

SALE OF LIQUOR AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Sale of Liquor Act 1962 and provides for the granting, at suitable airports, of airport licences for the sale of liquor for consumption only on the licensed premises. Such a licence is not to be applied for except with the prior approval of the Minister of Transport and of the airport authority. The granting, renewal, and transfer of such a licence is to be in the hands of the Licensing Control Commission. The holder of such a licence will pay the same fees as if he held a tavernkeeper's licence, and the proceeds of the fees will go to the Licensing Fund.

Clause 1 relates to the Short Title.

Clause 2: Subclause (1) inserts in the principal Act a new section 65B describing the effect of an airport licence.

Subsection (1) of the new section provides that an airport licence shall authorise the licensee to supply liquor, in the part or parts of the airport described in the licence, and for consumption only on the licensed premises, on any day except Sunday, Good Friday, and Christmas Day, between 11 a.m. and half an hour after the arrival or departure of the passenger aircraft last scheduled to arrive at or depart from the airport, but not later than midnight; but the hours of sale are subject to variation by the Commission under subsections (2) to (4).

Subsection (2) authorises the Commission, in granting a licence, or from time to time thereafter on application by the licensee, to fix earlier or later opening or closing hours, or to authorise the licensee to close for any period or periods during the day. An application for such a variation is not to be made without the approval of the airport authority, and a public hearing is to be held.

Subsection (3) provides that in making any such variation the Commission is to have regard to the nature and frequency of the passenger services, the interests of air travellers (particularly overseas travellers) and the times of arrival and departure of their aircraft, and such other considerations as the Commission thinks fit.

Subsection (4) gives the Commission power, in making any such variation, to make different provision for different periods or different days or in different circumstances (including provision for the closing of the licensed premises for any period or periods of the day), and to confer on the licensee in specified circumstances, within specified limits, and subject to any restrictions or conditions, authority to open or close the licensed premises at times earlier or later than those fixed under the section.

Subsection (5) provides that for the purpose of enabling adequate accommodation to be made available for the seating of persons using the airport when the licensed premises are closed the Commission may in granting the licence, or at any time thereafter on the application of the airport authority and the licensee, make it a condition of the licence that while the licensed premises are closed for the sale of liquor a specified part of the premises is to be partitioned off so that it may be used for the accommodation of persons using the airport. In such a case the liquor sales area is to be locked or otherwise secured so that it is not accessible to the public.

Subsection (6): Particulars of any order made under subsection (2) or any condition imposed under subsection (5) are to be sent to the Police.

Subsection (7) provides that an airport licence is not to be granted unless the application is made with the approval of the Minister of Transport and of the airport authority, and the Commission is of opinion that proper facilities will be available.

Subsection (8) provides that the granting of a licence is not to limit or affect the provisions of the Airport Authorities Act 1966.

Subsection (9) provides that every airport licence is subject to the condition that the licensed premises are to conform to the Commission's standards.

Subsection (10) provides that the Commission may grant more than one airport licence in respect of any one airport.

Subsection (11) defines the term "scheduled" (in subsection (1) (a)) as meaning listed in a timetable issued for the public and for the time being in force.

Clause 2: Subclause (2) inserts definitions of "airport" and "airport authority" in section 2 of the principal Act. Those terms have the same meaning as in the Airport Authorities Act 1966.

Clause 2: Subclauses (3) to (5) and (7) are consequential amendments.

Clause 2, subclause (6): The effect of this subclause is that an airport licence may be granted for an airport in a licensing trust district.

Clause 2, subclause (8): The effect of this subclause is that an airport licence may be granted for an airport in a no-licence district.

Clause 3: The effect of this clause is that the licensee may appoint a manager or managers to conduct the business under the licence. Every manager must hold a certificate under section 177 of the principal Act.

Clause 4 inserts in the principal Act new sections 112D to 112G dealing with the granting of airport licences.

The new section 112D deals with the method of applying for an airport licence, the obtaining of reports, and the hearing of the application. It applies the relevant provisions relating to applications for restaurant licences.

The new section 112E provides for the making of objections to the grant of a licence by residents who are 20 years of age or over. The grounds of objection are set out in subsection (3), and are the same as the grounds of objection to the grant of a tavernkeeper's licence under section 104 of the principal Act.

The new section 112f sets out the circumstances to be taken into account by the Commission in determining whether to grant a licence. They are: the nature and frequency of the passenger services, the interests of air travellers, the suitability of the premises and the facilities and services to be provided, the experience and character of the applicant, and such other considerations as the Commission thinks fit (including the fact that an airport licence has already been granted or applied for in respect of any other part of the airport).

Under subsection (2) it is not to be a ground for refusing an application for an airport licence that any licence, other than an airport licence, has been or is proposed to be granted or applied for in respect of any other part of the airport or of any premises in the vicinity of the airport, or that the business of any such licensed premises may be affected.

Under subsection (3), the fact that an airport licence has been or is proposed to be granted or applied for is not to be taken into account on the determination of an application for any licence, other than an airport licence, in respect of any other part of the airport.

The new section 112g prescribes the procedure for the issue of an airport licence.

Clause 5 inserts in the principal Act a new section 127b dealing with the renewal of an airport licence. Renewals are to be dealt with by the Commission. The new section applies the existing procedure relating to applications and reports, except that notice of any hearing of an application for renewal must also be given to the airport authority, which is entitled to receive copies of the police and other reports and to be heard.

Clause 6 inserts in the principal Act a new section 134b dealing with the transfer of an airport licence. Transfers are to be dealt with by the Commission, which must be satisfied that the application for transfer is made with the approval of the airport authority. In other respects the existing procedure for transfers is applied.

Clause 7 inserts in the principal Act a new section 195b setting out the responsibilities of the licensee and manager under an airport licence. The requirements set out in subsection (1) of the new section are substantially the same as those set out in sections 184 and 195 of the principal Act (which sections relate to tavernkeepers' and restaurant licences), and paragraph (c) (as to the provision of handbasins and hot water in bars) is adapted from section 182 (1) (e) (which relates to a tavern premises licence).

Subsection (2) of the new section applies to holders of airport licences certain provisions of the principal Act specifically relating to the responsibilities and powers of the holders of tavernkeepers' licences as to the conduct of the business, keeping the premises in a clean state and complying with the Health Act and the Food and Drug Act, keeping the premises open during authorised hours, excluding disorderly persons, the employment of minors and barmaids, and payment for liquor.

Clause 8 includes the licensed premises of an airport among the licensed premises coming within the jurisdiction of an inspector of licensed premises.

Clause 9 makes an airport licence subject to cancellation or suspension in the same way and on the same grounds as tavernkeepers' licences.

Clause 10 gives to the applicant or licensee a right of appeal to the Supreme Court against a decision relating to the variation of hours, or against a refusal to grant, renew, or transfer a licence, or against a suspension or cancellation of the licence. In the case of a decision relating to the variation of hours the airport authority may also appeal. By reason of section 230A of the principal Act (as enacted by the Sale of Liquor Amendment Act 1968) such appeals will be heard by the Administrative Division of the Supreme Court.

Clause 11: Notice of the making of a prohibition order against any person is to be sent to the holder of an airport licence in the same way as to other licensees.

Clause 12 consequentially amends section 249 of the principal Act, as to allowing the consumption of liquor on the licensed premises after hours, but gives the usual 15 minutes' grace for consumption of liquor sold before closing time.

Clause 13: Subclause (1) inserts in the principal Act a new section 252A making it an offence to be found on the licensed premises of an airport after hours. The section is based on the similar provisions of section 252 (relating to taverns).

Subclause (2): Section 254 of the principal Act authorises the Police to demand the name and address of any person found in any bar, tavern premises, or extended premises, or found in any licensed premises in the possession of liquor, or found consuming or procuring or attempting to procure liquor, between 10.15 p.m. on any day and 11 a.m. on the next day, or at any time on any day when the premises are required to be closed for the sale of liquor.

The wording of the section as to times is not now appropriate in view of the variation of ordinary hours that can be obtained by hotels and taverns under the 1967 Amendment Act; nor is it appropriate to theatre licences or airport licences.

This subclause rewrites subsection (1) of section 254 to substitute for the specified times mentioned above a reference to any time when there is reasonable ground to believe that the person's presence or possession or consumption or procuring of liquor is in contravention of any of the provisions of the principal Act.

Clause 14, subclause (1): Section 259 (8) of the principal Act makes it an offence for a person under 20 to be found in any bar of any licensed premises; but as the term "bar" includes any part of the premises that is used principally or exclusively for the consumption of liquor, the licensed premises of a theatre were excluded from this provision by the Sale of Liquor Amendment Act (No. 2) 1969. This subclause similarly excludes the licensed premises of an airport.

Subclause (2) consequentially amends section 259 (9) (c) (as to demanding particulars of age, name, and address) in relation to both theatres and airports.

Clause 15: The effect of *subclauses (1) and (2)* is that the holder of an airport licence will pay the same fee as the holder of a tavernkeeper's licence (namely 3 percent of the gross amount of purchases of liquor for the tavern).

The effect of *subclause (3)* is that all fees paid for airport licences and their renewal will be paid into the Licensing Fund.

Clause 16: Section 290 of the principal Act empowers the Licensing Committee to authorise a licensee to close the whole or part of his premises for a specified period. This clause gives that general power to the Commission in the cases of theatre and airport licences.

Clause 17 requires the holder of an airport licence to obtain the consent of the Commission or its Chairman before making any substantial alteration to the licensed premises; but such consent is not to be granted unless the Commission or its Chairman is satisfied that the prior approval of the airport authority has been obtained pursuant to the Airport Authorities Act 1966. (Paragraph (a) of the substituted subsection (3) merely re-enacts existing law.)

Hon. Mr Riddiford

SALE OF LIQUOR AMENDMENT

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A BILL INTITULED

An Act to amend the Sale of Liquor Act 1962

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

1. Short Title—This Act may be cited as the Sale of Liquor Amendment Act 1970, and shall be read together with and deemed part of the Sale of Liquor Act 1962* (hereinafter referred to as the principal Act).

*1962, No. 139

Amendments: 1963, No. 114; 1964, No. 55; 1965, No. 70; 1967, No. 6; 1967, No. 34; 1968, No. 106; 1969, No. 129; 1969, No. 130

2. Airport licence—(1) The principal Act is hereby amended by inserting, after section 65A (as inserted by section 2 (1) of the Sale of Liquor Amendment Act (No. 2) 1969), the following section:

“65B. (1) Subject to the provisions of this section, an airport licence shall authorise the licensee to sell and dispose of liquor, for consumption only on the premises specified in the licence,— 5

“(a) At any time between 11 o'clock in the morning and half an hour after the arrival or departure of the passenger aircraft last scheduled to arrive at or depart from the airport, but not later than 12 o'clock at night, on any day other than a day on which licensed premises are required to be closed for the sale of liquor; and 10

“(b) Only in the part or parts of the airport described in the licence (in this Act referred to as the licensed premises of the airport). 15

“(2) The Commission may, in granting an airport licence, or from time to time thereafter on the application of the licensee made with the approval of the airport authority, by order— 20

“(a) Fix in respect of the licensed premises of the airport times earlier or later than those specified in subsection (1) of this section for the opening or closing of those premises for the sale of liquor; or 25

“(b) Authorise the licensee to close the licensed premises of the airport for the sale of liquor for any period or periods during the day.

“On any application under this subsection the Commission shall hold a public sitting, of which public notice shall be given and at which all interested persons shall be entitled to be heard. 30

“(3) In determining whether to make an order under subsection (2) of this section the Commission shall have regard to— 35

“(a) The nature and frequency of the passenger services carried on at the airport:

“(b) The interests of air travellers, and in particular the interests of those departing from or arriving in New Zealand, and the times at which aircraft carrying them arrive and depart: 40

“(c) Such other considerations as the Commission thinks fit to take into account.

“(4) In making any order under subsection (2) of this section the Commission may—

5 “(a) Make different provision for different periods of the year or for different days in every week of the year or of any such period:

“ (b) Make provision to take effect for particular periods only, or for particular days in every week of the year or of any such period, or in different circumstances:

10 “(c) In the case of an order under paragraph (a) of that subsection, make provision for the closing of the licensed premises of the airport for any period or periods during the day:

15 “(d) In the case of an order under paragraph (a) of that subsection, confer on the licensee authority to open or keep open or close the licensed premises of the airport for the sale of liquor at times earlier or later than those specified in or fixed under this section, in such circumstances and within such limits as may be specified by the Commission and subject to such restrictions and conditions as may be imposed by it.

20 “(5) For the purpose of enabling adequate accommodation to be made available for the seating of persons using the airport at times when the licensed premises of the airport are closed for the sale of liquor, the Commission may in granting the licence, or at any time thereafter on the application of the airport authority and the licensee, and subject to such conditions and restrictions as the Commission thinks
30 fit, make it a condition of the licence that at all times while the licensed premises are so closed a part of the licensed premises specified by the Commission shall be partitioned off from the sales area (being the area in which liquor is kept and from which it is dispensed), and that the sales area shall
35 be locked or otherwise secured so that it is not accessible to the public. While the condition is complied with, the part so specified—

40 “(a) Shall be deemed, except for the purposes of sections 206 to 209 of this Act (which relate to inspection and entry by any Inspector or by any member of the Police), not to be licensed premises; and

“(b) May be used for the accommodation of persons using the airport otherwise than for the consumption of liquor.

“(6) Where the Commission makes any order under subsection (2) or imposes a condition under subsection (5) of this section, the Secretary of the Commission shall send particulars thereof to the officer in charge of the police station nearest to the airport. 5

“(7) An airport licence shall not be granted in respect of any airport unless—

“(a) The application for the licence is made with the approval of the Minister of Transport and of the airport authority; and 10

“(b) The Commission is of opinion that proper facilities for the sale, disposal, and consumption of liquor are or will be available on the licensed premises of the airport.

“(8) The granting of an airport licence shall not limit or affect the provisions of the Airport Authorities Act 1966. 15

“(9) An airport licence shall be deemed to be issued subject to the condition that the licensed premises of the airport shall at all times conform to the general standards prescribed by the Commission in respect of such premises. 20

“(10) The Commission may grant more than one airport licence in respect of any one airport.

“(11) In paragraph (a) of subsection (1) of this section, the term “scheduled” means listed in a timetable issued for the public and for the time being in force.” 25

(2) Section 2 of the principal Act is hereby amended by inserting, before the definition of the term “bar”, the following definition:

“‘Airport’ and ‘airport authority’ have the same meanings as in the Airport Authorities Act 1966:” 30

(3) Section 2 of the principal Act is hereby further amended by adding to the definition of the term “licensed premises” the words “, or, in the case of an airport licence, the part or parts of the airport in which liquor is sold for consumption there”.

(4) Section 10 of the principal Act is hereby amended by inserting in subsection (1), after paragraph (dd) (as inserted by section 2 (3) of the Sale of Liquor Amendment Act (No. 2) 1969), the following paragraph: 35

“(ddd) To grant and renew airport licences:”.

(5) Section 11 of the principal Act is hereby amended by inserting in subsection (1) (as amended by section 2 (4) of the Sale of Liquor Amendment Act (No. 2) 1969), after the words “restaurant licence, or theatre licence”, the words “or an airport licence”. 40

(6) Section 29 of the principal Act is hereby amended by inserting in subsection (2), after the words “a restaurant licence”, the words “or an airport licence”.

5 (7) Section 54 of the principal Act is hereby amended by inserting in subsection (2), after paragraph (aa) (as inserted by section 2 (5) of the Sale of Liquor Amendment Act (No. 2) 1969) the following paragraph:

“(aaa) Airport licences.”.

10 (8) Section 232 of the principal Act is hereby amended by inserting in subsection (1), after the words “restaurant licence”, the words “an airport licence”.

3. Management—(1) Section 66 of the principal Act is hereby amended by inserting in subsection (1) (as amended by section 3 (1) of the Sale of Liquor Amendment Act 15 (No. 2) 1969), after the words “restaurant, or theatre licence”, the words “or an airport licence”.

(2) Section 176 of the principal Act is hereby amended by inserting in paragraph (a) of subsection (1) (as amended by section 3 (2) of the Sale of Liquor Amendment Act (No. 2) 20 1969), after the words “restaurant, or theatre licence”, the words “or of any airport licence”.

(3) Section 176A of the principal Act (as inserted by section 20 of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby amended by inserting in subsection (1), after 25 the words “tavernkeeper’s licence”, the words “or an airport licence”.

(4) Section 177 of the principal Act is hereby amended by inserting in subsection (5) (as added by section 18 of the Sale of Liquor Amendment Act 1964 and amended by section 30 3 (3) of the Sale of Liquor Amendment Act (No. 2) 1969), after the words “or the licensed premises of a theatre”, the words “or of an airport”.

4. New sections inserted—The principal Act is hereby further amended by inserting, after section 112c (as inserted 35 by section 4 of the Sale of Liquor Amendment Act (No. 2) 1969), the following heading and sections:

“Airport Licence

40 **“112d. Application for airport licence, reports, and hearing**—The provisions of sections 107, 108, and 111 of the principal Act, so far as they are applicable and with the necessary modifications, shall apply with respect to every application for an airport licence as if—

“(a) References in those provisions to a restaurant licence were references to an airport licence:

“(b) The reference in subsection (1) of section 107 to the restaurant business were a reference to the business of the licensed premises of the airport: 5

“(c) The references in paragraph (a) of subsection (2) of section 107 to restaurants and to any restaurant were references to licensed premises:

“(d) The first reference in paragraph (a) of subsection (6) of section 107 to the restaurant were a reference to the airport terminal, and the second and third references in that paragraph to the restaurant were references to the proposed licensed premises of the airport. 10

“112E. **Objections**—(1) Objections to the grant of an airport licence may be made by any person of or over the age of 20 years who is resident in the licensing district or licensing trust district in which the airport is situated. 15

“(2) Every objection shall be made by notice in writing filed with the Secretary of the Commission within 14 days after the first publication, under section 107 of this Act (as applied by section 112D of this Act), of the notice of the making of the application, or within such further time as the Chairman of the Commission may allow. 20

“(3) The grounds on which any such objection may be made are that the applicant— 25

“(a) Is of bad character or reputation or of drunken habits; or

“(b) Has been convicted of an offence against this Act or the Licensing Act 1908; or 30

“(c) Is not a suitable person to hold the licence having regard to his lack of experience in the conduct of licensed premises.

“112F. **Circumstances to be taken into account**—(1) Subject to subsection (7) of section 65B of this Act, in determining whether to grant any application for an airport licence the Commission shall have regard to— 35

“(a) The nature and frequency of the passenger services carried on at the airport:

“(b) The interests of air travellers, whether they are travelling within New Zealand or departing from or arriving in New Zealand: 40

“(c) The suitability of the proposed licensed premises and the facilities and services to be provided on those premises:

5 “(d) The experience of the applicant in the conduct of licensed premises and his character and reputation, and any convictions of the applicant for offences against this Act or the Licensing Act 1908:

10 “(e) Such other considerations as the Commission thinks fit to take into account, including the fact that an airport licence has been granted or applied for in respect of any other part of the airport.

“(2) It shall not be a ground for refusing an application for an airport licence that—

15 “(a) Any licence, other than an airport licence, has been or is proposed to be granted or applied for in respect of any other part of the airport or in respect of any premises in the vicinity of the airport; or

20 “(b) The business of the licensed premises under any such licence may be affected by the grant of the airport licence.

“(3) The fact that an airport licence has been or is proposed to be granted or applied for shall not be a consideration to be taken into account on the determination of any application for any licence, other than an airport licence, 25 in respect of any other part of the airport.

“112G. Issue of airport licence—(1) Whenever the Commission grants any application for an airport licence it shall issue the licence on payment of the first minimum instalment of the fee in accordance with section 286A of this Act (as 30 applied by subsection (2B) of section 286 of this Act) and when it is satisfied that the conditions (if any) specified by the Commission under subsection (2) of section 111 of this Act (as applied by section 112D of this Act) have been complied with.

35 “(2) The licence shall be in the prescribed form; and nothing in section 121 of this Act shall apply.”

5. Renewal of airport licence—(1) The principal Act is hereby further amended by inserting, after section 127A (as 40 inserted by section 5 of the Sale of Liquor Amendment Act (No. 2) 1969), the following section:

“127B. (1) An airport licence may be renewed by the Commission in accordance with this section.

“(2) The provisions of sections 124 and 125 of this Act shall apply for the purposes of this section, with the necessary modifications, as if—

“(a) References to restaurant premises or to a restaurant licence were references to airport premises or to an airport licence, as the case may require: 5

“(b) References to the Chairman of the Licensing Committee were references to the Chairman of the Commission:

“(c) References to the Clerk of the Licensing Committee were references to the Secretary of the Commission. 10

“(3) The Commission may request the Police, any Medical Officer of Health, any inspector within the meaning of section 2 of the Health Act 1956, or a Chief Fire Officer to make a further report (in addition to any report made under section 125 of this Act as applied by this section). 15

“(4) The Commission, in its discretion, may renew an airport licence without a public sitting, or may set down any application for hearing at a public sitting of the Commission of which public notice shall be given. 20

“(5) Where the Commission sets down any application for hearing as aforesaid it shall cause at least 10 clear days’ notice of the date fixed for the hearing to be given to the applicant and to the airport authority, and shall cause to be sent to the applicant at his address for service, and to the airport authority, copies of all reports made to the Commission under section 125 of this Act or under this section, or such extracts therefrom as the Chairman of the Commission directs. 25

“(6) At any such hearing the Commission shall hear the applicant and the airport authority, and may hear any member of the Police, any Medical Officer of Health or inspector under the Health Act 1956, any Chief Fire Officer or any local authority within whose district the airport is situated, and any other person whom the Commission thinks fit to hear. 30

“(7) The Commission may decline to renew any such licence if it is satisfied— 35

“(a) That the licensee has failed to conduct the licensed premises of the airport in a proper manner, or has allowed them to be frequented by disorderly or disreputable persons, or that drunkenness or riotous or disorderly conduct is allowed on them; or 40

“(b) That the licensee has been convicted of any offence against this Act, or has committed a breach of any condition of his licence; or 45

- “(c) That the licensee has been convicted of any offence against the Health Act 1956 or the Food and Drug Act 1969, or any regulations thereunder, in relation to the conduct or state of the licensed premises; or
- 5 “(d) That the licensee has failed to fulfil his responsibilities under section 195B of this Act; or
- “(e) That the licensee has been convicted of any offence and sentenced to imprisonment, or has been convicted of any offence involving moral turpitude or
- 10 dishonesty.
- “(8) If the Commission grants an application for the renewal of the licence the Secretary shall notify the applicant, in the prescribed form, of the renewal. Subject to the payment of the proper fee the notification shall have the
- 15 effect of renewing the licence; and nothing in section 127 of this Act shall apply.”

6. Transfer of airport licence—(1) The principal Act is hereby further amended by inserting, after section 134A (as inserted by section 6 (1) of the Sale of Liquor Amendment

20 Act (No. 2) 1969), the following section:

“134B. (1) An airport licence may be transferred by the Commission in accordance with this section:

“Provided that an airport licence shall not be transferred unless the Commission or the Chairman is satisfied that the

25 application for the transfer of the licence is made with the approval of the airport authority.

“(2) Subject to subsection (1) of this section, the provisions of sections 129 to 134 of this Act (except subsection (3) of section 133) shall apply for the purposes of this section,

30 with the necessary modifications, as if—

“(a) References to the Licensing Committee or to the Clerk were references to the Commission or to the Secretary, as the case may require:

“(b) The reference in subsection (1) of section 131 to a

35 licensed restaurant were a reference to an airport.

“(3) Where the Commission grants an application for the transfer of an airport licence, a copy of the licence endorsed under section 134 of this Act (as applied by this section) shall be sent by the Secretary of the Commission to the

40 Clerk of the Licensing Committee in whose register particulars of the licence are recorded.”

(2) Section 279 of the principal Act is hereby amended by inserting in subsection (1) (as amended by section 6 (2) of the Sale of Liquor Amendment Act (No. 2) 1969), after the word "theatre", the word "airport".

7. Responsibilities of licensee or manager under airport licence—(1) The principal Act is hereby further amended by inserting, after section 195A (as inserted by section 8 (1) of the Sale of Liquor Amendment Act (No. 2) 1969), the following heading and section:

"Airport Licences 10

"195B. (1) For the purposes of this Act, every holder of an airport licence shall in respect of the licensed premises of the airport be responsible at all times for—

- "(a) Providing adequate facilities for the sale, supply, and consumption of liquor pursuant to his licence: 15
- "(b) Providing adequate facilities for sanitary purposes and all other purposes related to public health:
- "(c) Providing adequate facilities by way of handbasins and a proper hot-water service in respect of bars:
- "(d) Providing adequate facilities for the prevention of fire and for means of warning and escape in case of fire: 20
- "(e) Maintaining all such facilities as aforesaid in good order and condition.

"(2) The following provisions of this Act, with the necessary modifications, shall extend and apply, so far as they are applicable, to the holder of an airport licence as if he were the holder of a tavernkeeper's licence, and to the licensed premises of the airport as if they were a tavern, namely: 25

- "(a) Subsections (1) to (3) of section 185, except paragraphs (a) and (c) of subsection (3): 30
- "(b) Subsections (3) and (5) of section 187, except paragraph (b) of subsection (5):
- "(c) Subsections (2) to (7) of section 188 and sections 191, 192, 194, and 200." 35

8. Inspection—Section 205 of the principal Act is hereby amended by adding to paragraph (a) of subsection (1) the words "and on the licensed premises of any airport".

9. Cancellation or suspension of airport licence—(1) Section 212 of the principal Act (as amended by section 10 (1) of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby further amended by adding the following subsection:

5 “(7) This section, so far as it is applicable and with the necessary modifications, shall extend and apply with respect to an airport licence as if the holder of the licence were the holder of a tavernkeeper’s licence, and as if—

10 “(a) References to the Licensing Committee were references to the Commission:

“ (b) In subsection (3) the words ‘the airport authority’ were substituted for the words ‘the holder of the premises licence’.”

15 (2) Section 213 of the principal Act is hereby amended by inserting in subsection (7) (as added by section 10 (2) of the Sale of Liquor Amendment Act (No. 2) 1969), after the words “theatre licence”, the words “or an airport licence”.

10. Appeals against certain decisions of Commission—Section 229 of the principal Act is hereby amended by inserting, after subsection (4A) (as inserted by section 12 of the Sale of Liquor Amendment Act (No. 2) 1969), the following subsection:

“ (4B) Where the Commission—

25 “ (a) Under subsection (2) of section 65B of this Act, makes any decision in respect of which the applicant or the airport authority is dissatisfied; or

“ (b) Under section 112D of this Act, refuses to grant an application for an airport licence; or

30 “ (c) Under subsection (7) of section 127B of this Act, declines to renew any such licence; or

“ (d) Under section 134B of this Act, refuses to grant an application for the transfer of any such licence; or

“ (e) Under sections 212 or 213 of this Act, suspends or cancels any such licence—

35 the applicant, or, as the case may require, the licensee, and the airport authority in the case of a decision to which paragraph (a) of this subsection relates, may appeal to the Supreme Court against the Commission’s decision.”

11. Notice of prohibition order—Section 237 of the principal Act is hereby amended by inserting, after the word “tavernkeepers’”, the word “airport”.

12. Allowing consumption of liquor outside authorised hours—(1) Section 249 of the principal Act is hereby amended by inserting, after subsection (4A) (as inserted by section 14 (1) of the Sale of Liquor Amendment Act (No. 2) 1969), the following subsection:

“(4B) Every holder of an airport licence, and every manager conducting the licensed premises of any airport under the authority of such a licence, commits an offence who allows the consumption of liquor on the licensed premises of the airport at any time while the premises are required to be closed for the sale of liquor: 5 10

“Provided that it shall not be an offence against this subsection to allow the consumption on the premises, at any time within 15 minutes after any time when the premises are required to be so closed, of liquor that was lawfully supplied to the person consuming it before the last-mentioned time.” 15

(2) The said section 249 is hereby further amended by inserting in subsection (2) (as amended by section 14 (2) of the Sale of Liquor Amendment Act (No. 2) 1969), after the words “other than a theatre licence”, the words “or an airport licence”. 20

13. Persons unlawfully on licensed premises of airport—

(1) The principal Act is hereby amended by inserting, after section 252, the following section:

“252A. (1) Every person commits an offence and is liable to a fine not exceeding \$20 who is found on any licensed premises conducted under an airport licence at any time while the licensed premises are required to be closed for the sale of liquor. 25

“(2) Nothing in this section shall apply to— 30

“(a) The licensee or manager of the premises; or

“(b) Any employee of the licensee at any time while he is employed on the premises or at any time not later than one hour after such employment has ceased for the day; or 35

“(c) Any person who has lawfully been supplied with liquor before any time at which the licensed premises are required to be closed for the sale of liquor, and is found on the premises not later than 15 minutes after that time; or 40

5 “(d) Any employee or agent of the licensee, or any person acting under any contract with the licensee or manager, who with the authority of the licensee or manager is on the premises for the purpose of cleaning, repairing, maintaining, altering, or restocking the premises or any equipment therein, or removing or replacing any such equipment, or stocktaking, or checking cash in the premises or removing it therefrom.”

10 (2) Section 254 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) Any member of the Police may demand the name and address of any person found—

15 “(a) In any bar, tavern premises, bar premises, or extended premises; or

“(b) In possession of liquor in any part of any licensed premises; or

20 “(c) Consuming or procuring or attempting to procure liquor on any licensed premises—

on any day when the premises are required to be closed for the sale of liquor, or at any time on any other day if there is reasonable ground to believe that his being in such bar or premises as aforesaid, or, as the case may be, his being in 25 possession of liquor or his consuming or procuring or attempting to procure liquor as aforesaid, at that time is in contravention of any of the provisions of this Act.”

14. Supply of liquor to minors—(1) Section 259 of the principal Act (as substituted by section 2 (1) of the Sale of 30 Liquor Amendment Act 1969 and amended by section 16 of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby further amended by inserting in subsection (8), after the words “a theatre”, the words “or of an airport”.

35 (2) The said section 259 is hereby further amended by adding to paragraph (c) of subsection (9) the words “other than the licensed premises of a theatre or of an airport”.

15. Fees—(1) Section 286 of the principal Act (as amended by section 17 (1) of the Sale of Liquor Amendment Act (No. 2) 1969) is hereby further amended by inserting, after 40 subsection (2A), the following subsection:

“(2B) For every airport licence, and every renewal thereof, there shall be paid to the Secretary of the Commission a sum fixed in accordance with section 286A of this Act, which sum shall be payable in accordance with that section. For the purposes of this subsection the said section 286A shall apply, so far as it is applicable and with the necessary modifications, as if— 5

“(a) References to a tavernkeeper’s licence were references to an airport licence:

“(b) References to tavern premises or a tavern were references to the licensed premises of the airport: 10

“(c) References to the Licensing Committee or to the Clerk were references to the Commission or to the Secretary, as the case may require:

“(d) The reference in the definition of ‘purchases’ in subsection (1) of that section to the tavern business were a reference to the business of the licensed premises of the airport: 15

“(e) In paragraph (b) of subsection (17) of that section the words ‘the airport authority’ were substituted for the words ‘the holder of the tavern premises licence (if the licensee is not the holder of the premises licence)’.” 20

(2) The said section 286 is hereby further amended by inserting in subsection (7), after the words “tavernkeeper’s licence”, the words “or an airport licence”. 25

(3) Section 17 of the principal Act is hereby amended by inserting in subsection (2) (as amended by section 17 (2) of the Sale of Liquor Amendment Act (No. 2) 1969), after paragraph (bb), the following paragraph: 30

“(bbb) All fees paid for airport licences, and for the renewal of such licences:”.

16. Power to authorise closing of premises—(1) Section 290 of the principal Act is hereby amended by inserting at the beginning of that section, before the words “The Licensing Committee”, the words “Subject to subsection (2) of this section”. 35

(2) The said section 290 is hereby further amended by adding the following as subsection (2):

“(2) In the case of a theatre licence or an airport licence, subsection (1) of this section shall apply as if the references to the Licensing Committee were references to the Commission.” 40

17. Alterations in licensed premises of airport—Section 291 of the principal Act is hereby amended by repealing subsection (3), and substituting the following subsection:

“(3) Before—

5 “(a) The holder of a restaurant licence makes any substantial alterations to the premises or to the number of diners for whom the restaurant can provide; or

10 “(b) The holder of an airport licence makes any substantial alterations to the licensed premises of the airport—
he shall obtain the consent in writing of the Commission or the Chairman thereof. Such consent shall not be granted in respect of premises at an airport unless the Commission or the Chairman is satisfied that the approval of the airport
15 authority to the alterations has been obtained pursuant to the Airport Authorities Act 1966.”