



ANALYSIS

Title		2. Expiry of provisional hotel premises licences not converted
1. Short Title		

1971, No. 2

An Act to amend the Sale of Liquor Act 1962

[25 March 1971

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Sale of Liquor Amendment Act 1971, and shall be read together with and deemed part of the Sale of Liquor Act 1962 (hereinafter referred to as the principal Act).

2. Expiry of provisional hotel premises licences not converted—(1) Section 317 of the principal Act (as amended by section 21 (2) of the Sale of Liquor Amendment Act 1965) is hereby further amended by repealing subsection (3), and substituting the following subsections:

“(3) Where the Commission has given notice under any of the provisions of sections 306, 307, 308, and 313 of this Act that a hotel premises licence or a tavern premises licence will be issued on compliance with its requirements, and those requirements will necessitate the rebuilding or substantial reconstruction of the premises, any period fixed or extended by the Commission for compliance with those requirements may, if the Commission thinks fit, begin or end after the 30th day of June 1971; and in any such case the Commission may extend for a corresponding period the currency of the provisional licence.

“(4) Where the Commission has given any such notice as aforesaid, and the case is not one to which subsection (3) of this section applies, any period fixed or extended by the Commission for compliance with its requirements may, if the Commission is satisfied that substantial progress has been made in the work necessary to satisfy those requirements and that the work will be completed without undue delay, be a period, beginning or ending after the 30th day of June 1971, which in the Commission’s opinion is sufficient for the completion of the work and the issue of the licence; and in any such case the Commission may extend for a corresponding period the currency of the provisional licence.

“(5) Subsection (5) of section 313 of this Act shall extend and apply to any period fixed or extended by the Commission as aforesaid, and subsections (3) and (4) of this section shall be read subject to the said subsection (5).

“(6) Where under section 147 of this Act (as applied by section 147A of this Act) the Commission has, on or before the 30th day of June 1971, made an order for the removal of a provisional hotel premises licence, the Commission may from time to time on application, and subject to such conditions as it thinks fit, extend the currency of the provisional licence for a period sufficient in its opinion to allow for the completion of the new premises.”

(2) The said section 317 is hereby further amended by omitting from subsection (2) the words “subsection (3)”, and substituting the words “the succeeding provisions”.

(3) Section 147 of the principal Act is hereby amended, as from the 17th day of November 1964 (being the date of the commencement of the Sale of Liquor Amendment Act 1964), by adding to subsection (2) the following proviso:

“Provided that if the licence is a provisional hotel premises licence the Chairman shall cancel it and issue in respect of the new premises a hotel premises licence, or a tavern premises licence if the grant of such a licence has been authorised by the Commission in respect of the new premises.”

(4) The said section 147 is hereby further amended by inserting in subsection (3), after the words “the licence so endorsed”, the words “or of any new licence so issued in respect of the new premises”.