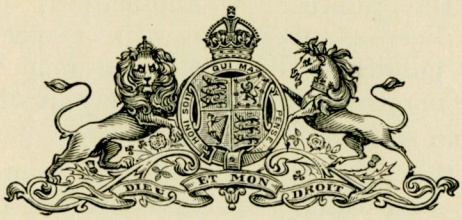
New South Wales.



ANNO QUARTO

GEORGII V REGIS.

* *

Act No. 5, 1913.

An Act to amend Part IV of the Liquor Act, 1912. [Assented to, 16th September, 1913.]

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

1. This Act may be cited as the "Liquor (Local Option) Amendment Act, 1913." Short title.

2. Section eighty of the Liquor Act, 1912, is repealed, and the following is substituted for it :— Amendment of s. 80.

80. (1) The number of publicans' licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together— Maximum number of licenses and clubs in electorate.

(a) the number of publicans' licenses (including conditional publicans' licenses) which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate ; and

(b)

(b) the number of applications pending for licenses of premises in respect of which publicans' licenses were held within four months before the said day in such area;

and subtracting therefrom—

(c) the number of publican's licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(2) The number of colonial wine licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together—

(a) the number of colonial wine licenses which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate; and

(b) the number of applications pending for licenses of premises in respect of which colonial wine licenses were held within four months before the said day in such area, and subtracting therefrom—

(c) the number of colonial wine licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(3) The number of clubs in an electorate shall not at any time exceed the number of clubs formed before the first day of November, one thousand nine hundred and five, and bona fide used on that day as clubs in the area constituting the electorate, and registered under the Act No. 40 of 1905 on or before the first day of March, one thousand nine hundred and six.

(4) Provided that where a publicans' or colonial wine license, or the registration of a club has, after the first day of January, one thousand nine

nine hundred and six, been removed from any area constituting an electorate to any other such area, it shall, for the purposes of this section, be counted as being in such other area.

3. Section ninety-one of the Liquor Act, 1912, is amended by inserting after paragraph (d) the following new paragraphs:— Amendment of s. 91.

(d i) The returning officer or his deputy who takes the poll under the Parliamentary Electorates and Elections Act, 1912, at any booth may appoint for such booth two scrutineers—one to act for licensed publicans, and one to act for temperance organizations; and shall in making such appointments first consider any nominations made to him by such publicans and organizations within the electorate:

Provided that each such scrutineer before acting in his office shall make and sign as prescribed the prescribed declaration.

(d ii) Any such scrutineer may be present in that part of the booth in which voting papers are received under this Act, and may be present when the box containing the voting papers is opened and the votes are counted.

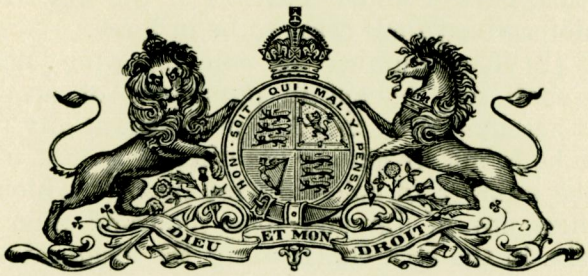
By Authority:
WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1913.
[3*d*.]

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

Legislative Council Chamber,
Sydney, 28th August, 1913.

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



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80. (1) The number of publicans' licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together— Maximum number of licenses and clubs in electorate.

(a) the number of publicans' licenses (including conditional publicans' licenses) which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate ; and

(b)

(b) the number of applications pending for licenses of premises in respect of which publicans' licenses were held within four months before the said day in such area;

and subtracting therefrom—

(c) the number of publican's licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(2) The number of colonial wine licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together—

(a) the number of colonial wine licenses which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate; and

(b) the number of applications pending for licenses of premises in respect of which colonial wine licenses were held within four months before the said day in such area,

and subtracting therefrom—

(c) the number of colonial wine licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(3) The number of clubs in an electorate shall not at any time exceed the number of clubs formed before the first day of November, one thousand nine hundred and five, and bona fide used on that day as clubs in the area constituting the electorate, and registered under the Act No. 40 of 1905 on or before the first day of March, one thousand nine hundred and six.

(4) Provided that where a publicans' or colonial wine license, or the registration of a club has, after the first day of January, one thousand nine hundred and six, been removed from any area constituting an electorate to any other such area, it shall, for the purposes of this section, be counted as being in such other area.

Amendment of s. 91.

3. Section ninety-one of the Liquor Act, 1912, is amended by inserting after paragraph (d) the following new paragraphs:—

(d i) The returning officer or his deputy who takes the poll under the Parliamentary Electorates and Elections Act, 1912, at any booth may appoint for such booth two scrutineers—one to act for licensed publicans, and one to act for temperance organizations; and shall in making such appointments first consider any nominations made to him by such publicans and organizations within the electorate:

Provided

Provided that each such scrutineer before acting in his office shall make and sign as prescribed the prescribed declaration.

(d ii) Any such scrutineer may be present in that part of the booth in which voting papers are received under this Act, and may be present when the box containing the voting papers is opened and the votes are counted.

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

G. STRICKLAND,
Governor.

16*th September*, 1913.

LIQUOR (LOCAL OPTION) AMENDMENT BILL.

SCHEDULE of the Amendments referred to in Message of 14 *August*, 1913.

Pages 2 and 3. *Omit* clause 3.
Page 3, clause ~~4.~~ **3,** line 13. *Omit* "represent" first occurring *insert* "**act for**"
Page 3, clause ~~4.~~ **3,** line 13. *Omit* "represent" second occurring *insert* "**act for**"
Page 3, clause ~~4.~~ **3,** line 14. *After* "organizations" *insert* "**and shall in making such "appointments first consider any nominations made to him by such "publicans and organizations within the electorate**"

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

Legislative Council Chamber,
Sydney, 27th November, 1912.

JOHN J. CALVERT,
Clerk of the Parliaments.

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

Legislative Assembly Chamber,
Sydney, 14 *August,* 1913.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.

ANNO TERTIO

GEORGII V REGIS.

* *

Act No. , 1913.

An Act to amend Part IV of the Liquor Act, 1912.

BE it enacted by the King'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 :—

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80. (1) The number of publicans' licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together— Maximum number of licenses and clubs in electorate.

(a) the number of publicans' licenses (including conditional publicans' licenses) which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate ; and

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

(b) the number of applications pending for licenses of premises in respect of which publicans' licenses were held within four months before the said day in such area;

and subtracting therefrom—

(c) the number of publican's licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(2) The number of colonial wine licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together—

(a) the number of colonial wine licenses which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate; and

(b) the number of applications pending for licenses of premises in respect of which colonial wine licenses were held within four months before the said day in such area,

and subtracting therefrom—

(c) the number of colonial wine licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(3) The number of clubs in an electorate shall not at any time exceed the number of clubs formed before the first day of November, one thousand nine hundred and five, and bona fide used on that day as clubs in the area constituting the electorate, and registered under the Act No. 40 of 1905 on or before the first day of March, one thousand nine hundred and six.

(4) Provided that where a publicans' or colonial wine license, or the registration of a club has, after the first day of January, one thousand nine hundred and six, been removed from any area constituting an electorate to any other such area, it shall, for the purposes of this section, be counted as being in such other area.

3. Paragraph (a) of section eighty-one of the same Act is repealed, and the following substituted for it:— ~~Amendment of s. 81.~~

(a) There has—

(i) since the first day of January, one thousand nine hundred and six, where no resolution has been carried in an electorate then comprising such area that the number of licenses existing in the electorate be reduced;

~~or~~

(~~ii~~)

(ii) where any such resolution has been so carried, since the date when a special court has determined, in pursuance of such resolution, or the last of such resolutions, the number of licenses of the same description which shall cease to be in force in the electorate

5

been a large increase of population in the area, and such increase of population is likely to be permanent.

~~4.~~ **3.** Section ninety-one of the Liquor Act, 1912, is amended by inserting after paragraph (d) the following new paragraphs:— Amendment of s. 91.

10 (d i) The returning officer or his deputy who takes the poll under the Parliamentary Electorates and Elections Act, 1912, at any booth may appoint for such booth two scrutineers—one to ~~represent~~ **act for** licensed publicans, and one to ~~represent~~ **act for** temperance organizations; **and shall in making such**

15 **appointments first consider any nominations made to him by such publicans and organizations within the electorate:**

Provided that each such scrutineer before acting in his office shall make and sign as prescribed the prescribed declaration.

20 (d ii) Any such scrutineer may be present in that part of the booth in which voting papers are received under this Act, and may be present when the box containing the voting papers is opened and the votes are counted.

Sydney: William Applegate Gullick, Government Printer.—1913.

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Legislative Council Chamber,
Sydney, 27th November, 1912.

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New South Wales.

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(a) the number of publicans' licenses (including conditional publicans' licenses) which were on the first day of January, one thousand nine hundred and six, in the area constituting the electorate ; and

(b) the number of applications pending for licenses of premises in respect of which publicans' licenses were held within four months before the said day in such area;

5 and subtracting therefrom—

(c) the number of publican's licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

10 (2) The number of colonial wine licenses in an electorate shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed a number to be found by adding together—

(a) the number of colonial wine licenses which were on the 15 first day of January, one thousand nine hundred and six, in the area constituting the electorate; and

(b) the number of applications pending for licenses of premises in respect of which colonial wine licenses were held within four months before the said day in such area, 20 and subtracting therefrom—

(c) the number of colonial wine licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

25 (3) The number of clubs in an electorate shall not at any time exceed the number of clubs formed before the first day of November, one thousand nine hundred and five, and bona fide used on that day as clubs in the area constituting the electorate, and registered under the Act No. 40 of 1905 on or 30 before the first day of March, one thousand nine hundred and six.

(4) Provided that where a publicans' or colonial wine license, or the registration of a club has, after the first day of January, one thousand nine hundred and six, been removed from any area constituting an electorate to any other such area, it 35 shall, for the purposes of this section, be counted as being in such other area.

3. Paragraph (a) of section eighty-one of the same Act is repealed, and the following substituted for it:— Amendment of s. 81.

(a) There has—

40 (i) since the first day of January, one thousand nine hundred and six, where no resolution has been carried in an electorate then comprising such area that the number of licenses existing in the electorate be reduced; or

(ii)

(ii) where any such resolution has been so carried, since the date when a special court has determined, in pursuance of such resolution, or the last of such resolutions, the number of licenses of the same description which shall cease to be in force in the electorate

been a large increase of population in the area, and such increase of population is likely to be permanent.

4. Section ninety-one of the Liquor Act, 1912, is amended by inserting after paragraph (d) the following new paragraphs:— Amendment of s. 91.

(d i) The returning officer or his deputy who takes the poll under the Parliamentary Electorates and Elections Act, 1912, at any booth may appoint for such booth two scrutineers—one to represent licensed publicans, and one to represent temperance organizations:

Provided that each such scrutineer before acting in his office shall make and sign as prescribed the prescribed declaration.

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Sydney: William Applegate Gullick, Government Printer.—1912.