

(Corrected Copy of Supplementary Order Papers Nos. 59 and 60.)

## SUPPLEMENTARY ORDER PAPER.

### HOUSE OF REPRESENTATIVES.

Thursday, the 1st Day of October, 1896.

#### ALCOHOLIC LIQUORS SALE CONTROL ACT AMENDMENT BILL.

Hon. Mr. SEDDON, in Committee, to move the following amendments:—

In clause 12, line 51: Next after "tabulate" insert "and gazette."

In clause 16, line 4: Omit all words after "hereby," and in lieu thereof insert "repealed, and no bottle license or New-Zealand-wine license shall be granted or renewed after the commencement of this Act."

Insert the following new clauses (under the head "General"):—

15A. Notwithstanding anything to the contrary contained in section one hundred and seventy-six of "The Licensing Act, 1881," it is hereby declared that every constable having the charge of a police-station shall, whilst having such charge, be an Inspector of Licensed Premises under that Act.

15B. The renewal of a license at the annual meeting of the Committee shall not be deemed to be the granting of a license within the meaning or for the purposes of section ninety-three of "The Licensing Act, 1881."

15BB. In any case where a conviction is indorsed on a license, the convicting Court may add to such conviction the condition that the indorsement shall be deemed cancelled if no subsequent indorsement is made within such period not exceeding twelve consecutive months as the Court thinks just, having regard to all the circumstances of the case, and especially to the degree of moral blame attaching to the licensee; and in such case, if the condition is fulfilled, the indorsement shall be deemed to be cancelled accordingly, anything in the Licensing Acts to the contrary notwithstanding.

15c. In any case where a licensee is convicted of an offence involving, under the Licensing Acts, the indorsement of the conviction on the license, and such offence was not committed by the licensee personally, then, notwithstanding anything to the contrary contained in the Licensing Acts, the convicting Court may in its discretion order such indorsement to be made, or not to be made, as it thinks just, having regard to all the circumstances of the case, and especially to the degree of moral blame attaching to the licensee.

15D. In any proceedings under the Licensing Acts against any licensee for selling liquor to a prohibited person, it shall be a sufficient defence if the defendant satisfies the Court that he or, as the case may be, his agent actually selling the liquor, did not know that the person to whom the liquor was sold was a prohibited person.

15E. Section thirteen of "The Alcoholic Liquors Sale Control Act, 1893," is hereby amended as follows:—

- (1.) By substituting the words "person whomsoever" in lieu of the words "licensed person within any district in which such prohibition order is in force"; and also—
- (2.) By adding at the end of the section the words, "and the fact of such person drinking liquor or having it in his possession shall be sufficient evidence of his having procured it in breach of this section."

15F. Section twenty-two of "The Alcoholic Liquors Sale Control Act, 1893," is hereby amended by substituting the words "twelve consecutive months" in lieu of the words "two consecutive years."

15G. Paragraph (b) of subsection two of section eight of the said Act is hereby repealed, and in lieu thereof the following is substituted:—

- "(b.) Those licenses which have been indorsed for breach of the law by selling liquor to children shall be the first to be reduced, next those in respect of which objections have been made and sustained under any of subsections one to four of the principal Act, and next those held in respect of premises which comprise little or no accommodation for lodgers and travellers except the bar."

15H. Subsection one of section nineteen of the said Act is hereby repealed, and in lieu thereof the following is substituted:—

- "The election of members of the Licensing Committee for each ordinary licensing district shall be held on the second Monday in March, one thousand eight hundred and ninety-seven, and on the same day in every third year thereafter; and it shall be the duty of the Returning Officer to give public notice of the day for the election not later than the third Monday in February next before such election."

16A. Subsection two of section twenty-one of the said Act is hereby repealed, and in lieu thereof the following is substituted:—

- "(2.) A district shall be deemed to fail or neglect to elect a Licensing Committee in any case where less than all the elective members are elected at the time appointed in that behalf."

16B. For the purposes of section thirty of the said Act, licensed premises closed under paragraph (b) of subsection two of section eight of the said Act shall be deemed to be closed as the result of a poll of the electors of the district; and in any such case the lessee may avail himself of the provisions of the aforesaid section thirty.

16C. (1.) In every case where, by reason of the abolition or alteration of an electoral district, any area of a licensing district (hereinafter called an "original district") becomes part of another licensing district, whether then newly constituted or already existing (hereinafter called a "new district"), then, notwithstanding the abolition or alteration of such original district, the following provisions shall apply:—

- (a.) Such area shall, for all the purposes of the Licensing Acts (other than the purposes of voting at the election of the Committee and at the taking of the licensing poll), be deemed not to form part of such new district, but to continue to be comprised in such original district (in like manner as if it were neither abolished nor altered) until the result of the second licensing poll thereafter taken in such new district is notified to the Committee thereof by the returning officer. And upon such result being so notified, such area shall be subject thereto, and shall

cease to be deemed to be comprised in such original district.

- (b.) If in any such case there is no Committee of such original district, then, until such area ceases to be deemed to be comprised therein, the functions and jurisdiction of the Committee shall be exercised in respect of the said area by such Stipendiary Magistrate for the time being usually exercising jurisdiction within the area or in the locality thereof as the Governor by *Gazette* notice names in that behalf, and such *Gazette* notice shall be conclusive evidence of all matters stated therein.

(2.) Section twenty-one of "The Alcoholic Liquors Sale Control Act, 1893," is hereby repealed.