

Mr. Steward.

LICENSING ACTS AMENDMENT.

ANALYSIS.

Title.	8. Auctioneers not incapable of holding wholesale licenses.
Preamble.	9. Section 56 amended.
1. Short Title.	10. Section 59 amended.
2. Interpretation.	11. Section 150 repealed. Record of conviction discretionary.
3. Duties of Returning Officer.	12. Section 154 amended.
4. Provisions relating to election of Licensing Committees.	13. Section 166 repealed.
5. Extraordinary vacancies.	14. Offences by prohibited persons.
6. Section 13 amended.	15. Sections 206 and 207 amended.
7. Section 46 amended.	16. Act to be part of "The Licensing Act, 1881."

A BILL INTITULED:

AN ACT to further amend "The Licensing Act, 1881." Title.

WHEREAS it is expedient to amend "The Licensing Act, 1881," and the Acts amending the same: Preamble.

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

1. The Short Title of this Act is "The Licensing Acts Amendment Act, 1884." Short Title.

10 2. The words "the said Act," wherever in this Act occurring, shall mean "The Licensing Act, 1881." Interpretation.

3. The Returning Officer henceforth shall appoint the day for the taking of the poll of ratepayers, as mentioned in section forty-six of the said Act, as well as appoint the day for the election of a Licensing

15 Committee.
4. The following provisions relating to the election of Licensing Committees shall come into operation on the passing of this Act:— Provisions relating to election of Licensing Committees.

20 (1.) The Returning Officer shall appoint the day in the year one thousand eight hundred and eighty-five for the taking of the poll of ratepayers in the manner provided by section forty-six of the said Act as if this Act had not been passed, and shall appoint the same day for the election of the Licensing Committee in succession to the Committee to be elected in the now next ensuing year.

25 (2.) Every member of a Licensing Committee elected in the year one thousand eight hundred and eighty-five and thereafter shall come into office on his election, and shall hold office for *three* years, or until the election of his successor.

- (3.) From and after the year one thousand eight hundred and eighty-five the elections of Licensing Committees shall be held on the days appointed under the said Act for the taking of the poll of ratepayers, and simultaneously therewith once in every *third* year only. 5
- Extraordinary vacancies. 5. In case of any extraordinary vacancy occurring in any Committee, the Governor shall appoint a person to fill up such vacancy, who shall hold office only until the next Committee is elected.
- Section 13 amended. 6. The word "annually" in subsection one of section thirteen of the said Act, the words "and thereafter in the same month in every year," in subsection four, and the whole of subsections eight and eighteen of the said section thirteen are hereby repealed, and the said section shall be read and construed as though the said repealed words and subsections respectively were omitted therefrom. 10
- Section 46 amended. 7. Section forty-six of the said Act is hereby amended by the omission of the words "The Chairman of the Licensing Committee," and the insertion, in lieu thereof, of the words "The Returning Officer." 15
- Auctioneers not incapable of holding wholesale licenses. 8. Subsection three of section twenty-eight of the said Act, so far as it relates to persons carrying on the business of auctioneers, shall not be deemed to apply to wholesale licenses. 20
- Section 56 amended. 9. Section fifty-six of the said Act is hereby amended by the omission of the words "and publish on three consecutive days in a newspaper circulating in the place wherein the premises are situate," and the insertion, in lieu thereof, of the words "and publish in three consecutive issues of some newspaper published within such licensing district, or if there be no such newspaper then in a newspaper circulating therein." 25
- Section 59 amended. 10. Section fifty-nine of the said Act is hereby amended by the omission of the words "on payment of costs." 30
- Section 150 repealed. 11. Section one hundred and fifty of the said Act is hereby repealed, and in lieu thereof the following is enacted, that is to say,—
- Record of conviction discretionary. Every record of an offence against any of the last four foregoing sections may, in the discretion of the Committee, be indorsed on the license of the person convicted. 35
- Section 154 amended. 12. Section one hundred and fifty-four of the said Act is hereby amended by the omission of the last paragraph, and the substitution of the following in lieu thereof:—
- All licensed premises shall be closed on Christmas Day and Good Friday, as if such days were respectively Sunday; but this provision shall not alter the hours during which such premises shall be closed on Sunday when Christmas Day immediately precedes or succeeds Sunday. 40
- Section 166 repealed. 13. Section one hundred and sixty-six of the said Act is hereby repealed, and in lieu thereof it is enacted as follows:— 45
- Any licensed person who allows to be supplied in his licensed premises, by purchase or otherwise, to be consumed on the premises, to any person of either sex apparently under the age of sixteen years, or to any child apparently under the age of twelve years for any purpose whatever, any description of spirits, or of wine, ale, beer, or porter, shall, as well as the person who actually gives or supplies the spirits, wine, ale, beer, or porter, be liable to pay a penalty not exceeding *ten* pounds for every such offence. 50

Upon a conviction for a first offence against this section the convicted person, if licensed, shall be liable to have his license suspended for *six* months; and, in case of a second or any subsequent offence, he shall be liable to forfeit his license, and the premises in respect of which such license is granted shall be liable to be declared disqualified for a period of not less than *two* years nor exceeding *five* years.

14. If any person against whom a prohibition order shall have been made under section one hundred and sixty-seven of the said Act shall be found in an intoxicated state such person shall be liable, on conviction thereof before any two Justices, to imprisonment for any term not exceeding one month; and, in the case of a second or any subsequent offence, for any term not being less than one month nor exceeding three months; and if any such prohibited person shall be shown to have, while in a state of intoxication, created a disturbance in his or her own house, or to have abused or ill-treated any member of his or her family or household, such person shall be liable, on conviction, to imprisonment with hard labour for any term not exceeding six months.

Offences by prohibited persons.

15. The following amendments are also made in the said Act:—

Sections 206 and 207 amended.

(1.) The words "shall be proved to have been made against him," in the seventh line of the two hundred and sixth section, shall be struck out, and the words "shall have been recorded by indorsement on his license" shall be inserted in place thereof.

(2.) The word "shall" in the second and third subsections of section two hundred and seven of the said Act shall be struck out, and the words "may, in the discretion of the Licensing Committee," shall be inserted in place thereof.

16. This Act shall be read with and as part of "The Licensing Act, 1881."

Act to be part of "The Licensing Act, 1881."