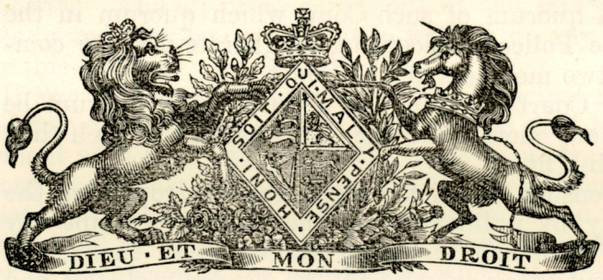


This PUBLIC BILL *originated in the* LEGISLATIVE ASSEMBLY, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE COUNCIL *for its concurrence.*

Legislative Assembly Chamber,
Sydney, 26 *April,* 1883.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.

ANNO QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

* *

No. .

An Act to amend the "Licensing Act of 1882."

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

Repeal of enactments in Principal Act.

1. On the passing of this Act the following sections and parts of sections of the "Licensing Act of 1882" hereinafter called the Principal Act shall be wholly repealed that is to say—so much of section ten as is contained in sub-section (XII.) thereof—so much of section thirty-six as is contained in the first sub-section (II.) thereof—section forty-seven—so much of section seventy-three as permits the premises of a licensee to be disqualified from receiving a license in certain cases—and the whole of sections eighty-eight and ninety-two And the following sections of the said Act are repealed so far as they are inconsistent with or repugnant to the provisions of this Act—that is to say—sections five six eighteen twenty-four twenty-six thirty thirty-six thirty-seven seventy-two and seventy-three in addition to so

much of section thirty-four as is hereinafter declared to be repealed But no repeal by virtue of this Act shall prejudice or affect the past operation of any enactment hereby wholly or in part repealed or any right lawfully created offence committed proceedings commenced or penalty incurred thereunder.

As to alteration of boundaries &c. of Metropolitan Licensing District. Sec. 5.

2. After the commencement of this Act the Governor may alter the boundaries of and subdivide the Metropolitan Licensing District in the same manner as any other Licensing District Provided that the Metropolitan Police District shall always be contained within the Metropolitan Licensing District.

As to the constitution jurisdiction &c. of Licensing Courts and Magistrates. Sec. 6.

3. In respect to the constitution jurisdiction and powers of Licensing Courts and Licensing Magistrates the following provisions shall take effect viz.—

(I.) Notwithstanding any alteration in the constitution of a Licensing Court by reason of the death removal absence or resignation of any of its members the jurisdiction conferred by the Principal or this Act on such Court may be lawfully exercised by a quorum of such Court which quorum in the absence of the Police or Licensing Magistrate may be composed of any two members of the Court.

(II.) A Licensing Court may in the absence of a quorum be adjourned by any member of the Court present to such time as he shall think fit.

(III.) In any Licensing District except the Metropolitan the Governor may by notification in the *Gazette* appoint any person to be a Deputy Licensing Magistrate of such Court And such Deputy may exercise all the powers vested in and shall perform all the duties cast upon a Licensing Magistrate by the Principal Act or this Act in case of the death removal resignation or absence of such Licensing Magistrate.

As to notices &c. Sec. 10 (XII.)

4. Any notice under the Principal Act or this Act may be partly or wholly in writing or in print Every notice of objections to an application under either of the said Acts shall be signed by every objector (with his address added) and shall be left with the person to whom such notice is directed or if he cannot conveniently be met with may be left with some person for him at his last or most usual place of abode so as to give him an interval of at least three clear days before the time appointed for the hearing or disposal of the matter referred to in the notice.

Notice of renewal to be given to Inspector.

5. Notwithstanding anything to the contrary contained in section forty-two of the "Licensing Act of 1882" it shall not be necessary after the passing of this Act that any licensee applying for a certificate authorizing the renewal of his license (other than a booth or stand license) shall give any notices of his intention so to apply except to the Inspector for the district appointed under the said Licensing Act and such notice shall be delivered to the said Inspector ten days prior to the holding of the Licensing Court at which the application is to be heard.

Senior constable may be appointed Inspector. Sec. 18.

6. Any member of the police force of the rank of "senior constable" may be appointed an Inspector of a Licensing District under and for the purposes of section eighteen of the Principal Act.

As to entry on licensed premises &c.

7. The provisions of section twenty-one of the Principal Act shall be applicable as well to any breach of this Act as of the Principal Act But in no case shall any person be liable to the penalty prescribed by the said section for delaying admittance within the meaning of that section unless such delay be wilful.

Sales of liquor on board vessels in breach of Principal Act. Sec. 25.

8. Any sale of liquor made by the master of a vessel who holds a packet license or by any of the officers or crew of such vessel with such masters privity or consent while such vessel is at any wharf anchorage

anchorage or moorings before she has proceeded on her voyage or passage or while such vessel is plying between places within the harbours of the Colony shall subject the master officer or member of the crew selling such liquor to a penalty not exceeding five pounds for the first and not exceeding ten pounds for the second or any subsequent offence And every sale of liquor on board such vessel under the circumstances aforesaid shall be deemed to be a sale by the master until the contrary be proved.

Minimum accommodation for public-houses in certain cases. Sec. 30.

9. Notwithstanding anything in the thirtieth section of the Principal Act where an application for the grant renewal or transfer of a publican's license is made in respect of a house situate ten miles or more by the nearest practicable highway from the nearest licensed public-house and the Licensing Court or Magistrate shall be satisfied that such house contains ready and fit for public accommodation in addition to the accommodation mentioned in the said Act for the licensee's family four good and substantial sleeping rooms each having not less than six hundred cubic feet of air space and one good and substantial sitting room having not less than twelve hundred cubic feet of air space the applicant shall subject to all other provisions of the Principal Act as amended by this Act be entitled to such grant renewal or transfer as the case may be.

Amendment of section 26 of Principal Act as to percentage of proof spirit.

10. The twenty-sixth section of the Principal Act and the fourth schedule thereto are amended by the substitution in each case of the word "thirty" instead of the word "twenty-six."

License fee may be reduced in certain cases.

11. If it appears to the Quarterly Licensing Court referred to in the twenty-ninth section of the principal Act that the premises in respect of which a publican's license is applied for is actually required for the accommodation of travellers it shall be lawful for the said Licensing Court if they think proper to reduce the fee payable for such license to fifteen pounds Provided that the provisions of this section shall not apply to any premises which are accessible by any practicable roadway to any licensed premises situate within ten miles of such premises.

Accommodation under section 8 sufficient for renewal.

12. The ground of objection provided for by sub-section (IV.) of section thirty-six of the Principal Act shall not be entertained as a ground of objection to the renewal of any publican's license granted under the provisions of the eighth section of this Act so long as the accommodation contained in the premises covered by such license is maintained up to the standard provided for in the said last-mentioned section.

Amendment of local option voting. Sec. 34.

13. So much of section thirty-four of the Principal Act as

(I.) Makes the granting of new publican's licenses and the removal of publicans' licenses subject to the determination of the ratepayer's vote by one answer on the voting paper.

(II.) Provides that nothing therein contained shall be applicable if no vote of ratepayers has been taken or if the voting is a nullity

(III.) Prescribes the form of local option papers and the directions to voters

(IV.) Is contained in the sub-section numbered (XI.) and

(V.) As requires or might be construed to require that each ratepayer's vote should by one answer (in the affirmative or negative) on the voting paper operate at the same time both in respect of the granting of new licenses and of removals of licenses

is hereby repealed And after the commencement of this Act the following provisions and directions shall take effect that is to say—

(*a*) Each ratepayer's vote shall continue to be given by a single voting paper but the answers of the voter shall be placed severally

severally against each question and within the division of the voting paper allotted to such question and answer in accordance with the subjoined form.

(*b*) The scale or proportion of votes prescribed by sub-section (XII.) of the Principal Act shall be applied to the determination of each of the questions contained on the voting paper with the same result upon new licenses and removals of licenses respectively and severally as is provided by the said sub-section in respect of new licenses and removals collectively.

(*c*) The result of the voting shall be ascertained and declared severally in respect of (1) the grant of new licenses and (2) the removal of licenses.

(*d*) Whenever no ratepayer's vote has been taken under the said thirty-fourth section as hereby amended or the voting is a nullity such vote shall be taken at the next annual election of Aldermen for the Ward or Municipality in question And the interval of three years shall in all such cases be reckoned from the taking of an effective ratepayer's vote.

(*e*) All references in the Principal Act to the provisions of the said thirty-fourth section shall be read as applying to the said section as amended hereby.

FORM OF LOCAL OPTION VOTING-PAPER.

Ward of City of Sydney or Municipality of or Municipality of (*if unsubdivided*).

DIVISION A 1. Shall any new Publicans' Licenses be granted in respect of premises situate within the above [*Ward or Municipality*] for the period of three years from this date?	*Voter's answer.* YES. NO.
DIVISION B 2. Shall any Removals of Publicans' Licenses be granted in respect of premises situate within the above [*Ward or Municipality*] for the period of three years from this date?	*Voter's answer.* YES. NO.

Directions.

If the Voter desires to vote against the granting of new licenses he should strike out the word "Yes" in division A If he desires to vote for the granting of new licenses he should strike out the word "No" in the same division A If he desires to vote against the granting of removals of licenses he should strike out the word "Yes" in division B If he desires to vote for the removal of licenses he should strike out the word "No" in the same division B.

Amendments in section 36 of Principal Act. Sec. 36.

14. After the commencement of this Act the following amendments of the thirty-sixth section of the Principal Act shall take effect that is to say—the word "twelve" shall be substituted for the words "twenty-four" in the second sub-section (II.) and the matter specified in sub-section (V.) shall not be a ground of objection to the renewal of any license referred to in the said section.

Lists of Certificates to be forwarded to Colonial Treasurer instead of duplicates. Sec. 37.

15. Instead of causing duplicates of certificates authorizing the issue of Licenses under Part II of the Principal Act to be transmitted to the Colonial Treasurer or officer appointed by him to be a receiver of license fees as provided by section thirty-seven of the said Act the Court shall cause lists of such certificates under the seal of the said Court

Court specifying the situation and sign or name of each house and the street road or place where it is situated to be transmitted to the said Colonial Treasurer.

Special certificate of transfer of license in certain cases. Sec. 43.

16. If during the currency of any license under Part II of the Principal Act or on its expiration by forfeiture cancellation or otherwise any owner of licensed premises shall come into legal possession of such premises to the exclusion of the licensee a Licensing Magistrate may grant certificate under the thirty-seventh section of the Principal Act or a special certificate of transfer under and subject to the provisions of the forty-third section of the said Act in like manner as if the licensee had been legally evicted from such premises And for the purposes of this section "owner" means the person for the time being entitled to receive the rent or profits of the licensed premises.

When lamps to be kept lit. Sec. 47.

17. Every holder of a publican's license shall keep a lamp to be lit with gas where practicable and to have an illuminating power equal to two ordinary candles at least when lit with gas or oil and to be fixed over the door and outside the wall or building-line of the licensed premises or within twenty feet thereof If the licensed premises of such holder are situate within the boundaries of the City of Sydney or of any borough or municipal district such holder shall keep his lamp burning every night from sunset to the hour of closing his premises but if such premises are situate outside the boundaries of the said city and of any borough or municipal district such holder shall keep his lamp burning every night from sunset to sunrise Every such holder failing to comply with the requirements of this section shall for every such failure be liable to a penalty not exceeding forty shillings.

Permits for musical entertainments &c. Sec. 51.

18. A permit may be granted by the Licensing Court or by a Licensing Magistrate to the holder of a publican's or Colonial wine license authorizing the holder thereof for the period named in such permit to supply with liquors authorized by their licenses respectively on the days and during the hours allowed by law any persons being *bonâ fide* members or invited guests of members of any amateur musical or dramatic society or club present at any concert or entertainment given by such society or club and held in any room attached to the licensed premises of such holder although not part of such licensed premises And a permit may be granted by the Licensing Court or by a Licensing Magistrate to the holder of a publican's license authorizing such holder for the period named in such permit to make and use an internal communication between his licensed house and the vestibule or entrance-hall of any adjoining premises occupied as a licensed theatre.

Licenses for railway refreshment rooms.

19. Notwithstanding anything contained in the Principal Act the Governor-in-Council may sanction and issue a license for the sale of liquor at such refreshment rooms or stalls at such railway stations as he may deem fit being at least sixty miles from any other such licensed refreshment rooms on the same line of railway and the fee for every such license shall be the same as for a publican's license under the Principal Act and shall be subject to such regulations and such penalties as the Governor-in-Council may make or impose Provided that all such regulations shall be laid before Parliament within fourteen days of their promulgation if Parliament be then sitting or within fourteen days after the commencement of its then next session.

As to *bonâ fide* travellers. 37 and 38 Vic. c. 49 s. 10. Secs. 63 and 64.

20. If in any proceedings against the holder of a license for infringing the provisions of the sixty-third section of the Principal Act such holder (hereinafter referred to as the defendant) fails to prove that the person to whom the liquor was sold or supplied (hereinafter referred to as the purchaser) was a *bonâ fide* traveller but the Court hearing

hearing the case is satisfied that the defendant believed that the purchaser was a *bonâ fide* traveller the Court shall dismiss the case as against the defendant and if such Court thinks that the purchaser falsely represented himself to be a *bonâ fide* traveller the Court may direct proceedings to be instituted against such purchaser under the sixty-fourth section of the Principal Act And no person shall for the purposes of this Act or the sixty-third section of the Principal Act be deemed to be a *bonâ fide* traveller unless the place where he lodged during the preceding night is at least ten miles distant from the place where he demands to be or is supplied with liquor such distance to be calculated by the shortest practicable route along or over any public highway or thoroughfare or by or across any arm of the sea inlet river or creek between the place of lodging and of supply.

Evasion of exemption in favour of travellers. Sec. 63.

21. No holder of a publican's license shall be compelled to supply liquor to any person representing himself to be a traveller within the meaning of the sixty-third section of the Principal Act as amended by this Act and requiring to be supplied with liquor at any time during which the general sale of liquor is prohibited by law unless such person shall on demand by such holder give his true name and address And if any person so requiring to be supplied with liquor shall not on such demand give his true name and address or shall give a false or fictitious name or address such person shall be liable to a penalty not exceeding five pounds.

Evasion of law as to sale &c. of liquor on premises. 35 & 36 Vic. c. 94 s. 6. Sec. 63.

22. In any proceedings under the sixty-third section of the Principal Act as amended by this Act against the holder of a license for selling or permitting the sale of liquor or the drinking or consumption of liquor on his premises it shall be no defence to prove that such holder himself took or carried or employed or suffered any other person to take or carry such liquor out of or from such premises for the purpose of being sold for such holder's benefit or profit and of being drunk or consumed in any other house or in any tent shed or other building of any kind whatever in the occupation of such holder or in any public place or public thoroughfare but in all such cases such liquor shall be deemed to have been drunk or consumed by the purchasers thereof on the licensed premises of such holder and with his privity and consent.

Effect of brewer's license and transfer of brewers' or spirit merchants' licenses. Sec. 68.

23. A brewer's license under Part III of the Principal Act shall be deemed to authorize the holder to carry on the trade of a brewer as defined in the said Act and to sell any liquor which he is by law authorized to make (but no other liquor) in quantities not less than two reputed gallons at any one time of the same kind of liquor And any such license or any spirit merchant's license may be transferred by a Licensing Court or Licensing Magistrate by endorsement thereon of the transfer on an application in writing signed by the intending transferror and transferree or their duly appointed agent or agents on payment of a fee of two pounds.

Amendment of sec. 72 of Principal Act. Sec. 72.

24. A license granted under the Principal or this Act shall not be liable to cancellation under the seventy-second section of the Principal Act unless the holder thereof shall be proved to have been thrice convicted after the passing of this Act within the three years next preceding of an offence punishable under the said Act as amended by this Act.

Licensed premises being used for purposes of prostitution.

25. Any person who shall use or engage for the purposes of prostitution any portion of any licensed premises may be forthwith ejected from such premises by the licensee or the person for the time being the manager or in charge of the said licensed premises and shall on conviction of having so used or engaged such portion of any such premises be liable to a penalty not exceeding ten pounds.

26. No conviction for an offence under sections forty-seven fifty-one seventy-seven eighty-two or eighty-six of the Principal Act or under section thirteen of this Act shall be reckoned among the convictions in respect of which a license under the Principal Act is liable to cancellation or a licensee thereunder liable to disqualification as provided by section seventy-three of the said Act.

What conviction not to count for certain purposes. Sec. 73.

27. Upon complaint on oath before a Licensing Magistrate or any Justice that the complainant suspects and believes that any holder of a Colonial wine license under the Principal Act has sold any liquor which he is not authorized to sell in terms of his Colonial wine license on the premises specified in his license and on reasonable grounds being shown for such suspicion and belief such Magistrate or Justice may grant a warrant to any constable to enter and search such premises whereupon such constable and Magistrate or Justice shall be authorized to exercise all the powers conferred on a constable Magistrate or Justice by section eighty-three of the Principal Act as in the case of liquor kept for the purpose of being illegally sold within the meaning of the said section And all other provisions of the said section shall be applicable to and may be carried out in respect of any proceedings taken under this section.

As to spirits &c. found on premises of holders of wine licenses. Secs. 26 and 83.

28. If any holder of a license under the Principal Act shall be convicted of felony or of any offence for which he shall be sentenced to imprisonment with hard labour on the roads or other public works of the Colony his license may be cancelled by the Licensing Court Provided that such Court may on the application of the wife of the holder so convicted or of any of his family above the age of twenty-one years or of the owner of the premises to which the license applies transfer the license to such wife or to some member of the family or to some other person approved by such Court And for the purposes of this section "owner" means the person for the time being entitled to receive the rent or profits of the licensed premises.

Cancellation of license for felony &c. Proviso. Sec. 88.

29. In addition to the jurisdiction conferred by the ninety-first section of the Principal Act in certain cases upon the Court of Petty Sessions nearest to the place where the offence was committed or the penalty or forfeiture was incurred every such Court of Petty Sessions shall after the commencement of this Act have concurrent jurisdiction with the Licensing Court to hear and determine every information or complaint under the Principal Act or the regulations made thereunder or under this Act except in cases where the holder of a license is summoned to show cause against the cancellation thereof or where the Court might order a license to be cancelled or forfeited or a licensee to be disqualified And the provisions of the said section shall be applicable in the exercise of the extended jurisdiction conferred by this section.

Where Courts of Petty Sessions to have extended jurisdiction. Sec. 91.

30. Any person aggrieved by any adjudication of a Licensing Court or Court of Petty Sessions made under the Principal or this Act where the adjudication complained of is not the refusal of a certificate for the granting renewal transfer or removal of a license under Part II of the Principal Act or the cancellation or forfeiture of a license or the refusal of a permit under section fifty-one of the Principal Act or section eighteen of this Act may appeal against such adjudication to the next Court of Quarter Sessions holden in the Licensing District where the adjudication complained of was given unless such Quarter Sessions shall be holden within fourteen days from the date of such adjudication in which case the appeal shall be to the then next following Quarter Sessions Such Court shall have power to hear and determine the matter of the appeal in a summary way and shall have and may exercise all powers conferred by the third section of the Act fifth William the Fourth number twenty-two and the decision of the Court shall be final and conclusive

As to appeals. Sec. 92.

conclusive Provided always that the appellant shall have given at least seven days notice before the hearing of such appeal of his intention to appeal and stating the grounds thereof to the Chairman of the Licensing Court of the said district or to some one of the adjudicating Justices and to the officer or other person prosecuting (if any) And provided always that such appellant (in case a penalty or sum of money shall have been awarded to be paid by him) shall pay into the hands of such Chairman or Justice the full amount thereof together with the costs awarded within one week next after adjudication and shall within the same period enter into a bond with two sureties approved by such Chairman or Justice conditioned to prosecute such appeal with effect and to abide the result of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him.

Short titles.

31. This Act may be cited as the "Licensing Act Amendment Act 1883" And the "Licensing Act of 1882" and this Act when referred to collectively may be cited as the "Licensing Acts 1882–1883."

Sydney: Thomas Richards, Government Printer.—1883.

PROVISIONS OF THE LICENSING ACT 1882 AMENDMENT BILL.

SYNOPSIS.

Clause 1. Repeals partially or wholly the clauses of the principal Act affected by the new provisions of of the Bill.

„ 2. The county of Cumberland which now forms one licensing district may be divided into several districts.—(Sec. 5.)

„ 3. Deals with the constitution and quorum of Licensing Courts.—(Sec. 6.)

„ 4. Enacts, among other things, that all notices of objections to an application for licenses shall be delivered personally, and not be sent through the post.—(Sec. 10, sub-sec. XII.)

„ 5. Notice of intention to apply for renewal of license may be given to Inspector of district, instead of publishing and fixing the same on door of licensed premises, &c.—(Sec. 42.)

„ 6. Senior-constables in districts where officers of a superior rank are not stationed may be appointed Inspectors.—(Sec. 18.)

„ 7. Deals with the question of entry by the Police. The alteration is that the licensee shall only punishable for delay in granting admittance where the delay is wilful.—(Sec. 21.)

„ 8. A penalty is imposed for sale of liquor on vessels whilst lying at a wharf or moorings or plying in harbour, no penalty having been provided under the Principal Act.—(Sec. 25.)

„ 9. Licenses for premises with bedrooms of a smaller space than the present standard may be granted in sparsely populated localities where the premises are situated ten miles distant from the nearest licensed premises.—(Sec. 30.)

„ 10. Colonial wine licensees may sell wines having a proportion of 30 per cent. of proof spirits instead of 26 per cent.—(Sec. 26.)

„ 11. The license fee may be reduced for certain roadside houses.

„ 12. The accommodation provided in clause 9 of the Bill shall be sufficient in cases of renewal of licenses granted under that clause.

„ 13. (1.) Ratepayers may vote separately instead of collectively for new licenses, or renewals of existing licenses. (2.) A local option vote may be taken in the next following year, when there has been an abortive vote, and the like when a vote has not been taken when it ought to have been, instead of waiting for three years, in accordance with the construction placed on the principal Act.—(Sec. 34.)

„ 14. A ground of objection to a new license may be that the applicant's license was cancelled within twelve months previously, instead of within twenty-four months, and "that the reasonable requirements of the neighbourhood do not justify the granting of a license," shall not be a ground of objection to the renewal of a license.—(Sec. 36.)

„ 15. Lists of licenses granted, instead of duplicates, are to be forwarded to the Treasury.—(Sec. 37.)

„ 16. Where an owner of premises which have been licensed comes into possession, during the currency of such license, to the exclusion of the licensee, a certificate or transfer may be granted.—(Sec. 43.)

„ 17. Within city and municipal boundaries it will only be necessary for publicans to keep lamps lit to the hour of closing.—(Sec. 47.)

„ 18. Permits may be granted to licensees for the supply of liquors to amateur musical and dramatic societies, at their entertainments when holding the same in rooms attached to, though not part of, the licensed premises.—(Sec. 51.)

„ 19. Railway refreshment rooms at which liquor may be sold may be established.

„ 20. Cases against a publican charged with selling illegally on a Sunday may be dismissed, if the Court is satisfied that the defendant believed the purchaser to be a *bona fide* traveller. No person shall be deemed a *bona fide* traveller unless the place where he lodged during the preceding night is at least ten miles distant from the place where he demands to be supplied with liquor, instead of five miles, as under the principal Act.—(Secs. 63 and 64.)

„ 21. A publican may refuse to serve any person as a *bona fide* traveller who does not give his true name and address, and persons refusing to give their true names and addresses, or giving false names and addresses, are liable to a penalty.—(Sec. 63.)

„ 22. Prohibits what is known as pavement drinking.—(Sec. 63.)

„ 23. The transfer of brewers' and wine and spirit merchants' licenses may be by endorsement, and brewers may sell any liquor which they are authorized to make in quantities of two gallons.—(Sec. 68.)

„ 24. A license may be cancelled after three proved offences by the licensee within three years, instead of after two offences, within the like period.—(Sec. 72.)

„ 25. Where persons use any portion of licensed premises for purposes of prostitution they may be ejected, and are liable to a penalty.—(Sec. 73.)

„ 26. Offences under sections forty-seven, fifty-one, seventy-seven, eighty-two, and eighty-six of the principal Act shall not count an offence for which licenses can be cancelled.

„ 27. Where there is a complaint on oath of suspicion that liquors not authorized to be sold on the premises licensed for the sale of colonial wine are being sold therein, such premises may be searched.—(Secs. 26 and 83.)

„ 28. In case of conviction of a licensee for a felony his license may be transferred for the benefit of his family or of the owner of the premises, instead of being cancelled.—(Sec. 88.)

„ 29. All informations and complaints, other than for the cancellation or forfeiture of licenses, or the disqualification of a licensee, may be heard at the nearest Court of Petty Sessions, instead of only in the Licensing Courts.—(Sec. 91.)

„ 30. Allows appeals in all cases of adjudication, except where it is concerning the refusal of a certificate for the granting, renewal, transfer, or removal of a license, instead of only allowing appeals when a penalty exceeding five pounds is imposed.—(Sec. 92.)

1883.

Legislative Council.

LICENSING ACT AMENDMENT BILL.

(*Amendments to be proposed in Committee of the Whole by* Mr. Brodribb.)

Clause 11, line 28. *After* "travellers" *insert* "or is intended for a "family hotel without open bar and with right only to sell "liquors to actual residents of the establishment to be con- "sumed by themselves and their guests"

" line 30. *Omit* "fifteen" *insert* "ten"

" line 30. *After* pounds" *omit* remainder of clause.

1883.

Legislative Council.

LICENSING ACT AMENDMENT BILL.

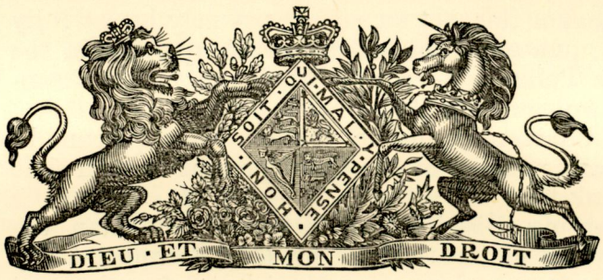
Page 1, clause 1, line 15. *Omit* "twenty-four"
„ 3, clause 8, lines 1 and 2. *Omit* "before she has proceeded on "her voyage or passage"
„ 3, clause 8, line 2. *Omit* "the" *insert* "any"
„ 3, clause 8, line 3. *Omit* "s" in "harbours"
„ 3, clause 12, line 37. *Omit* "eighth" *insert* "ninth"
„ 5, clause 19, line 50. *After* "the Principal Act and" *insert* "such license and the holder thereof"
„ 6, clause 21, lines 16 and 17. *Omit* "as amended by this Act"
„ 6, clause 22, line 25. *Omit* "as amended by this Act"
„ 6, clause 23, line 41. *After* "liquor" *insert* "And any holder "of a brewer's license who shall sell less than two reputed "gallons of the same kind of such liquor at any one time "shall be liable to a penalty not exceeding fifty pounds"
„ 6, clause 24, line 50. *After* "within" *omit* "the"
„ 6, clause 24, line 51. *Omit* "next preceding"
„ 7, clause 26, line 3. *Omit* "thirteen" *insert* "seventeen"

LICENSING ACT AMENDMENT BILL.

SCHEDULE of the Amendments referred to in Message of 30th April, 1883.

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

Page 1, clause 1, line 15. *Omit* "twenty-four"
„ clause 1, line 15. *Omit* "thirty"
Page 2, clause 5, line 41. *Omit* "Licensing Act of 1882" *insert* "**Principal Act**"
„ clause 5, line 46. *Omit* "Licensing" *insert* "**Principal**"
Page 3, clause 8, lines 1 and 2. *Omit* "before she has proceeded on her voyage or passage"
„ clause 8, line 2. *Omit* "the" *insert* "**any**"
„ clause 8, line 3. *Omit* "s" in "harbours"
„ clause 9. *Omit* clause ~~9.~~
„ clause ~~11.~~ **10,** line 33. *After* "such" *insert* "**first-mentioned**"
„ clause 12. *Omit* clause ~~12.~~
Page 5, clause ~~18.~~ **16,** line 38. *After* "premises" *omit* remainder of clause.
„ clause ~~19.~~ **17,** lines 47 and 48. *Omit* "being at least sixty miles from any other such licensed "refreshment-rooms on the same line of railway"
„ clause ~~19.~~ **17,** line 50. *Before* "shall" *insert* "**such license and the holder thereof**"
Page 6, clause ~~20.~~ **18,** line 5. *Omit* "may" *insert* "**shall**"
„ clause ~~20.~~ **18,** line 7. *After* "Act" *insert* "**And in place of the penalty provided by the "Principal Act for false representation the penalty shall be a penalty of not less than "five pounds and not exceeding ten pounds**"
„ clause ~~20.~~ **18,** line 13. *After* "is" *insert* "**if in the County of Cumberland at least twenty "miles and if in any other part of the Colony**"
„ clause ~~21.~~ **19,** lines 21 and 22. *Omit* "as amended by this Act"
„ clause ~~21.~~ **19,** lines 23 and 24. *Omit* "unless such person" *insert* "**but if such holder elect "to supply liquor then the person requiring the same**"
„ clause ~~21.~~ **19,** line 26. *After* "address" *insert* "**and place of lodging during the preceding "night**"
„ clause ~~21.~~ **19,** line 28. *After* "address" *insert* "**and place of lodging during the preceding "night**"
„ clause ~~21.~~ **19,** line 29. *After* "address" *insert* "**and place of lodging during the preceding "night**"
„ clause ~~21.~~ **19,** line 31. *After* "penalty" *insert* "**of**"
„ clause ~~21.~~ **19,** line 31. *Omit* "exceeding" *insert* "**less than**"
„ clause ~~21.~~ **19,** at end of clause *add* "**and not exceeding ten pounds**"
„ clause ~~22.~~ **20,** line 34. *Omit* "as amended by this Act"
„ clause ~~23.~~ **21,** line 50. *After* "liquor" *insert* "**and any holder of a brewer's license who "shall sell less than two reputed gallons of the same kind of such liquor at any one "time shall be liable to a penalty not exceeding fifty pounds**"
Page 7, clause ~~24.~~ **22,** line 2. *Omit* "second" *insert* "**third**"
„ clause ~~24.~~ **22,** line 4. *After* "within" *omit* "the"
„ clause ~~24.~~ **22,** line 5. *Omit* "next preceding"
„ clause ~~26.~~ **24,** line 14. *Omit* "fifty-one"
„ clause ~~26.~~ **24,** line 15. *Omit* "thirteen" *insert* "**seventeen**"
Page 8, clause ~~30.~~ **28.** *After* clause ~~30.~~ **28,** *insert* new clause **29.**
„ clause ~~31.~~ **30,** lines 40 and 41. *Omit* "Amendment Act" *insert* "**of**"



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.*

Legislative Assembly Chamber,
Sydney, 26 *April,* 1883.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL *has this day agreed to this Bill with Amendments.*

Legislative Council Chamber,
Sydney, 30*th April,* 1883.

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

New South Wales.

ANNO QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

* *

No. .

An Act to amend the "Licensing Act of 1882."

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

Repeal of enactments in Principal Act.

1. On the passing of this Act the following sections and parts of sections of the "Licensing Act of 1882" hereinafter called the Principal Act shall be wholly repealed that is to say—so much of section ten as is contained in sub-section (XII.) thereof—so much of section thirty-six as is contained in the first sub-section (II.) thereof—section forty-seven—so much of section seventy-three as permits the premises of a licensee to be disqualified from receiving a license in certain cases—and the whole of sections eighty-eight and ninety-two And the following sections of the said Act are repealed so far as they are inconsistent with or repugnant to the provisions of this Act—that is to say—sections five six eighteen ~~twenty-four~~ twenty-six ~~thirty~~ thirty-six thirty-seven seventy-two and seventy-three in addition to so

125— much

NOTE.—The words to be *omitted* are *ruled through;* those to be *inserted* are printed in **black letter.**

much of section thirty-four as is hereinafter declared to be repealed But no repeal by virtue of this Act shall prejudice or affect the past operation of any enactment hereby wholly or in part repealed or any right lawfully created offence committed proceedings commenced or penalty incurred thereunder.

2. After the commencement of this Act the Governor may alter the boundaries of and subdivide the Metropolitan Licensing District in the same manner as any other Licensing District Provided that the Metropolitan Police District shall always be contained within the Metropolitan Licensing District. As to alteration of boundaries &c. of Metropolitan Licensing District. Sec. 5.

3. In respect to the constitution jurisdiction and powers of Licensing Courts and Licensing Magistrates the following provisions shall take effect viz.— As to the constitution jurisdiction &c. of Licensing Courts and Magistrates. Sec. 6.

(I.) Notwithstanding any alteration in the constitution of a Licensing Court by reason of the death removal absence or resignation of any of its members the jurisdiction conferred by the Principal or this Act on such Court may be lawfully exercised by a quorum of such Court which quorum in the absence of the Police or Licensing Magistrate may be composed of any two members of the Court.

(II.) A Licensing Court may in the absence of a quorum be adjourned by any member of the Court present to such time as he shall think fit.

(III.) In any Licensing District except the Metropolitan the Governor may by notification in the *Gazette* appoint any person to be a Deputy Licensing Magistrate of such Court And such Deputy may exercise all the powers vested in and shall perform all the duties cast upon a Licensing Magistrate by the Principal Act or this Act in case of the death removal resignation or absence of such Licensing Magistrate.

4. Any notice under the Principal Act or this Act may be partly or wholly in writing or in print Every notice of objections to an application under either of the said Acts shall be signed by every objector (with his address added) and shall be left with the person to whom such notice is directed or if he cannot conveniently be met with may be left with some person for him at his last or most usual place of abode so as to give him an interval of at least three clear days before the time appointed for the hearing or disposal of the matter referred to in the notice. As to notices &c. Sec. 10 (XII.)

5. Notwithstanding anything to the contrary contained in section forty-two of the ~~"Licensing Act of 1882~~" **Principal Act** it shall not be necessary after the passing of this Act that any licensee applying for a certificate authorizing the renewal of his license (other than a booth or stand license) shall give any notices of his intention so to apply except to the Inspector for the district appointed under the said ~~Licensing~~ **Principal** Act and such notice shall be delivered to the said Inspector ten days prior to the holding of the Licensing Court at which the application is to be heard. Notice of renewal to be given to Inspector.

6. Any member of the police force of the rank of "senior constable" may be appointed an Inspector of a Licensing District under and for the purposes of section eighteen of the Principal Act. Senior constable may be appointed Inspector. Sec. 18.

7. The provisions of section twenty-one of the Principal Act shall be applicable as well to any breach of this Act as of the Principal Act But in no case shall any person be liable to the penalty prescribed by the said section for delaying admittance within the meaning of that section unless such delay be wilful. As to entry on licensed premises &c.

8. Any sale of liquor made by the master of a vessel who holds a packet license or by any of the officers or crew of such vessel with such masters privity or consent while such vessel is at any wharf anchorage Sales of liquor on board vessels in breach of Principal Act. Sec. 25.

anchorage or moorings ~~before she has proceeded on her voyage or passage~~ or while such vessel is plying between places within ~~the~~ **any** harbours of the Colony shall subject the master officer or member of the crew selling such liquor to a penalty not exceeding five pounds for the first and not exceeding ten pounds for the second or any subsequent offence And every sale of liquor on board such vessel under the circumstances aforesaid shall be deemed to be a sale by the master until the contrary be proved.

Minimum accommodation for public-houses in certain cases. Sec. 30.

9. Notwithstanding anything in the thirtieth section of the Principal Act where an application for the grant renewal or transfer of a publican's license is made in respect of a house situate ten miles or more by the nearest practicable highway from the nearest licensed public-house and the Licensing Court or Magistrate shall be satisfied that such house contains ready and fit for public accommodation in addition to the accommodation mentioned in the said Act for the licensee's family four good and substantial sleeping rooms each having not less than six hundred cubic feet of air space and one good and substantial sitting room having not less than twelve hundred cubic feet of air space the applicant shall subject to all other provisions of the Principal Act as amended by this Act be entitled to such grant ~~renewal or transfer as the case may be.~~

Amendment of section 26 of Principal Act as to percentage of proof spirit.

~~10.~~ **9.** The twenty-sixth section of the Principal Act and the fourth schedule thereto are amended by the substitution in each case of the word "thirty" instead of the word "twenty-six."

License fee may be reduced in certain cases.

~~11.~~ **10.** If it appears to the Quarterly Licensing Court referred to in the twenty-ninth section of the Principal Act that the premises in respect of which a publican's license is applied for is actually required for the accommodation of travellers it shall be lawful for the said Licensing Court if they think proper to reduce the fee payable for such license to fifteen pounds Provided that the provisions of this section shall not apply to any premises which are accessible by any practicable roadway to any licensed premises situate within ten miles of such **first mentioned** premises.

Accommodation under section 8 sufficient for renewal.

12. The ground of objection provided for by sub-section (IV.) of section thirty-six of the Principal Act shall not be entertained as a ground of objection to the renewal of any publican's license granted under the provisions of the eighth section of this Act so long as the accommodation contained in the premises covered by such license is maintained up to the standard provided for in the said last-mentioned ~~section.~~

Amendment of local option voting. Sec. 34.

~~13.~~ **11.** So much of section thirty-four of the Principal Act as

(I.) Makes the granting of new publican's licenses and the removal of publicans' licenses subject to the determination of the ratepayer's vote by one answer on the voting paper.

(II.) Provides that nothing therein contained shall be applicable if no vote of ratepayers has been taken or if the voting is a nullity

(III.) Prescribes the form of local option papers and the directions to voters

(IV.) Is contained in the sub-section numbered (XI.) and

(V.) As requires or might be construed to require that each ratepayer's vote should by one answer (in the affirmative or negative) on the voting paper operate at the same time both in respect of the granting of new licenses and of removals of licenses

is hereby repealed And after the commencement of this Act the following provisions and directions shall take effect that is to say—

(*a*) Each ratepayer's vote shall continue to be given by a single voting paper but the answers of the voter shall be placed severally

severally against each question and within the division of the voting paper allotted to such question and answer in accordance with the subjoined form.

(*b*) The scale or proportion of votes prescribed by sub-section (XII.) of the Principal Act shall be applied to the determination of each of the questions contained on the voting paper with the same result upon new licenses and removals of licenses respectively and severally as is provided by the said sub-section in respect of new licenses and removals collectively.

(*c*) The result of the voting shall be ascertained and declared severally in respect of (1) the grant of new licenses and (2) the removal of licenses.

(*d*) Whenever no ratepayer's vote has been taken under the said thirty-fourth section as hereby amended or the voting is a nullity such vote shall be taken at the next annual election of Aldermen for the Ward or Municipality in question And the interval of three years shall in all such cases be reckoned from the taking of an effective ratepayer's vote.

(*e*) All references in the Principal Act to the provisions of the said thirty-fourth section shall be read as applying to the said section as amended hereby.

FORM OF LOCAL OPTION VOTING-PAPER.

Ward of City of Sydney or Municipality of or Municipality of (*if unsubdivided*).

DIVISION A 1. Shall any new Publicans' Licenses be granted in respect of premises situate within the above [*Ward or Municipality*] for the period of three years from this date?	*Voter's answer.* YES. NO.
DIVISION B 2. Shall any Removals of Publicans' Licenses be granted in respect of premises situate within the above [*Ward or Municipality*] for the period of three years from this date?	*Voter's answer.* YES. NO.

Directions.

If the Voter desires to vote against the granting of new licenses he should strike out the word "Yes" in division A If he desires to vote for the granting of new licenses he should strike out the word "No" in the same division A If he desires to vote against the granting of removals of licenses he should strike out the word "Yes" in division B If he desires to vote for the removal of licenses he should strike out the word "No" in the same division B.

~~14.~~ **12.** After the commencement of this Act the following amendments of the thirty-sixth section of the Principal Act shall take effect that is to say—the word "twelve" shall be substituted for the words "twenty-four" in the second sub-section (II.) and the matter specified in sub-section (V.) shall not be a ground of objection to the renewal of any license referred to in the said section. Amendments in section 36 of Principal Act. Sec. 36.

~~15.~~ **13.** Instead of causing duplicates of certificates authorizing the issue of Licenses under Part II of the Principal Act to be transmitted to the Colonial Treasurer or officer appointed by him to be a receiver of license fees as provided by section thirty-seven of the said Act the Court shall cause lists of such certificates under the seal of the said Court Lists of Certificates to be forwarded to Colonial Treasurer instead of dup icates. Sec. 37.

Court specifying the situation and sign or name of each house and the street road or place where it is situated to be transmitted to the said Colonial Treasurer.

~~16.~~ **14.** If during the currency of any license under Part II of the Principal Act or on its expiration by forfeiture cancellation or otherwise any owner of licensed premises shall come into legal possession of such premises to the exclusion of the licensee a Licensing Magistrate may grant certificate under the thirty-seventh section of the Principal Act or a special certificate of transfer under and subject to the provisions of the forty-third section of the said Act in like manner as if the licensee had been legally evicted from such premises And for the purposes of this section "owner" means the person for the time being entitled to receive the rent or profits of the licensed premises.

Special certificate of transfer of license in certain cases. Sec. 43.

~~17.~~ **15.** Every holder of a publican's license shall keep a lamp to be lit with gas where practicable and to have an illuminating power equal to two ordinary candles at least when lit with gas or oil and to be fixed over the door and outside the wall or building-line of the licensed premises or within twenty feet thereof If the licensed premises of such holder are situate within the boundaries of the City of Sydney or of any borough or municipal district such holder shall keep his lamp burning every night from sunset to the hour of closing his premises but if such premises are situate outside the boundaries of the said city and of any borough or municipal district such holder shall keep his lamp burning every night from sunset to sunrise Every such holder failing to comply with the requirements of this section shall for every such failure be liable to a penalty not exceeding forty shillings.

When lamps to be kept lit. Sec. 47.

~~18.~~ **16.** A permit may be granted by the Licensing Court or by a Licensing Magistrate to the holder of a publican's or Colonial wine license authorizing the holder thereof for the period named in such permit to supply with liquors authorized by their licenses respectively on the days and during the hours allowed by law any persons being *bonâ fide* members or invited guests of members of any amateur musical or dramatic society or club present at any concert or entertainment given by such society or club and held in any room attached to the licensed premises of such holder although not part of such licensed premises ~~And a permit may be granted by the Licensing Court or by a Licensing Magistrate to the holder of a publican's license authorizing such holder for the period named in such permit to make and use an internal communication between his licensed house and the vestibule or entrance-hall of any adjoining premises occupied as a licensed theatre.~~

Permits for musical entertainments &c. Sec. 51.

~~19.~~ **17.** Notwithstanding anything contained in the Principal Act the Governor-in-Council may sanction and issue a license for the sale of liquor at such refreshment rooms or stalls at such railway stations as he may deem fit ~~being at least sixty miles from any other such licensed refreshment rooms on the same line of railway~~ and the fee for every such license shall be the same as for a publican's license under the Principal Act and **such license and the holder thereof** shall be subject to such regulations and such penalties as the Governor-in-Council may make or impose Provided that all such regulations shall be laid before Parliament within fourteen days of their promulgation if Parliament be then sitting or within fourteen days after the commencement of its then next session.

Licenses for railway refreshment rooms.

~~20.~~ **18.** If in any proceedings against the holder of a license for infringing the provisions of the sixty-third section of the Principal Act such holder (hereinafter referred to as the defendant) fails to prove that the person to whom the liquor was sold or supplied (hereinafter referred

As to *bonâ fide* travellers. 37 and 38 Vic. c. 49 s. 10. Secs. 63 and 64.

referred to as the purchaser) was a *boná fide* traveller but the Court hearing the case is satisfied that the defendant believed that the purchaser was a *boná fide* traveller the Court shall dismiss the case as against the defendant and if such Court thinks that the purchaser falsely represented himself to be a *boná fide* traveller the Court ~~may~~ **shall** direct proceedings to be instituted against such purchaser under the sixty-fourth section of the Principal Act **And in place of the penalty provided by the Principal Act for false representation the penalty shall be a penalty of not less than five pounds and not exceeding ten pounds** And no person shall for the purposes of this Act or the sixty-third section of the Principal Act be deemed to be a *boná fide* traveller unless the place where he lodged during the preceding night is **if in the County of Cumberland at least twenty miles and if in any other part of the Colony** at least ten miles distant from the place where he demands to be or is supplied with liquor such distance to be calculated by the shortest practicable route along or over any public highway or thoroughfare or by or across any arm of the sea inlet river or creek between the place of lodging and of supply.

Evasion of exemption in favour of travellers. Sec. 63.

~~21.~~ **19.** No holder of a publican's license shall be compelled to supply liquor to any person representing himself to be a traveller within the meaning of the sixty-third section of the Principal Act ~~as amended by this Act~~ and requiring to be supplied with liquor at any time during which the general sale of liquor is prohibited by law ~~unless such person~~ **but if such holder elect to supply liquor then the person requiring the same** shall on demand by such holder give his true name and address **and place of lodging during the preceding night** And if any person so requiring to be supplied with liquor shall not on such demand give his true name and address **and place of lodging during the preceding night** or shall give a false or fictitious name or address **and place of lodging during the preceding night** such person shall be liable to a penalty **of** not ~~exceeding~~ **less than** five pounds **and not exceeding ten pounds.**

Evasion of law as to sale &c. of liquor on premises. 35 & 36 Vic. c. 94 s. 6. Sec. 63.

~~22.~~ **20.** In any proceedings under the sixty-third section of the Principal Act ~~as amended by this Act~~ against the holder of a license for selling or permitting the sale of liquor or the drinking or consumption of liquor on his premises it shall be no defence to prove that such holder himself took or carried or employed or suffered any other person to take or carry such liquor out of or from such premises for the purpose of being sold for such holder's benefit or profit and of being drunk or consumed in any other house or in any tent shed or other building of any kind whatever in the occupation of such holder or in any public place or public thoroughfare but in all such cases such liquor shall be deemed to have been drunk or consumed by the purchasers thereof on the licensed premises of such holder and with his privity and consent.

Effect of brewer's license and transfer of brewers' or spirit merchants' licenses. Sec. 68.

~~23.~~ **21.** A brewer's license under Part III of the Principal Act shall be deemed to authorize the holder to carry on the trade of a brewer as defined in the said Act and to sell any liquor which he is by law authorized to make (but no other liquor) in quantities not less than two reputed gallons at any one time of the same kind of liquor **And any holder of a brewer's license who shall sell less than two reputed gallons of the same kind of such liquor at any one time shall be liable to a penalty not exceeding fifty pounds** And any such license or any spirit merchant's license may be transferred by a Licensing Court or Licensing Magistrate by endorsement thereon of the transfer on an application in writing signed by the intending transferror and transferree or their duly appointed agent or agents on payment of a fee of two pounds.

~~24.~~

~~24.~~ **22.** A license granted under the Principal or this Act shall not be liable to cancellation under the seventy-~~second~~ **third** section of the Principal Act unless the holder thereof shall be proved to have been thrice convicted after the passing of this Act within ~~the~~ three years ~~next preceding~~ of an offence punishable under the said Act as amended by this Act.

Amendment of sec. 72 of Principal Act. Sec. 72.

~~25.~~ **23.** Any person who shall use or engage for the purposes of prostitution any portion of any licensed premises may be forthwith ejected from such premises by the licensee or the person for the time being the manager or in charge of the said licensed premises and shall on conviction of having so used or engaged such portion of any such premises be liable to a penalty not exceeding ten pounds.

Licensed premises being used for purposes of prostitution.

~~26.~~ **24.** No conviction for an offence under sections forty-seven ~~fifty-one~~ seventy-seven eighty-two or eighty-six of the Principal Act or under section ~~thirteen~~ **seventeen** of this Act shall be reckoned among the convictions in respect of which a license under the Principal Act is liable to cancellation or a licensee thereunder liable to disqualification as provided by section seventy-three of the said Act.

What conviction not to count for certain purposes. Sec. 73.

~~27.~~ **25.** Upon complaint on oath before a Licensing Magistrate or any Justice that the complainant suspects and believes that any holder of a Colonial wine license under the Principal Act has sold any liquor which he is not authorized to sell in terms of his Colonial wine license on the premises specified in his license and on reasonable grounds being shown for such suspicion and belief such Magistrate or Justice may grant a warrant to any constable to enter and search such premises whereupon such constable and Magistrate or Justice shall be authorized to exercise all the powers conferred on a constable Magistrate or Justice by section eighty-three of the Principal Act as in the case of liquor kept for the purpose of being illegally sold within the meaning of the said section And all other provisions of the said section shall be applicable to and may be carried out in respect of any proceedings taken under this section.

As to spirits &c. found on premises of holders of wine licenses. Secs. 26 and 83.

~~28.~~ **26.** If any holder of a license under the Principal Act shall be convicted of felony or of any offence for which he shall be sentenced to imprisonment with hard labour on the roads or other public works of the Colony his license may be cancelled by the Licensing Court Provided that such Court may on the application of the wife of the holder so convicted or of any of his family above the age of twenty-one years or of the owner of the premises to which the license applies transfer the license to such wife or to some member of the family or to some other person approved by such Court And for the purposes of this section "owner" means the person for the time being entitled to receive the rent or profits of the licensed premises.

Cancellation of license for felony &c. Proviso. Sec. 88.

~~29.~~ **27.** In addition to the jurisdiction conferred by the ninety-first section of the Principal Act in certain cases upon the Court of Petty Sessions nearest to the place where the offence was committed or the penalty or forfeiture was incurred every such Court of Petty Sessions shall after the commencement of this Act have concurrent jurisdiction with the Licensing Court to hear and determine every information or complaint under the Principal Act or the regulations made thereunder or under this Act except in cases where the holder of a license is summoned to show cause against the cancellation thereof or where the Court might order a license to be cancelled or forfeited or a licensee to be disqualified And the provisions of the said section shall be applicable in the exercise of the extended jurisdiction conferred by this section.

Where Courts of Petty Sessions to have extended jurisdiction. Sec. 91.

~~30.~~ **28.** Any person aggrieved by any adjudication of a Licensing Court or Court of Petty Sessions made under the Principal or this Act where the adjudication complained of is not the refusal of a certificate for

As to appeals. Sec. 92.

for the granting renewal transfer or removal of a license under Part II of the Principal Act or the cancellation or forfeiture of a license or the refusal of a permit under section fifty-one of the Principal Act or section eighteen of this Act may appeal against such adjudication to the next Court of Quarter Sessions holden in the Licensing District where the adjudication complained of was given unless such Quarter Sessions shall be holden within fourteen days from the date of such adjudication in which case the appeal shall be to the then next following Quarter Sessions Such Court shall have power to hear and determine the matter of the appeal in a summary way and shall have and may exercise all powers conferred by the third section of the Act fifth William the Fourth number twenty-two and the decision of the Court shall be final and conclusive Provided always that the appellant shall have given at least seven days notice before the hearing of such appeal of his intention to appeal and stating the grounds thereof to the Chairman of the Licensing Court of the said district or to some one of the adjudicating Justices and to the officer or other person prosecuting (if any) And provided always that such appellant (in case a penalty or sum of money shall have been awarded to be paid by him) shall pay into the hands of such Chairman or Justice the full amount thereof together with the costs awarded within one week next after adjudication and shall within the same period enter into a bond with two sureties approved by such Chairman or Justice conditioned to prosecute such appeal with effect and to abide the result of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him.

Licensee may sell absconder's goods.

29. If any guest or lodger shall leave any inn or hotel without first paying a reasonable sum for his accommodation the licensee of such inn or hotel may after the expiration of three months from the date of such guest or lodger absconding having first given seven days notice by an advertisement in some newspaper circulating in the district proceed to sell by public auction all goods chattels and effects as may have been left in the custody of such licensee by such guest or lodger and any excess that may be realized over and above the amount of such indebtedness and expenses shall be retained by such licensee for a further period of three months in trust for such guest or lodger and if such surplus be not then claimed by such guest or lodger then such surplus shall be handed over to the hospital situate nearest to such inn or hotel for the use of such hospital.

Short titles.

~~31.~~ **30.** This Act may be cited as the "Licensing Act ~~Amendment~~ of 1883" And the "Licensing Act of 1882" and this Act when referred to collectively may be cited as the "Licensing Acts 1882–1883."

Sydney: Thomas Richards, Government Printer.—1883.

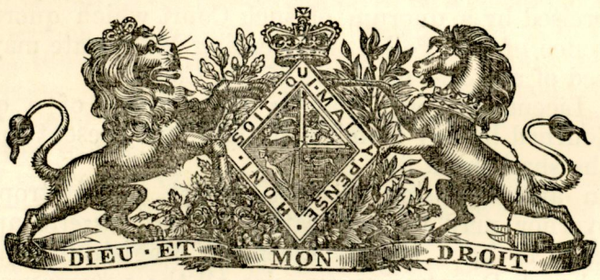
LICENSING ACT AMENDMENT BILL.

SCHEDULE of the Legislative Assembly's disagreements from, and Amendments upon, the Council's Amendments in this Bill.

Page 1, clause 1, line 15. *Re-insert* " thirty"
Page 3, clause ~~9.~~ *Re-insert* clause ~~9.~~
,, clause ~~12.~~ *Re-insert* clause ~~12.~~
,, ,, line 37. *Omit* " eighth" *insert* **" ninth"**
Page 6, clause ~~21,~~ **19,** line 31. *Omit* **" of"** *re-insert* " exceeding" *omit* **"less than"**
,, ,, lines 31 and 32. *Omit* **" and not exceeding ten pounds"**
Page 7, clause ~~24,~~ **22,** line 2. *Re-insert* " second" *omit* **" third"**
,, clause ~~26,~~ **24,** line 14. *Re-insert* " fifty-one"
Page 8, clause **29,** line 27. *Omit* **" inn or hotel"** *insert* " licensed premises"
,, ,, line 29. *Omit* **" inn or hotel"** *insert* " licensed premises"
,, ,, line 29. *After* **" may"** *insert* " with the consent of a Licensing " Magistrate and upon such Magistrate being satis- " fied by affidavit or statutory declaration of the " amount of debt"
,, ,, line 30. *Omit* **" seven"** *insert* " fourteen"
,, ,, line 31. *After* **" the"** *insert* " police"
,, ,, line 32. *After* **" district"** *insert* " within which such licensed " premises are situated"
,, ,, line 35. *After* **" be"** *omit* remainder of clause *insert* " paid over " to the Consolidated Revenue Fund in trust for " such person or persons as may thereafter be proved " to the satisfaction of the Colonial Treasurer to be " entitled thereto"

NOTE.—These references are to the Council's reprint of the Assembly's Bill.

New South Wales.



ANNO QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

****

No. XXIV.

An Act to amend the "Licensing Act of 1882." [Assented to, 2nd May, 1883.]

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

1. On the passing of this Act the following sections and parts of sections of the "Licensing Act of 1882" hereinafter called the Principal Act shall be wholly repealed that is to say—so much of section ten as is contained in sub-section (XII.) thereof—so much of section thirty-six as is contained in the first sub-section (II.) thereof—section forty-seven—so much of section seventy-three as permits the premises of a licensee to be disqualified from receiving a license in certain cases—and the whole of sections eighty-eight and ninety-two And the following sections of the said Act are repealed so far as they are inconsistent with or repugnant to the provisions of this Act—that is to say—sections five six eighteen twenty-six thirty thirty-six thirty-seven seventy-two and seventy-three in addition to so much of section thirty- Repeal of enactments in Principal Act.

thirty-four as is hereinafter declared to be repealed But no repeal by virtue of this Act shall prejudice or affect the past operation of any enactment hereby wholly or in part repealed or any right lawfully created offence committed proceedings commenced or penalty incurred thereunder.

As to alteration of boundaries &c. of Metropolitan Licensing District.
Sec. 5.

2. After the commencement of this Act the Governor may alter the boundaries of and subdivide the Metropolitan Licensing District in the same manner as any other Licensing District Provided that the Metropolitan Police District shall always be contained within the Metropolitan Licensing District.

As to the constitution jurisdiction &c. of Licensing Courts and Magistrates.
Sec. 6.

3. In respect to the constitution jurisdiction and powers of Licensing Courts and Licensing Magistrates the following provisions shall take effect viz.—

(I.) Notwithstanding any alteration in the constitution of a Licensing Court by reason of the death removal absence or resignation of any of its members the jurisdiction conferred by the Principal or this Act on such Court may be lawfully exercised by a quorum of such Court which quorum in the absence of the Police or Licensing Magistrate may be composed of any two members of the Court.

(II.) A Licensing Court may in the absence of a quorum be adjourned by any member of the Court present to such time as he shall think fit.

(III.) In any Licensing District except the Metropolitan the Governor may by notification in the *Gazette* appoint any person to be a Deputy Licensing Magistrate of such Court And such Deputy may exercise all the powers vested in and shall perform all the duties cast upon a Licensing Magistrate by the Principal Act or this Act in case of the death removal resignation or absence of such Licensing Magistrate.

As to notices &c.
Sec. 10 (XII.)

4. Any notice under the Principal Act or this Act may be partly or wholly in writing or in print Every notice of objections to an application under either of the said Acts shall be signed by every objector (with his address added) and shall be left with the person to whom such notice is directed or if he cannot conveniently be met with may be left with some person for him at his last or most usual place of abode so as to give him an interval of at least three clear days before the time appointed for the hearing or disposal of the matter referred to in the notice.

Notice of renewal to be given to Inspector.

5. Notwithstanding anything to the contrary contained in section forty-two of the Principal Act it shall not be necessary after the passing of this Act that any licensee applying for a certificate authorizing the renewal of his license (other than a booth or stand license) shall give any notices of his intention so to apply except to the Inspector for the district appointed under the said Principal Act and such notice shall be delivered to the said Inspector ten days prior to the holding of the Licensing Court at which the application is to be heard.

Senior constable may be appointed Inspector.
Sec. 18.

6. Any member of the police force of the rank of "senior constable" may be appointed an Inspector of a Licensing District under and for the purposes of section eighteen of the Principal Act.

As to entry on licensed premises &c.

7. The provisions of section twenty-one of the Principal Act shall be applicable as well to any breach of this Act as of the Principal Act But in no case shall any person be liable to the penalty prescribed by the said section for delaying admittance within the meaning of that section unless such delay be wilful.

Sales of liquor on board vessels in breach of Principal Act.
Sec. 25.

8. Any sale of liquor made by the master of a vessel who holds a packet license or by any of the officers or crew of such vessel with such masters privity or consent while such vessel is at any wharf anchorage

anchorage or moorings or while such vessel is plying between places within any harbour of the Colony shall subject the master officer or member of the crew selling such liquor to a penalty not exceeding five pounds for the first and not exceeding ten pounds for the second or any subsequent offence And every sale of liquor on board such vessel under the circumstances aforesaid shall be deemed to be a sale by the master until the contrary be proved.

Minimum accommodation for public-houses in certain cases. Sec. 30.

9. Notwithstanding anything in the thirtieth section of the Principal Act where an application for the grant renewal or transfer of a publican's license is made in respect of a house situate ten miles or more by the nearest practicable highway from the nearest licensed public-house and the Licensing Court or Magistrate shall be satisfied that such house contains ready and fit for public accommodation in addition to the accommodation mentioned in the said Act for the licensee's family four good and substantial sleeping rooms each having not less than six hundred cubic feet of air space and one good and substantial sitting room having not less than twelve hundred cubic feet of air space the applicant shall subject to all other provisions of the Principal Act as amended by this Act be entitled to such grant renewal or transfer as the case may be.

Amendment of section 26 of Principal Act as to percentage of proof spirit.

10. The twenty-sixth section of the Principal Act and the fourth schedule thereto are amended by the substitution in each case of the word "thirty" instead of the word "twenty-six."

License fee may be reduced in certain cases.

11. If it appears to the Quarterly Licensing Court referred to in the twenty-ninth section of the Principal Act that the premises in respect of which a publican's license is applied for is actually required for the accommodation of travellers it shall be lawful for the said Licensing Court if they think proper to reduce the fee payable for such license to fifteen pounds Provided that the provisions of this section shall not apply to any premises which are accessible by any practicable roadway to any licensed premises situate within ten miles of such first mentioned premises.

Accommodation under section 9 sufficient for renewal.

12. The ground of objection provided for by sub-section (IV.) of section thirty-six of the Principal Act shall not be entertained as a ground of objection to the renewal of any publican's license granted under the provisions of the ninth section of this Act so long as the accommodation contained in the premises covered by such license is maintained up to the standard provided for in the said last-mentioned section.

Amendment of local option voting. Sec. 34.

13. So much of section thirty-four of the Principal Act as

(I.) Makes the granting of new publican's licenses and the removal of publicans' licenses subject to the determination of the ratepayer's vote by one answer on the voting paper.

(II.) Provides that nothing therein contained shall be applicable if no vote of ratepayers has been taken or if the voting is a nullity

(III.) Prescribes the form of local option papers and the directions to voters

(IV.) Is contained in the sub-section numbered (XI.) and

(V.) As requires or might be construed to require that each ratepayer's vote should by one answer (in the affirmative or negative) on the voting paper operate at the same time both in respect of the granting of new licenses and of removals of licenses

is hereby repealed And after the commencement of this Act the following provisions and directions shall take effect that is to say—

(*a*) Each ratepayer's vote shall continue to be given by a single voting paper but the answers of the voter shall be placed severally

severally against each question and within the division of the voting paper allotted to such question and answer in accordance with the subjoined form.

(*b*) The scale or proportion of votes prescribed by sub-section (XII.) of the Principal Act shall be applied to the determination of each of the questions contained on the voting paper with the same result upon new licenses and removals of licenses respectively and severally as is provided by the said sub-section in respect of new licenses and removals collectively.

(*c*) The result of the voting shall be ascertained and declared severally in respect of (1) the grant of new licenses and (2) the removal of licenses.

(*d*) Whenever no ratepayer's vote has been taken under the said thirty-fourth section as hereby amended or the voting is a nullity such vote shall be taken at the next annual election of Aldermen for the Ward or Municipality in question And the interval of three years shall in all such cases be reckoned from the taking of an effective ratepayer's vote.

(*e*) All references in the Principal Act to the provisions of the said thirty-fourth section shall be read as applying to the said section as amended hereby.

FORM OF LOCAL OPTION VOTING-PAPER.

Ward of City of Sydney or Municipality of or Municipality of (*if unsubdivided*).

DIVISION A 1. Shall any new Publicans' Licenses be granted in respect of premises situate within the above [*Ward or Municipality*] for the period of three years from this date?	*Voter's answer.* YES. NO.
DIVISION B 2. Shall any Removals of Publicans' Licenses be granted in respect of premises situate within the above [*Ward or Municipality*] for the period of three years from this date?	*Voter's answer.* YES. NO.

Directions.

If the Voter desires to vote against the granting of new licenses he should strike out the word "Yes" in division A If he desires to vote for the granting of new licenses he should strike out the word "No" in the same division A If he desires to vote against the granting of removals of licenses he should strike out the word "Yes" in division B If he desires to vote for the removal of licenses he should strike out the word "No" in the same division B.

Amendments in section 36 of Principal Act.

Sec. 36.

14. After the commencement of this Act the following amendments of the thirty-sixth section of the Principal Act shall take effect that is to say—the word "twelve" shall be substituted for the words "twenty-four" in the second sub-section (II.) and the matter specified in sub-section (V.) shall not be a ground of objection to the renewal of any license referred to in the said section.

Lists of Certificates to be forwarded to Colonial Treasurer instead of duplicates

Sec. 37.

15. Instead of causing duplicates of certificates authorizing the issue of Licenses under Part II of the Principal Act to be transmitted to the Colonial Treasurer or officer appointed by him to be a receiver of license fees as provided by section thirty-seven of the said Act the Court shall cause lists of such certificates under the seal of the said Court

Court specifying the situation and sign or name of each house and the street road or place where it is situated to be transmitted to the said Colonial Treasurer.

Special certificate of transfer of license in certain cases. Sec. 43.

16. If during the currency of any license under Part II of the Principal Act or on its expiration by forfeiture cancellation or otherwise any owner of licensed premises shall come into legal possession of such premises to the exclusion of the licensee a Licensing Magistrate may grant certificate under the thirty-seventh section of the Principal Act or a special certificate of transfer under and subject to the provisions of the forty-third section of the said Act in like manner as if the licensee had been legally evicted from such premises And for the purposes of this section "owner" means the person for the time being entitled to receive the rent or profits of the licensed premises.

When lamps to be kept lit. Sec. 47.

17. Every holder of a publican's license shall keep a lamp to be lit with gas where practicable and to have an illuminating power equal to two ordinary candles at least when lit with gas or oil and to be fixed over the door and outside the wall or building-line of the licensed premises or within twenty feet thereof If the licensed premises of such holder are situate within the boundaries of the City of Sydney or of any borough or municipal district such holder shall keep his lamp burning every night from sunset to the hour of closing his premises but if such premises are situate outside the boundaries of the said city and of any borough or municipal district such holder shall keep his lamp burning every night from sunset to sunrise Every such holder failing to comply with the requirements of this section shall for every such failure be liable to a penalty not exceeding forty shillings.

Permits for musical entertainments &c. Sec. 51.

18. A permit may be granted by the Licensing Court or by a Licensing Magistrate to the holder of a publican's or Colonial wine license authorizing the holder thereof for the period named in such permit to supply with liquors authorized by their licenses respectively on the days and during the hours allowed by law any persons being *bonâ fide* members or invited guests of members of any amateur musical or dramatic society or club present at any concert or entertainment given by such society or club and held in any room attached to the licensed premises of such holder although not part of such licensed premises.

Licenses for railway refreshment rooms.

19. Notwithstanding anything contained in the Principal Act the Governor-in-Council may sanction and issue a license for the sale of liquor at such refreshment rooms or stalls at such railway stations as he may deem fit and the fee for every such license shall be the same as for a publican's license under the Principal Act and such license and the holder thereof shall be subject to such regulations and such penalties as the Governor-in-Council may make or impose Provided that all such regulations shall be laid before Parliament within fourteen days of their promulgation if Parliament be then sitting or within fourteen days after the commencement of its then next session.

As to *bonâ fide* travellers. 37 and 38 Vic. c. 49 s. 10. Secs. 63 and 64.

20. If in any proceedings against the holder of a license for infringing the provisions of the sixty-third section of the Principal Act such holder (hereinafter referred to as the defendant) fails to prove that the person to whom the liquor was sold or supplied (hereinafter referred to as the purchaser) was a *bonâ fide* traveller but the Court hearing the case is satisfied that the defendant believed that the purchaser was a *bonâ fide* traveller the Court shall dismiss the case as against the defendant and if such Court thinks that the purchaser falsely represented himself to be a *bonâ fide* traveller the Court shall direct proceedings to be instituted against such purchaser under the

the sixty-fourth section of the Principal Act And in place of the penalty provided by the Principal Act for false representation the penalty shall be a penalty of not less than five pounds and not exceeding ten pounds And no person shall for the purposes of this Act or the sixty-third section of the Principal Act be deemed to be a *bonâ fide* traveller unless the place where he lodged during the preceding night is if in the County of Cumberland at least twenty miles and if in any other part of the Colony at least ten miles distant from the place where he demands to be or is supplied with liquor such distance to be calculated by the shortest practicable route along or over any public highway or thoroughfare or by or across any arm of the sea inlet river or creek between the place of lodging and of supply.

Evasion of exemption in favour of travellers. Sec. 63.

21. No holder of a publican's license shall be compelled to supply liquor to any person representing himself to be a traveller within the meaning of the sixty-third section of the Principal Act and requiring to be supplied with liquor at any time during which the general sale of liquor is prohibited by law but if such holder elect to supply liquor then the person requiring the same shall on demand by such holder give his true name and address and place of lodging during the preceding night And if any person so requiring to be supplied with liquor shall not on such demand give his true name and address and place of lodging during the preceding night or shall give a false or fictitious name or address and place of lodging during the preceding night such person shall be liable to a penalty not exceeding five pounds.

Evasion of law as to sale &c. of liquor on premises. 35 & 36 Vic. c. 94 s. 6. Sec. 63.

22. In any proceedings under the sixty-third section of the Principal Act against the holder of a license for selling or permitting the sale of liquor or the drinking or consumption of liquor on his premises it shall be no defence to prove that such holder himself took or carried or employed or suffered any other person to take or carry such liquor out of or from such premises for the purpose of being sold for such holder's benefit or profit and of being drunk or consumed in any other house or in any tent shed or other building of any kind whatever in the occupation of such holder or in any public place or public thoroughfare but in all such cases such liquor shall be deemed to have been drunk or consumed by the purchasers thereof on the licensed premises of such holder and with his privity and consent.

Effect of brewer's license and transfer of brewers' or spirit merchants' licenses. Sec. 68.

23. A brewer's license under Part III of the Principal Act shall be deemed to authorize the holder to carry on the trade of a brewer as defined in the said Act and to sell any liquor which he is by law authorized to make (but no other liquor) in quantities not less than two reputed gallons at any one time of the same kind of liquor And any holder of a brewer's license who shall sell less than two reputed gallons of the same kind of such liquor at any one time shall be liable to a penalty not exceeding fifty pounds And any such license or any spirit merchant's license may be transferred by a Licensing Court or Licensing Magistrate by endorsement thereon of the transfer on an application in writing signed by the intending transferror and transferree or their duly appointed agent or agents on payment of a fee of two pounds.

Amendment of sec. 72 of Principal Act. Sec. 72.

24. A license granted under the Principal or this Act shall not be liable to cancellation under the seventy-second section of the Principal Act unless the holder thereof shall be proved to have been thrice convicted after the passing of this Act within three years of an offence punishable under the said Act as amended by this Act.

Licensed premises being used for purposes of prostitution.

25. Any person who shall use or engage for the purposes of prostitution any portion of any licensed premises may be forthwith ejected from such premises by the licensee or the person for the time being

being the manager or in charge of the said licensed premises and shall on conviction of having so used or engaged such portion of any such premises be liable to a penalty not exceeding ten pounds.

26. No conviction for an offence under sections forty-seven fifty-one seventy-seven eighty-two or eighty-six of the Principal Act or under section seventeen of this Act shall be reckoned among the convictions in respect of which a license under the Principal Act is liable to cancellation or a licensee thereunder liable to disqualification as provided by section seventy-three of the said Act.

What conviction not to count for certain purposes. Sec. 73.

27. Upon complaint on oath before a Licensing Magistrate or any Justice that the complainant suspects and believes that any holder of a Colonial wine license under the Principal Act has sold any liquor which he is not authorized to sell in terms of his Colonial wine license on the premises specified in his license and on reasonable grounds being shown for such suspicion and belief such Magistrate or Justice may grant a warrant to any constable to enter and search such premises whereupon such constable and Magistrate or Justice shall be authorized to exercise all the powers conferred on a constable Magistrate or Justice by section eighty-three of the Principal Act as in the case of liquor kept for the purpose of being illegally sold within the meaning of the said section And all other provisions of the said section shall be applicable to and may be carried out in respect of any proceedings taken under this section.

As to spirits &c. found on premises of holders of wine licenses. Secs. 26 and 83.

28. If any holder of a license under the Principal Act shall be convicted of felony or of any offence for which he shall be sentenced to imprisonment with hard labour on the roads or other public works of the Colony his license may be cancelled by the Licensing Court Provided that such Court may on the application of the wife of the holder so convicted or of any of his family above the age of twenty-one years or of the owner of the premises to which the license applies transfer the license to such wife or to some member of the family or to some other person approved by such Court And for the purposes of this section "owner" means the person for the time being entitled to receive the rent or profits of the licensed premises.

Cancellation of license for felony &c. Proviso. Sec. 88.

29. In addition to the jurisdiction conferred by the ninety-first section of the Principal Act in certain cases upon the Court of Petty Sessions nearest to the place where the offence was committed or the penalty or forfeiture was incurred every such Court of Petty Sessions shall after the commencement of this Act have concurrent jurisdiction with the Licensing Court to hear and determine every information or complaint under the Principal Act or the regulations made thereunder or under this Act except in cases where the holder of a license is summoned to show cause against the cancellation thereof or where the Court might order a license to be cancelled or forfeited or a licensee to be disqualified And the provisions of the said section shall be applicable in the exercise of the extended jurisdiction conferred by this section.

Where Courts of Petty Sessions to have extended jurisdiction. Sec. 91.

30. Any person aggrieved by any adjudication of a Licensing Court or Court of Petty Sessions made under the Principal or this Act where the adjudication complained of is not the refusal of a certificate for the granting renewal transfer or removal of a license under Part II of the Principal Act or the cancellation or forfeiture of a license or the refusal of a permit under section fifty-one of the Principal Act or section eighteen of this Act may appeal against such adjudication to the next Court of Quarter Sessions holden in the Licensing District where the adjudication complained of was given unless such Quarter Sessions shall be holden within fourteen days from the date of such adjudication in which case the appeal shall be to the then next following Quarter Sessions Such Court shall have power to hear and determine the matter of the appeal

As to appeals. Sec. 92.

appeal in a summary way and shall have and may exercise all powers conferred by the third section of the Act fifth William the Fourth number twenty-two and the decision of the Court shall be final and conclusive Provided always that the appellant shall have given at least seven days notice before the hearing of such appeal of his intention to appeal and stating the grounds thereof to the Chairman of the Licensing Court of the said district or to some one of the adjudicating Justices and to the officer or other person prosecuting (if any) And provided always that such appellant (in case a penalty or sum of money shall have been awarded to be paid by him) shall pay into the hands of such Chairman or Justice the full amount thereof together with the costs awarded within one week next after adjudication and shall within the same period enter into a bond with two sureties approved by such Chairman or Justice conditioned to prosecute such appeal with effect and to abide the result of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him.

Licensee may sell absconder's goods.

31. If any guest or lodger shall leave any licensed premises without first paying a reasonable sum for his accommodation the licensee of such licensed premises may with the consent of a Licensing Magistrate and upon such Magistrate being satisfied by affidavit or statutory declaration of the amount of debt after the expiration of three months from the date of such guest or lodger absconding having first given fourteen days notice by an advertisement in some newspaper circulating in the police district within which such licensed premises are situated proceed to sell by public auction all goods chattels and effects as may have been left in the custody of such licensee by such guest or lodger and any excess that may be realized over and above the amount of such indebtedness and expenses shall be paid over to the Consolidated Revenue Fund in trust for such person or persons as may thereafter be proved to the satisfaction of the Colonial Treasurer to be entitled thereto.

Short titles.

32. This Act may be cited as the "Licensing Act of 1883" And the "Licensing Act of 1882" and this Act when referred to collectively may be cited as the "Licensing Acts 1882–1883."

By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1883.

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