—

Omit "holder of a license or permit or registered club to whom or to which", insert instead "person authorised to sell liquor to whom".

(c) Section 168B (1) (b)—

Omit "holder of a license or permit and to each such registered club", insert instead "person".

SCHEDULE

---

*Liquor (Further Amendment).*


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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
CALCULATION OF LICENSE FEES AND OTHER FEES—  
*continued.*

## (d) Section 168B (1) (c)—

Omit "(including any duties) by each such holder of a license or permit and by each such registered club", insert instead "by each such person".

## (10) Section 168c—

Omit "holders of licenses or permits or to registered clubs", insert instead "persons authorised to sell liquor".

## (11) Section 168D (1)—

Omit "holders of licenses or permits issued under this Act or to registered clubs", insert instead "persons authorised to sell liquor".

**Sec. 3.**

## SCHEDULE 2.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND CERTIFICATES  
OF REGISTRATION.

## (1) (a) Section 10 (1)—

After "license" where firstly and thirdly occurring, insert ", permit or certificate of registration".

## SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) Section 10 (1)—

After “Part III”, insert “, a permit or a certificate of registration”.

(c) Section 10 (1)—

Omit “every such applicant”, insert instead “, except in the case of an application relating to a registered club or to prescribed premises as defined in section 152A (1), the applicant, or in the case of an application relating to a registered club or prescribed premises as defined in section 152A (1), the secretary of the registered club or the person nominated pursuant to section 152C (2) (b) (iii), as the case may be,”.

(d) Section 10 (1)—

Omit “section 35”, insert instead “any other provision of this Act”.

(2) Section 23 (3)—

Omit the subsection.

(3) Section 26B (1)—

Omit “paragraphs (d) to (g) of section 29”, insert instead “section 29 (1) (d) to (g)”.

(4) Section 26C (1)—

Omit “paragraphs (e) to (g) of section 29”, insert instead “section 29 (1) (e) to (g)”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## (5) Section 27 (2)—

Omit “paragraph (iii) of section 29”, insert instead  
“section 29 (1) (iii)”.

## (6) (a) Section 29—

After “application” where firstly occurring, insert  
“(not being an application made by the secretary  
of a registered club for a permit under section  
57A)”.

## (b) Section 29 (2), (3)—

At the end of section 29, insert :—

(2) The provisions of sections 140 and 141  
apply to and in respect of an application for the  
grant of a permit under subsection (1) to the  
secretary of a registered club in the same way as  
they apply to and in respect of an application  
for a certificate of registration of a club.

(3) An objection to the granting of an appli-  
cation for the renewal of a license or permit  
under this Part may be made notwithstanding  
that the application has not been made.

## (7) (a) Section 30 (1)—

Omit “paragraph (d) of section 29”, insert  
instead “section 29 (1) (d)”.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) Section 30 (1A)—

Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.

(c) Section 30 (1B)—

Omit “paragraph (f) of section 29”, insert  
instead “section 29 (1) (f)”.

(d) Section 30 (4)—

Omit “paragraph (e) of section 29”, insert  
instead “section 29 (1) (e)”.

(8) Section 31—

Omit the section, insert instead :—

31. (1) Where—

(a) the court decides to grant an application for  
a new license, it shall authorise the issue  
by the clerk of the court; or

(b) an application (being an application for the  
renewal of a license) is, pursuant to section  
35, dealt with by the court and it decides  
to grant the application, it shall authorise  
the issue by the secretary of the board,

to the applicant of a license or a renewed license in  
accordance with its decision.

(2) The court shall record its decision in such  
manner as it thinks fit.

Issue of  
licenses.

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 2—*continued.*
 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

## (9) (a) Section 32—

Omit "by the clerk of the court".

## (b) Section 32—

Omit "paid to him", insert instead "paid, in the case of a new license, to the clerk of the court or, in the case of a renewed license, to the secretary of the board".

## (c) Section 32—

Omit "is paid to the clerk of the court", insert instead "has been duly paid in accordance with the foregoing provisions of this section".

## (10) (a) Section 34 (2) (a)—

Omit the paragraph.

## (b) Section 34 (2) (b), (d)—

Omit "paragraph (e) of section 29" wherever occurring, insert instead "section 29 (1) (e)".

## (11) Section 35—

Omit the section, insert instead :—

Renewals of  
licenses.

35. (1) A licensee (other than a licensee under a booth license or a limited public hall license) who makes an application to the secretary of the board for the renewal of his license is entitled to obtain the renewal of his license unless an objection to the renewal of his license is upheld by the licensing court.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(2) An application referred to in subsection (1) for the renewal of a license may be granted on or after the first day of June next preceding the due date for the expiry of the license—

(a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the license, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the license; or

(b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(3) Notwithstanding section 10, a licensee need not attend in person before the court on an application for the renewal of his license to which objection has been taken unless notice of the objection was served on the licensee on or before the thirty-first day of May next preceding the due date for the expiry of the license.

(12) (a) Section 36 (1)—

Omit the subsection.

(b) Section 36 (2)—

Omit "application for the renewal of a license has been made by a licensee who has complied with the requirements of subsection (1) and the

SCHEDULE

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*Liquor (Further Amendment).*


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**SCHEDULE 2—continued.**
**AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—continued.**

application has not been heard and determined by the court”, insert instead “an application for the renewal of a license has not been granted”.

(c) Section 36 (2)—

Omit “clerk of the licensing court”, insert instead “secretary of the board”.

(13) Section 38 (2) (a)—

Omit “and section 36”.

(14) (a) Section 57A (1)—

Omit “, but may be renewed from time to time by a further grant”.

(b) Section 57A (1A), (1B), (1C), (1D)—

After section 57A (1), insert :—

(1A) The holder of any such permit who makes application to the secretary of the board for the renewal of the permit is entitled to obtain the renewal of the permit unless an objection to the renewal of the permit or the renewal of the license or certificate of registration held by that holder is upheld by the licensing court.

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(1B) An application for the renewal of any such permit may be granted on or after the first day of June next preceding the due date for the expiry of the permit—

- (a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the permit, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the permit or, as the case may be, the license or certificate of registration; or
- (b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(1C) Notwithstanding section 10, the holder of any such permit need not attend in person before the court on the application for the renewal of his permit to which objection has been taken unless notice of the objection was served on the holder on or before the thirty-first day of May next preceding the due date for the expiry of the permit.

(1D) The provisions of sections 139, 140 and 141 apply to and in respect of a permit (being a permit held by the secretary of a registered club) under subsection (1) and the holder thereof in the same way as the provisions of those sections apply to and in respect of a certificate of registration of a registered club and the secretary of a registered club.

**SCHEDULE**

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## (15) (a) Section 57C (2)—

Omit “, but may be renewed from time to time by a further grant”.

## (b) Section 57C (2A), (2B), (2C)—

After section 57C (2), insert :—

(2A) The holder of any such permit who makes application to the secretary of the board for the renewal of the permit is entitled to obtain the renewal of the permit unless an objection to the renewal of the permit or the renewal of the license held by that holder is upheld by the licensing court.

(2B) An application for the renewal of any such permit may be granted on or after the first day of June next preceding the due date for the expiry of the permit—

(a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the permit, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the permit or the license; or

(b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(2c) Notwithstanding section 10, the holder of any such permit need not attend in person before the court on the application for the renewal of his permit to which objection has been taken unless notice of the objection was served on the holder on or before the thirty-first day of May next preceding the due date for the expiry of the permit.

(16) (a) Section 78F (2) (a)—

Omit “paragraph (e)”, insert instead “subsection (1) (e) thereof”.

(b) Section 78F (2) (b)—

After “omitting”, insert “from subsection (1) thereof”.

(c) Section 78F (3)—

Omit “paragraph (f) of section 29”, insert instead “section 29 (1) (f)”.

(17) (a) Section 78G (1)—

Omit “If the court decides to grant the application it shall authorise the issue by the clerk of the court to the applicant of a permit”, insert instead :—

Where—

(a) the court decides to grant an application for a new permit, it shall authorise the issue by the clerk of the court; or

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) an application (being an application for the renewal of a permit) is, pursuant to section 35, as applied by section 78I, dealt with by the court and it decides to grant the application, it shall authorise the issue by the secretary of the board,

to the applicant of a permit or a renewed permit

## (b) Section 78G (1)—

After “authorise the clerk of the court”, insert “or the secretary of the board, as the case may be,”.

## (c) Section 78G (2)—

Omit “by the clerk of the court nor shall he endorse any permit unless the fee payable in respect thereof has been paid to him”, insert instead “nor shall any permit be endorsed under this Act unless the fee payable in respect thereof has been paid to the clerk of the court or the secretary of the board, as the case may be”.

## (18) (a) Section 131—

Omit “fails to give notice as prescribed in section 36 of his intention to apply for a renewal of his license or, having given such notice, fails to apply in pursuance thereof”, insert instead “fails to apply for the renewal of his license”.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) Section 131—

Omit “to give notice or”.

(19) (a) Section 137 (1)—

Omit “at least ten days before applying for such renewal”, insert instead “on or before the due date for the expiry thereof”.

(b) Section 137 (1)—

Omit “clerk of the licensing court for the licensing district in which the premises of the club are situate”, insert instead “secretary of the board”.

(c) Section 137 (3)—

Omit the subsection, insert instead :—

(3) The application may, if in the circumstances the licensing court or the secretary of the board, as the case may be, thinks it reasonable so to do, be dealt with under section 139 notwithstanding that the prescribed notice was not delivered to the secretary of the board on or before the due date for the expiry of the certificate of registration.

(d) Section 137 (4)—

Omit “clerk of the licensing court”, insert instead “secretary of the board”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

## (20) Section 138 (1)—

After "Part", insert "for the grant of a certificate of registration of a club".

## (21) (a) Section 139 (1)—

Omit "Subject to subsection (2) where application is made for the grant or renewal of a certificate of registration of a club", insert instead "Where an application is made for the grant of a certificate of registration of a club or where an application for the renewal of such a certificate may, under subsection (2), be granted only by the licensing court,".

## (b) Section 139 (2), (2A)—

Omit section 139 (2), insert instead :—

(2) An application for the renewal of a certificate of registration of a club may be granted on or after the first day of June next preceding the due date for the expiry of the certificate—

- (a) by the secretary of the board if there has not, on or before the thirty-first day of May next preceding the due date for the expiry of the certificate of registration, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the certificate; or

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(2A) Notwithstanding section 10, the secretary of a registered club need not attend in person before the court on an application for the renewal of the club's certificate of registration to which objection has been taken unless notice of the objection was served on the secretary on or before the thirty-first day of May next preceding the due date for the expiry of the certificate of registration.

(22) Section 140 (4)—

After section 140 (3), insert :—

(4) An objection to the renewal of a certificate of registration may be made notwithstanding that an application for the renewal has not been made.

(23) Section 146—

Omit the section.

(24) Section 150A (4)—

Omit the subsection.

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 2—*continued.*
 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 APPLICATIONS FOR LICENSES, PERMITS AND  
 CERTIFICATES OF REGISTRATION—*continued.*

- (25) (a) Section 152E (1)—  
 After “grant”, insert “or renewal”.
- (b) Section 152E (1)—  
 After “application for”, insert “the grant or  
 renewal of”.
- (c) Section 152E (4)—  
 After section 152E (3), insert :—  
 (4) An objection to the granting of an appli-  
 cation for the renewal of a permit may be made  
 notwithstanding that the application has not been  
 made.
- (26) (a) Section 152G (2)—  
 Omit “clerk of the court”, insert instead  
 “secretary of the board”.
- (b) Section 152G (3) (b)—  
 Omit the paragraph.
- (27) Section 158—  
 After “by the” where firstly occurring, insert “secretary  
 of the board or”.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

(28) Section 167 (4), (5), (6)—

Omit section 167 (4), insert instead :—

(4) No objection shall be heard—

- (a) against any application (other than an application for the renewal of a license, permit or certificate of registration) unless notice of the objection, signed by each objector, has been given to the clerk of the licensing court and to the applicant at least three clear days before the time appointed for the hearing of the application to which the notice applies; or
- (b) against an application for the renewal of a license, permit or certificate of registration unless notice of the objection, signed by each objector, has been given to the clerk of the licensing court, to the secretary of the board and to the applicant on or before the thirty-first day of May next preceding the due date for the expiry of the license, permit or certificate.

(5) Nothing in—

- (a) subsection (4) (a) prevents the licensing court from hearing any objection, against an application referred to in subsection (4) (a), that may arise during the hearing of an application if the applicant is given notice of the objection and if the hearing of the application is adjourned, where the

SCHEDULE

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*Liquor (Further Amendment).*


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SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
APPLICATIONS FOR LICENSES, PERMITS AND  
CERTIFICATES OF REGISTRATION—*continued.*

applicant so requests, for such period, not being less than three clear days, as the court thinks fit; or

- (b) subsection (4) (b) prevents the licensing court from hearing any objection against an application referred to in subsection (4) (b) if the application has not been granted under this Act by the secretary of the board.

(6) The clerk of the court shall, forthwith after its receipt by him, forward every notice of objection received by him otherwise than from the inspector to the inspector for inquiry and report.

## (29) Section 170 (2)—

Omit “clerk of the licensing court”, insert instead “secretary of the board”.

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 SCHEDULE 3.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO THE  
PAYMENT OF CERTAIN LICENSE FEES AND OTHER FEES  
BY INSTALMENTS.

## (1) Section 23B—

Before Division 3 of Part III, insert :—

23B. (1) The person by whom the license fee for the renewal of any license is payable may, by notice in writing given to the person to whom the license

Postpone-  
ment of  
payment  
of part of  
license fee.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

fee is payable and on or before the date (in this section referred to as “the due date”), being the twentieth day of June next preceding the date of expiry of the license, elect to postpone payment of so much of the license fee as is an amount (in this section referred to as “the postponed amount”) equal to—

- (a) where the license fee is exactly an even number of dollars—one-half of the license fee; or
  - (b) where the license fee is not exactly an even number of dollars—one-half of the highest even number of dollars next below the license fee.
- (2) A person who makes an election referred to in subsection (1)—
- (a) is, if on or before the due date he pays the license fee less the postponed amount to the person to whom the license fee is payable, entitled to postpone payment of the postponed amount until the thirtieth day of November next following the due date; and
  - (b) if, on that day, he has not paid the difference between the license fee, as originally fixed or as reassessed, as the case may be, and the portion of the license fee paid by him on or before the due date, ceases, until he pays that difference, to be a person authorised to sell liquor by the license, permit or certificate in respect of which the license fee was fixed or reassessed.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

(3) Where a person has made an election referred to in subsection (1) in respect of the license fee payable for the renewal of a license—

- (a) a reference in section 23 (6) (a) to the difference between the reassessed license fee and the original license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of making a refund in relation to the original license fee to which the election relates, as a reference to the difference between the portion of the original license fee paid by that person on or before the due date and the portion that would have been payable by him on or before that date had the reassessed license fee been the original license fee;
- (b) a reference in section 23 (6) (b) or (c) to the difference between the original license fee and the reassessed license fee shall, if the reassessment of the original license fee was made before the thirtieth day of November next following the due date, be construed, for the purpose of determining the liability of any person referred to in section 23 (6) (b) or (c) in relation to the original license fee to which the election relates, as a reference to the difference between the portion that would have been payable by that person on or before the due date had

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

the reassessed license fee been the original license fee and the portion of the original license fee paid by him on or before the due date;

(c) section 32 shall be construed as if after the words "the fee payable" wherever occurring there were inserted the words ", less the postponed amount referred to in section 23B,";

(d) section 36 (2) shall be construed as if—

(i) after the words "equal to the fee" there were inserted the words ", less the postponed amount referred to in section 23B,"; and

(ii) the words "proportion to the sum so lodged as that period bears to one year and shall refund the balance to the applicant." were omitted therefrom and there were inserted instead the following :—

proportion—

(a) where the decision of the licensing court is given before the postponed amount referred to in section 23B has been paid—to the sum so lodged as that period bears to six months; or

SCHEDULE

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*Liquor (Further Amendment).*


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 SCHEDULE 3—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
 THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
 FEES BY INSTALMENTS—*continued.*

- (b) where that decision is given after that postponed amount has been paid—to the aggregate of the sum so lodged and that postponed amount as that period bears to one year, and shall refund the balance to the applicant.

(e) section 170 (2) shall be construed—

- (i) as if the words “sum equal to the fee payable for renewal of the license, together with a further sum of forty dollars as security for costs.” were omitted therefrom and there were inserted instead the following:—

sum—

- (a) where the notice of intention to appeal is lodged before the thirtieth day of November next following the expiry of the license—equal to the fee, less the postponed amount referred to in section 23B, that is payable for the renewal of the license; and

SCHEDULE

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

(b) where the notice of intention to appeal is lodged on or after that day—equal to the fee that is so payable,

together with a further sum of \$40 as security for costs.

and

(ii) as if after the words “proportionate part of the license fee” there were inserted the words “or proportionate part of the license fee, less the postponed amount referred to in section 23B, as the case may require,”.

(2) Section 150A (9), (10)—

After section 150A (8), insert :—

(9) The provisions of section 23B (1) and (2) apply to and in respect of fees payable for the renewal of a certificate of registration of a club as if a reference in those provisions to a license fee were a reference to a fee for a certificate of registration.

(10) Where a registered club has made an election referred to in section 23B (1), as applied by subsection (9), in respect of the fee payable for the renewal of its certificate of registration—

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- (a) the reference in subsection (6) (a) to the difference between the reassessed fee and the original fee shall, if the reassessment of the original fee was made before the thirtieth day of November next following the due date referred to in section 23B (1), be construed, for the purpose of making a refund in relation to the original fee to which the election relates, as a reference to the difference between the portion of the original fee paid by that person on or before the due date and the portion that would have been payable by him on or before that date had the reassessed fee been the original fee; and
- (b) a reference in subsection (6) (b) to the difference between the original fee and the reassessed fee shall, if the reassessment of the original fee was made before the thirtieth day of November next following the due date referred to in section 23B (1), be construed, for the purpose of determining the liability of the registered club, under subsection (6) (b), in relation to the original fee to which the election relates, as a reference to the difference between the portion that would have been payable by that person on or before the due date had the reassessed fee been the original fee and the portion of the original fee paid by him on or before the due date.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

(3) (a) Section 152H (3)—

Omit “is final and conclusive unless, in its absolute discretion, it re-assesses the amount in which case its re-assessment is final and conclusive”, insert instead “, subject to subsection (5), is final and conclusive”.

(b) Section 152H (5)—

Omit the subsection, insert instead :—

(5) The provisions of section 23 (2), (4), (5), (6), (7) and (8) and of section 23B (1) and (2) apply to and in respect of fees payable for, or for the renewal of, a permit and the fixing and reassessment thereof—

(a) as if a reference in those provisions to a license fee were a reference to the fee for a permit;

(b) as if, where an election referred to in section 23B (1) is made by the holder of a permit, the provisions of section 23 (6) (a), (b) and (c) were required to be construed in the manner provided by section 23B (3) (a) and (b) with respect to the fee paid or payable for the renewal of that permit;  
**and**

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*Liquor (Further Amendment).*


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SCHEDULE 3—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE PAYMENT OF CERTAIN LICENSE FEES AND OTHER  
FEES BY INSTALMENTS—*continued.*

- (c) as if a reference in section 23 (8) to  
a license were a reference to a permit.
- 

Sec. 3.

## SCHEDULE 4.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
CLUB.

- (1) Section 134A (4) (a)—

After "subsection (2)", insert "or (3)".

- (2) Section 134A (4) (a)—

Omit :—

Any application under this paragraph shall be made within three years from the date of commencement of the Liquor (Amendment) Act, 1969, or such further time as the licensing court may in special circumstances allow.

Where a club has made an application under this paragraph it shall not be entitled to make any further application under this paragraph.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 4—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE MAXIMUM NUMBER OF MEMBERS OF A  
REGISTERED CLUB—*continued.*

(3) Section 134A (4) (b) (iii)—

Omit “of the commencement of the Liquor (Amendment) Act, 1969,” insert instead “on which the hearing of the application commenced”.

(4) Section 134A (4) (b) (iv)—

Omit the subparagraph.

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SCHEDULE 5.

Sec. 3.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE.

(1) (a) Section 135 (1) (hi)—

Omit the paragraph, insert instead :—

(hi) no person under such age (not being less than eighteen years of age) as may be specified in the rules of the club shall use or operate or be allowed to use or operate poker machines in the club premises;

(b) Section 135 (1)—

Omit “Provided further that a club shall not admit members in accordance with paragraph (i) under the age of twenty-one years unless the members proposing and seconding the admission of such members have attained the age of twenty-one years.”.

SCHEDULE

*Liquor (Further Amendment).*SCHEDULE 5—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO  
THE STATUS IN REGISTERED CLUBS OF PERSONS OVER  
18 YEARS OF AGE—*continued.*

## (2) Section 149A—

Omit "Except in the case of a person who has attained the age of eighteen years and has served outside Australia as a member of the armed forces of the Commonwealth, any person under twenty-one years", insert instead "A person under eighteen years".

## (3) Section 149B (1)—

Omit "twenty-one", insert instead "eighteen".

## SCHEDULE 6.

Sec. 3.

## MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912.

## (1) Section 15A—

After "liquor", insert ", subject to any conditions and provisions imposed on the grant of the license,".

## (2) Section 23A—

After section 23, insert :—

23A. Any condition or provision imposed by the court on the grant of a license or a permit under section 57A or 57C—

(a) shall attach to any renewal of the license or permit; and

(b) may be revoked or varied on application made to the court by the licensee or holder of the permit or by an inspector.

Conditions  
and pro-  
visions  
attached  
to certain  
licenses  
and  
permits.

SCHEDULE



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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT,  
1912—*continued.*

(3) (a) Section 57A (1)—

Omit “the purposes for which such permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

(b) Section 57A (2)—

Omit “prescribed by”, insert instead “and provisions referred to in”.

(c) Section 57A (2A)—

After “conditions”, insert “and provisions”.

(d) Section 57A (2A) (a)—

Omit “and”.

(e) Section 57A (2A) (b)—

Omit “premises” where lastly occurring, insert instead “premises; and”.

(f) Section 57A (2A) (c)—

After section 57A (2A) (b), insert :—

(c) such other conditions and provisions as are imposed by the court on the grant of the permit.

(4) (a) Section 57C (1)—

After “section”, insert “but subject to such conditions and provisions as are imposed by the court on the grant of the permit”.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

## (b) Section 57c (1)—

Omit “the purposes for which the permit was granted are”, insert instead “any condition or provision to which the permit is subject is”.

## (c) Section 57c (3)—

After “in force”, insert “, in accordance with any conditions and provisions imposed by the court on the grant of the permit,”.

## (5) Section 69 (1)—

Omit “two gallons”, insert instead “nine litres”.

## (6) (a) Section 125 (3), (4)—

Omit “whatever under this Act, or any permit under Part IIIA” wherever occurring, insert instead “, permit or certificate of registration under this Act”.

## (b) Section 125 (5), (6)—

After section 125 (4), insert :—

(5) In subsection (4), “conduct” includes a breach of a condition or provision imposed by the court on the grant of a license.

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*

MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

(6) Subsections (1), (2) and (4) apply so as to enable a complaint in respect of conduct, being a breach of a condition or provision imposed by the court on the grant of a permit under section 57A to a registered club, to be made and dealt with as if, in those subsections and in section 123, as applied by subsection (2) to a complaint referred to in subsection (1), a reference—

(a) to a licensee were a reference to the secretary of that club; and

(b) to a license (except the reference to a license lastly occurring in subsection (4)) were a reference to a certificate of registration.

(7) (a) Section 133 (1)—

Omit “and Part VIII”, insert instead “, Part VIII and section 131”.

(b) Section 133 (1)—

At the end of the subsection, insert :—

In applying section 131, the reference in that section to a license fee shall be construed as a reference to a fee for a certificate of registration.

SCHEDULE

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*Liquor (Further Amendment).*

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SCHEDULE 6—*continued.*MISCELLANEOUS AMENDMENTS TO THE LIQUOR ACT, 1912  
—*continued.*

## (8) Section 152o—

Omit “and 63”, insert instead “, 63 and 131”.

## (9) Section 170 (5) (a)—

After “club,” where secondly occurring, insert “or an application for a permission under section 51B,”.

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

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 8th December, 1976.*