

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Wednesday, 24 November 1982

SALE OF LIQUOR AMENDMENT BILL (NO. 2)

Proposed Amendments

Hon. MR McLAY, in Committee, to move the following amendments:

Clause 3, proposed section 106D: To omit from line 23 on page 5 the word "business", and substitute the word "distribution".

To insert in line 6 on page 6, before the words "to facilitate", the word "solely".

Proposed new clause 20: To add on page 13 the following clause:

20. Managers not to be paid by way of commission—
Section 200 of the principal Act is hereby amended by omitting the words ", directly or indirectly,", and substituting the word "predominantly".

EXPLANATORY NOTE

Clause 3, proposed section 106D: The first amendment is intended to remove any suggestion that the Commission is to consider the economic viability of the applicant's business.

The second amendment is designed to clarify the proposed section 106D (2A), recommended by the Statutes Revision Committee. It underlines the fact that an applicant is not disqualified merely because one result of the licence would be to facilitate any retail wine business conducted by him, so long as this is only incidental to the main purpose of conducting a genuine distribution business.

Proposed new clause 20: This clause amends section 200 of the Sale of Liquor Act 1962, which prohibits the payment to managers of commission determined "directly or indirectly" on the basis of the amount of liquor sold or the profit arising from the sale of liquor. Under the amendment, such commission will be prohibited only if it relates "predominantly" to the amount of liquor sold or to the resulting profit from the sale of liquor.
