

LIQUOR (AMENDMENT) ACT, 1979, No. 146

New South Wales



ANNO VICÈSIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 146, 1979.

An Act to amend the Liquor Act, 1912, with respect to the hours during which liquor may be sold and the enforcement of the provisions of that Act relating to the sale or supply of liquor to, and the consumption of liquor by, persons under the age of 18 years, and for other purposes. [Assented to, 7th December, 1979.]

See also Registered Clubs (Liquor) Amendment Act, 1979; Parliamentary Electorates and Elections (Amendment) Act, 1979.

Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Liquor (Amendment) Act, 1979".

**Commence-
ment.** **2.** (1) Except as provided in subsections (2), (3), (4), (5) and (6), this Act shall commence on the date of assent to this Act.

(2) The several provisions of Schedules 1–7 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(3) Section 4 shall, in its application to a provision of Schedules 1–7, commence on the day on which the provision commences.

(4) Section 5 (1) and (2) shall commence on the day on which Schedule 3 (5) and (7) (a) commence.

(5) Section 5 (3) shall commence on the day on which Schedule 1 (7) and (9) commence.

(6) Section 5 (4) shall commence on the day on which Schedules 3 (13), 4 (4) and 6 (3) commence.

Schedules. **3.** This Act contains the following Schedules :—

**SCHEDULE 1.—AMENDMENTS TO THE LIQUOR ACT, 1912,
RELATING TO HOURS FOR SALE OF LIQUOR.**

**SCHEDULE 2.—AMENDMENTS TO THE LIQUOR ACT, 1912,
RELATING TO MINORS.**

Liquor (Amendment).

SCHEDULE 3.—FURTHER AMENDMENTS TO PART III OF THE LIQUOR ACT, 1912.

SCHEDULE 4.—FURTHER AMENDMENTS TO PART IIIA OF THE LIQUOR ACT, 1912.

SCHEDULE 5.—FURTHER AMENDMENTS TO PART IX OF THE LIQUOR ACT, 1912.

SCHEDULE 6.—FURTHER AMENDMENTS TO PART XA OF THE LIQUOR ACT, 1912.

SCHEDULE 7.—FURTHER AMENDMENTS TO PART XI OF THE LIQUOR ACT, 1912.

4. The Liquor Act, 1912, is amended in the manner set forth in Schedules 1–7. Amendment of Act No. 42, 1912.

5. (1) A booth license or a limited public hall license granted under the Liquor Act, 1912, before the commencement of Schedule 3 (5) and (7) (a) for a day that is after that commencement shall be deemed to be a functions license granted under that Act, as amended by this Act, for that day. Savings.

(2) An application for a booth license or a limited public hall license made before the commencement of Schedule 3 (5) and (7) (a) shall, if it has not been granted on that commencement, be deemed to be an application for a functions license.

(3) A permit in force under section 57A of the Liquor Act, 1912, immediately before the commencement of Schedule 1 (8) that is endorsed under section 57B of that Act shall be deemed to be a permit issued on that commencement under section 57B of the Liquor Act, 1912, as amended by this Act, and to be subject to the same conditions and provisions as those to which the permit under section 57A was subject immediately before the commencement of Schedule 1 (8).

Liquor (Amendment).

(4) Any conditions and provisions imposed on any license or permit granted under the Liquor Act, 1912, shall—

- (a) in the case of conditions and provisions so imposed on a permit granted under Part IIIA of the Liquor Act, 1912, before, and in force at, the commencement of section 78IA of that Act, as inserted by this Act, be deemed to be conditions and provisions to which that permit is subject under that section; or
- (b) in the case of conditions and provisions so imposed on a permit granted under Part XA of the Liquor Act, 1912, before, and in force at, the commencement of section 152GA of that Act, as inserted by this Act, be deemed to be conditions and provisions to which the permit is subject under that section.

Sec. 4.

SCHEDULE 1.**AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO HOURS FOR SALE OF LIQUOR.**

- (1) Section 13 (1) (c) (ii)—
Omit “or is Anzac Day”.
- (2) (a) Section 20c (1) (a)—
Omit “a Sunday.”
- (b) Section 20c (1) (b)—
Omit the paragraph.
- (c) Section 20c (2) (a)—
Omit “a Sunday (not being a Sunday that is 31st December)”.

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

- (d) Section 20C (2) (a)—
Omit “3 p.m. and between 6 p.m. and 10 p.m.”; insert instead “10 p.m. where the liquor is sold or disposed of, with or as ancillary to a bona fide meal, for consumption in the public hall in respect of which the license is in force.”.
- (e) Section 20C (2) (b), (c)—
Omit the paragraphs, insert instead :—
(b) on a Sunday, except between the hours of 12 noon and 10 p.m.
- (3) (a) Section 20D (4) (a) (i)—
Omit “the day on which Anzac Day is observed and is not”.
- (b) Section 20D (4) (a) (ii), (iii)—
Omit the subparagraphs.
- (c) Section 20D (4) (a) (iv)—
Omit “3 p.m. and between 6 p.m. and”.
- (d) Section 20D (4) (a) (iv)—
Omit “other”.
- (e) Section 20D (4) (a) (iv)—
After “57 (1) (b)”, insert “where, except on a Sunday, the liquor is sold, disposed of or supplied, with or as ancillary to a bona fide meal”.

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(f) Section 20D (4) (a) (iva)—

After section 20D (4) (a) (iv), insert :—

(iva) between the time on the day (not being a day proclaimed under section 57 (1) (b)) that is 31st December in any year at which the licensee is no longer authorised under subparagraph (i) or (iv) to sell, dispose of or supply liquor on those premises and 2 a.m. on the next day, but only if the licensee has before 24th December in that year notified, in writing, the clerk of the licensing court of his intention to do so; and

(g) Section 20D (4) (a) (v)—

Omit “, a day proclaimed under section 57 (1) (b) and Anzac Day”, insert instead “or a day proclaimed under section 57 (1) (b)”.

(h) Section 20D (4) (b) (i)—

Omit “3 p.m. and between 6 p.m. and”.

(i) Section 20D (4) (b) (ii)—

Omit “3 p.m. and between 6 p.m. and”.

(j) Section 20D (4) (b) (ii)—

Omit “and” where lastly occurring.

(k) Section 20D (4) (b) (iii)—

Omit “midnight;”, insert instead “midnight; and”.

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(1) Section 20D (4) (b) (iv)—

After section 20D (4) (b) (iii), insert :—

- (iv) between the time on the day (not being a day proclaimed under section 57 (1) (b)) that is 31st December in any year at which the licensee is no longer authorised under subparagraph (i) or (iii) to sell, dispose of or supply liquor on those premises and 2 a.m. on the next day, but only if the licensee has before 24th December in that year notified, in writing, the clerk of the licensing court of his intention to do so;

(4) (a) Section 26c (5) (a) (i)—

Omit “3 p.m. and between 6 p.m. and”.

(b) Section 26c (5) (a) (ii)—

Omit “3 p.m. and between 6 p.m. and 12 midnight; and”, insert instead “12 midnight;”.

(c) Section 26c (5) (a) (iii)—

Omit “midnight;”, insert instead “midnight; and”.

(d) Section 26c (5) (a) (iv)—

After section 26c (5) (a) (iii), insert :—

- (iv) between the time on the day (not being a day proclaimed under section 57 (1) (b)) that is 31st December in any year at which the licensee is no longer authorised under subparagraph (i) or (iii) to sell, dispose of or

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

supply liquor on those premises and 2 a.m. on the next day, but only if the licensee has before 24th December in that year notified, in writing, the clerk of the licensing court of his intention to do so; and

(5) (a) Section 27 (3)—

Omit “57A, endorsed under section”.

(b) Section 27 (3)—

Omit “, so endorsed,” wherever occurring.

(6) (a) Section 57 (1) (a)—

Omit the paragraph, insert instead :—

(a) upon—

- (i) any Sunday on which Christmas Day or any day named in a proclamation referred to in paragraph (b) falls; or
- (ii) any other Sunday, except between the hours of 12 noon and 10 p.m.;

(b) Section 57 (1) (b)—

After “Gazette”, insert “, except between 12 noon and 10 p.m. where the liquor is sold, supplied or delivered with or as ancillary to a bona fide meal, for consumption on those premises in a dining room or in a room used permanently and primarily for dining”.

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(c) Section 57 (1) (c)—

Omit the paragraph.

(d) Section 57 (1) (d)—

Omit “10 p.m.”, insert instead “11 p.m.; or”.

(e) Section 57 (1A)—

Omit “paragraph (d) of subsection (1)”, insert instead “subsection (1) (a) (ii) or (d)”.

(f) Section 57 (1A)—

Omit “the said paragraph” wherever occurring, insert instead “either of those paragraphs”.

(g) Section 57 (1A)—

Omit :—

The licensing court in the exercise of its powers under this subsection shall not vary the hours as aforesaid in such a manner as to permit the sale, supply, delivery or consumption of liquor on any licensed premises—

(a) after—

(i) 10 p.m. during any period other than the period fixed by section 5 (1) of the Standard Time Act, 1971, as the duration of summer time; or

(ii) 11 p.m. during the period so fixed as the duration of summer time;

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

- (b) for a total period in any one day in excess of twelve hours;

insert instead :—

The licensing court in the exercise of its powers under this subsection—

- (a) in relation to licensed premises in respect of which a publican's license is held and which are situated in the Metropolitan Licensing District, the Newcastle Licensing District or the Wollongong Licensing District or in relation to licensed premises in respect of which an Australian wine license is held, shall not vary the hours specified in subsection (1) (a) (ii);
- (b) in relation to licensed premises in respect of which a publican's license is held and which are situated outside any such district, shall not vary the hours specified in subsection (1) (a) (ii) in such a manner as to permit the sale, supply, delivery or consumption of liquor on the licensed premises before 10 a.m. on a Sunday or for a period on any one Sunday in excess of ten hours; or
- (c) in relation to licensed premises in respect of which a publican's license or an Australian wine license is held, shall not vary the hours specified in subsection (1) (d) in such a manner as to permit the sale, supply, delivery or consumption of liquor on the licensed premises—

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

- (i) after 11 p.m. on any day referred to in that paragraph; or
- (ii) for a total period on any such day in excess of thirteen hours.

(h) Section 57 (1A)—

After section 57 (1A), insert :—

(1A) Notwithstanding subsections (1) and (1A), the holder of a publican's license or Australian wine license is authorised to keep his licensed premises open for the sale of liquor, and to sell and supply and deliver any liquor, and to permit any liquor to be consumed on his licensed premises between the time on the day (not being a day proclaimed under section 57 (1) (b)) that is 31st December in any year at which the licensee is no longer authorised, by virtue of subsection (1) (a) or (d) or (1A) to sell, supply or deliver liquor and 2 a.m. on the next day, but only if the licensee has before 24th December in that year notified, in writing, the clerk of the licensing court of his intention to do so and if neither 31st December in that year nor the next day is a day proclaimed under subsection (1) (b).

(i) Section 57 (1B) (a)—

Omit the paragraph, insert instead :—

(a) upon—

- (i) any Sunday on which Christmas Day or any day named in a proclamation referred to in paragraph (b) falls; or

Liquor (Amendment).

 SCHEDULE 1—*continued.*

 AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
 HOURS FOR SALE OF LIQUOR—*continued.*

- (ii) any other Sunday, except between the hours of 12 noon and 8 p.m.;
- (j) Section 57 (1B) (b1)—
 Omit the paragraph.
- (k) Section 57 (1B) (c)—
 Omit “6 p.m.”, insert instead “6 p.m.; or”.
- (l) Section 57 (1C) (a)—
 Omit “paragraph (d) of subsection (1)”, insert instead “subsection (1) (a) (ii) or (d)”.
- (m) Section 57 (1C) (a)—
 Omit “(b1) or”.
- (n) Section 57 (1C) (b)—
 Omit the paragraph, insert instead :—
- (b) by omitting the words “The licensing court in the exercise of its powers under this subsection—” and paragraphs (a), (b) and (c) and by inserting instead the following :—
- The licensing court in the exercise of its powers under this subsection in relation to the licensed premises of spirit merchants shall not vary the hours between which the holder of a spirit merchant’s license may keep his licensed premises open for the sale,

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

supply or delivery of liquor or sell, supply or deliver liquor in such a manner as to permit the sale, supply or delivery of liquor on a day, not being Sunday—

(a) after 8 p.m.; and

(b) for a total period in excess of 12 hours.

(o) Section 57 (1D)—

Omit “(1A) (b)”, insert instead “(1A)”.

(p) Section 57 (1E)—

Omit “(1A) (b)”, insert instead “(1A)”.

(7) Section 57A—

Omit the section.

(8) (a) Section 57B (1)—

Omit “permit under section 57A or upon the grant of a permit under that section”, insert instead “publican’s license”.

(b) Section 57B (1) (a)—

After “primarily for dining” insert “, not being, in either case, a part of the licensed premises specified in a permission granted under section 51B”.

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(c) Section 57B (1) (a)—

Omit “, or such lesser number as the licensing court may in special circumstances determine,”.

(d) Section 57B (1)—

Omit “authorise the clerk of the licensing court to endorse the permit as a late permit, subject to such conditions and provisions as the licensing court may, when granting the application, think fit to impose, and the clerk of the licensing court shall, on payment of the prescribed fee, so endorse the permit”, insert instead “on payment of the prescribed fee, grant to the holder of the license a permit to sell, dispose of and supply liquor in accordance with this section”.

(e) Section 57B (1A)–(1D)—

After section 57B (1), insert :—

(1A) A permit issued under this section shall, subject to the provisions of this Act, be in force from the date upon which the grant of the permit takes effect until 30th June next following that date, both days inclusive.

(1B) The holder of a permit granted under this section who makes application to the secretary of the board for the renewal of the permit is entitled, upon payment of the prescribed fee, to obtain the renewal of the permit unless an objection to the renewal of the permit or the renewal of the license held by the holder of the permit is upheld by the licensing court.

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(1C) An application for the renewal of a permit granted under this section may be granted on or after 1st June next preceding the due date for the expiry of the permit—

- (a) by the secretary of the board, if there has not, on or before 31st May next preceding the due date for the expiry of the permit, been lodged with him, as referred to in section 167 (4), a copy of any notice of objection to the renewal of the permit or, as the case may be, the license; or
- (b) by the licensing court if the secretary of the board has not granted the application pursuant to paragraph (a).

(1D) Notwithstanding section 10, the holder of a permit granted under this section need not attend in person before the court on the application for the renewal of his permit to which objection has been taken unless notice of the objection was served on the holder on or before 31st May next preceding the due date for the expiry of the permit.

(f) Section 57B (2)—

Omit “any premises with respect to which a permit under section 57A, endorsed under this section, is in force”, insert instead “the licensed premises of the person by whom the permit is held”.

(g) Section 57B (3) (b)—

Omit “10 p.m.”, insert instead “11 p.m.”.

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(h) Section 57B (3) (b)—

Omit “proclaimed;”, insert instead :—
proclaimed if—

- (i) between 11 p.m. and 12 midnight, the liquor is sold, disposed of or supplied in conjunction with or as ancillary to a bona fide meal or the liquor is sold, disposed of or supplied in conjunction with or as ancillary to entertainment, being entertainment by more than one person physically present and actually providing the entertainment, and a bona fide meal is available, with or without charge, in the licensed premises; and
- (ii) between 12 midnight and 3 a.m., the liquor is sold, disposed of or supplied in conjunction with or as ancillary to any such entertainment and a bona fide meal is available, with or without charge, in the licensed premises; and

(i) Section 57B (3) (c)—

Omit the paragraph.

(j) Section 57B (3) (d)—

Omit “imposed by the licensing court when authorising the endorsement of the permit”, insert instead “to which the permit is for the time being subject under section 23A”.

(k) Section 57B (4)—

Omit “after midnight”.

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(l) Section 57B (5), (6)—

Omit the subsections.

(m) Section 57B (7)—

Omit the subsection, insert instead :—

(7) Notwithstanding anything contained in this section, the holder of a permit granted under this section is authorised to sell, dispose of or supply liquor on the licensed premises of the holder between the time on the day (not being a day proclaimed under section 57 (1) (b)) that is 31st December in any year on the which the holder is no longer authorised under section 57 (1) (a) or (1A) to sell, dispose of or supply liquor and 3 a.m. on the next day, but only if the liquor is sold, disposed of or supplied as referred to in subsection (3) (b) (i) or (ii).

(9) Section 57C—

Omit the section.

(10) Section 58—

Omit “when” where firstly and secondly occurring, insert instead “after the expiration of 15 minutes after”.

(11) Section 58A (1)—

Omit “or extension thereof under section 57A, or any endorsement of such a permit under section 57B, or pursuant to a permit or extension thereof under section 57C,” insert instead “under section 57B”.

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(12) (a) Section 64A (1)—

Omit “or extension thereof under section 57A, or an endorsement of such a permit under section 57B,” insert instead “under section 57B”.

(b) Section 64A (2)—

Omit the words “either pursuant is the license or, in the case of the holder of a permit under section 57C, pursuant to the permit or any extension thereof”, insert instead “pursuant to the license”.

(13) Section 78EA (2)—

Omit “endorsement of” where firstly occurring.

(14) (a) Section 78K (2) (b)—

Omit the paragraph, insert instead :—

(b) Where the permit is endorsed as a cabaret permit, liquor sold or supplied at the times permitted by subsection (4A) may be sold or supplied only—

- (i) if, where liquor may be sold or supplied in the restaurant during the period between 12 noon and 11 p.m., it is sold or supplied in the restaurant for bona fide consumption with or as ancillary to a meal;
- (ii) if, where liquor may be sold or supplied in the restaurant during the period between

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

11 p.m. and 12 midnight, it is sold or supplied in conjunction with or as ancillary to a bona fide meal or it is sold or supplied in conjunction with or as ancillary to entertainment, being entertainment by more than one person physically present and actually providing the entertainment, and a bona fide meal is available, with or without charge, in the restaurant; and

- (iii) if, where liquor may be sold or supplied in the restaurant during the period between 12 midnight and 3 a.m., it is sold or supplied in conjunction with or as ancillary to any such entertainment and a bona fide meal is available, with or without charge, in the restaurant,

and in accordance with any conditions and provisions to which the permit is for the time being subject under section 78IA.

- (b) Section 78K (4) (a)—

Omit “3 p.m. and between 6 p.m. and 10 p.m. on a Sunday (not being a Sunday that is 31st December)”, insert instead “10 p.m. on a Sunday.”.

- (c) Section 78K (4) (b)—

Omit the paragraph.

- (d) Section 78K (4) (c)—

Omit “midnight.”, insert instead “midnight; and”.

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(e) Section 78K (4) (d)—

After section 78K (4) (c), insert :—

- (d) between midnight on the day that is 31st December in any year and 2 a.m. on the next day, but only if the holder of the permit has before 24th December in that year notified, in writing, the clerk of the licensing court of his intention to sell or supply liquor between those hours.

(f) Section 78K (4A) (a)—

Omit “3 p.m. and between 6 p.m. and”.

(g) Section 78K (4A) (a)—

Omit “Sunday (not being a Sunday that is 31st December)”, insert instead “Sunday,”.

(h) Section 78K (4A) (b) (i), (ii)—

Omit the subparagraphs, insert instead :—

- (i) commencing at 12 noon on a Sunday that is 31st December and ending at 3 a.m. on the following day; and
- (ii) commencing at 12 noon on any day (not being a day to which paragraph (a) or subparagraph (i) applies) and ending at 3 a.m. on the following day,

(i) Section 78K (4A) (b)—

Omit “is a Sunday,”, insert instead “is”.

Liquor (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

(15) Section 116 (5)—

Omit “57A and any endorsement thereof under section”.

(16) Section 152I (2) (a)–(e)—

Omit section 152I (2) (a) and (b), insert instead :—

- (a) at any time between the hours of 12 noon and 11 p.m. on any day other than a Sunday, Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b);
- (b) on a Sunday, other than a Sunday on which Christmas Day or a day proclaimed under section 57 (1) (b) falls, during any period between the hours of 12 noon and 10 p.m. specified in the conditions or provisions to which the permit is for the time being subject;
- (c) on Good Friday, Christmas Day and any day proclaimed under section 57 (1) (b) between the hours of 12 noon and 10 p.m. where the liquor is sold or supplied, with or as ancillary to a meal, for consumption on the prescribed premises;
- (d) at a dinner, reception, convention, seminar or the like or at a ball, or with or as ancillary to a meal, on any day other than a day referred to in paragraph (c), between the hours of 12 noon and 12 midnight; and
- (e) between the time on the day (not being a day proclaimed under section 57 (1) (b) that is 31st December in any year at which liquor may no longer be sold or supplied under paragraph (a) or (b) and 2 a.m. on the next day, but only if the

Liquor (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
HOURS FOR SALE OF LIQUOR—*continued.*

holder of the permit has before 24th December in that year notified, in writing, the clerk of the licensing court of his intention to sell or supply liquor between those hours.

(17) Section 153 (1) (o)—

Omit the paragraph.

(18) (a) Section 170 (4)—

Omit “57A”, insert instead “57B”.

(b) Section 170 (4)—

Omit “57B or”.

(c) Section 170 (5) (a)—

Omit “57A or an endorsement thereof under section 57B, or an application for a permit under section 57C”, insert instead “57B”.

Sec. 4.

SCHEDULE 2.

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO MINORS.

(1) (a) Section 29 (1) (g)—

Omit “granted.”, insert instead “granted;”.

Liquor (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
MINORS—*continued.*

(b) Section 29 (1) (h)—

After section 29 (1) (g), insert :—

- (h) that the applicant has, within the preceding period of 12 months, been convicted of an offence under section 51 (1).

(2) (a) Section 49 (1)—

Omit “two hundred dollars”, insert instead “\$1,000”.

(b) Section 49 (2)—

Omit “two hundred dollars”, insert instead “\$500”.

(c) Section 49 (3)—

Omit “such person was apparently above such age”, insert instead “the person under the age of 18 years was of or above the age of 14 years and that the accused believed on reasonable grounds that the person under the age of 18 years was of or above the age of 18 years”.

(d) Section 49 (3AA)—

After section 49 (3), insert :—

(3AA) For the purposes of, but without limiting, subsection (3), the accused shall be deemed to have had reasonable grounds for the belief referred to in that subsection if the accused proves that—

Liquor (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
MINORS—*continued.*

- (a) the person under 18 years of age produced to him, duly signed—
 - (i) a driver's license issued under the Motor Traffic Act, 1909;
 - (ii) a notice given under the regulations made under section 35 (1A) of the Parliamentary Electorates and Elections Act, 1912; or
 - (iii) a certificate issued in accordance with the regulations made under this Act under which the person to whom the certificate is issued is required to authenticate it by signing it;
- (b) the person under 18 years of age made his signature in the licensed premises in the presence of the licensee or an employee of the licensee;
- (c) the person in whose presence the signature was made compared it with the signature appearing on the driver's license, the notice or the certificate referred to in paragraph (a), being the signature of the person to whom it purported to have been issued; and
- (d) the person in whose presence the signature was made did not believe and had no reasonable grounds for believing that the person under 18 years of age—
 - (i) was not the person referred to in the driver's license, the notice or the certificate so referred to; or
 - (ii) was under 18 years of age.

Liquor (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
MINORS—*continued.*

(e) Section 49 (3A)—

Omit “fifty dollars”, insert instead “\$200”.

(3) Section 50—

Omit “fifty dollars”, insert instead “\$500”.

(4) (a) Section 51 (1)—

Omit “two hundred dollars”, insert instead “\$1,000”.

(b) Section 51 (1)—

Omit “twenty dollars”, insert instead “\$200”.

(c) Section 51 (1A)—

After section 51 (1), insert :—

(1A) If there is not kept continuously displayed in a conspicuous place in every bar in any licensed premises a notice, complying with the requirements, if any, prescribed for the purposes of this subsection and containing such particulars as may be so prescribed, with respect to the exclusion from the bar of persons under the age of 18 years, the licensee of those licensed premises shall be liable to a penalty not exceeding \$1,000 in respect of each bar in the licensed premises in which such a notice is not kept so displayed.

(d) Section 51 (3)—

Omit “this section”, insert instead “subsection (1)”.

Liquor (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
MINORS—*continued.*

(e) Section 51 (3)—

Omit “such person was apparently above such age”, insert instead “the person under the age of 18 years was of or above the age of 14 years and that the accused believed on reasonable grounds that the person under the age of 18 years was of or above the age of 18 years”.

(f) Section 51 (4)—

After section 51 (3), insert :—

(4) For the purposes of, but without limiting, subsection (3), the accused shall be deemed to have had reasonable grounds for the belief referred to in that subsection if the accused proves that—

- (a) the person under 18 years of age produced to him, duly signed—
 - (i) a driver’s license issued under the Motor Traffic Act, 1909;
 - (ii) a notice given under the regulations made under section 35 (1A) of the Parliamentary Electorates and Elections Act, 1912; or
 - (iii) a certificate issued in accordance with the regulations made under this Act under which the person to whom the certificate is issued is required to authenticate it by signing it;
- (b) the person under 18 years of age made his signature in the licensed premises in the presence of the licensee or an employee of the licensee;

Liquor (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
MINORS—*continued.*

- (c) the person in whose presence the signature was made compared it with the signature appearing on the driver's license, the notice or the certificate referred to in paragraph (a), being the signature of the person to whom it purported to have been issued; and
 - (d) the person in whose presence the signature was made did not believe and had no reasonable grounds for believing that the person under 18 years of age—
 - (i) was not the person referred to in the driver's license, the notice or the certificate so referred to; or
 - (ii) was under 18 years of age.
- (5) Section 51A (3)—
Omit "twenty dollars", insert instead "\$200".
- (6) Section 125 (3A)—
After section 125 (3), insert :—
(3A) If upon such complaint it is proved that 2 previous convictions for offences under section 49 (1), that related to persons under the age of 14 years and occurred on separate days within 3 years next preceding the making of the complaint, have been made after the commencement of this subsection, against the licensee, and that both of the convictions have been recorded against the licensee, the licensing court shall declare and order the licensee to be, and he shall thereupon be, disqualified for a term of 3 years from holding any license or permit under this Act.

Liquor (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO THE LIQUOR ACT, 1912, RELATING TO
MINORS—*continued.*

(7) (a) Section 128 (1A)—

After section 128 (1), insert :—

(1A) If any licensee is convicted after the commencement of this subsection of 2 offences under section 49 (1) that relate to persons under the age of 14 years and occurred on separate days within 3 years next preceding the making of the complaint for the purposes of this section while he was the licensee of the same premises, the court shall cancel the license of the premises, and may disqualify the premises from being licensed for a period of 2 years.

(b) Section 128 (1B)—

From section 128 (1A), omit “(1A) Subsection (1)”, insert instead “(1B) Subsections (1) and (1A)”.

SCHEDULE 3.

FURTHER AMENDMENTS TO PART III OF THE LIQUOR ACT, 1912.

(1) (a) Section 14 (1)—

Omit “booth”, insert instead “annual and limited functions”.

(b) Section 14 (1)—

Omit “and limited”.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(c) Section 14 (2)—

Omit “booth licenses and limited public hall licenses”,
insert instead “limited functions licenses”.

(2) (a) Section 15A—

Omit “imposed on the grant of the license”, insert
instead “to which the license is for the time being
subject under section 23A”.

(b) Section 15A—

Omit “wine or spirits”, insert instead “liquor”.

(3) Section 16—

After “license” where firstly occurring, insert “, subject to
any conditions and provisions to which the license is for
the time being subject under section 23A,”.

(4) (a) Section 18 (1)—

After “licensee” where firstly occurring, insert “,
subject to any conditions and provisions to which the
license is for the time being subject under section
23A,”.

(b) Section 18 (1)—

Omit “The licensing court”, insert instead “Without
limiting the operation of section 23A, the licensing
court”.

*Liquor (Amendment).*SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(5) Section 20—

Omit the section, insert instead :—

Functions
licenses.

20. (1) In this section—

“function” means race-meeting, regatta, sporting function or event, athletic function or event, agricultural, horticultural, pastoral or industrial show, fair (other than a trade fair referred to in section 13 (4A)), fete, carnival, function for public amusement or entertainment, public meeting, public assembly, dinner, reception, convention, seminar, ball, function conducted by or on behalf of any body or association of persons or any club or any other function, whether of the same or of a different kind, that is approved by the licensing court or is prescribed or is of a prescribed class;

“non-proprietary association” means a corporation or club or other unincorporated body or association of persons, which under its constitution, or under any law which governs its activities—

- (a) is required to apply the profits, if any, and other income of the corporation, club, body or association to the promotion of its objects or to purposes provided in any such law; and
- (b) is prohibited from paying dividends or distributing profits or income to the shareholders or members of the corporation, club, body or association;

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

“race-meeting” has the meaning ascribed thereto in
the Gaming and Betting Act, 1912.

(2) A functions license—

- (a) may be applied for only by the holder of a publican’s license, the holder of an Australian wine license or by a person acting on behalf and with the authority of a non-proprietary association;
- (b) may be granted by the licensing court, a licensing magistrate or, where no objection to the application is taken under this Act, the clerk of the licensing court;
- (c) may be granted either as an annual functions license or as a limited functions license; and
- (d) shall not be granted as a limited functions license to a person acting on behalf or with the authority of a non-proprietary association if it appears to the licensing court, the licensing magistrate or the clerk of the licensing court by which or by whom the application for the license is dealt with that it is likely that more than the prescribed number of functions will be held by the association during the period commencing on the date on which the application for the license is made and ending on the next following 30th June.

(3) A functions license—

- (a) shall be in or to the effect of the prescribed form;

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

- (b) subject to paragraph (c), authorises the licensee, subject to any conditions and provisions to which the license is for the time being subject under section 23A, to sell or dispose of liquor—
- (i) at such functions for consumption thereat on such days as may be specified or described in the license or, instead of any day so specified in respect of a function, on any day to which the holding of that function is postponed and between such hours as may be so specified; and
 - (ii) where the functions license is a functions license held by the holder of an Australian wine license, at his licensed premises only; and
- (c) shall not be granted for or exercised on Good Friday, Christmas Day or a day proclaimed under section 57 (1) (b), except where the earlier hour referred to in paragraph (b) is not, and the later hour so referred to is, on such a day.

(6) Section 20A (2) (c)—

Omit the paragraph, insert instead :—

- (c) subject to any conditions and provisions to which the license is for the time being subject under section 23A.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(7) (a) Section 20B (2) (b)—

Omit the paragraph.

(b) Section 20B (3) (b) (ii)—

Omit the subparagraph.

(c) Section 20B (3) (d)—

Omit the paragraph, insert instead :—

(d) subject to any conditions and provisions to
which the license is for the time being subject
under section 23A.

(8) Section 20c (1)—

Omit “and a limited public hall license”.

(9) (a) Section 20D (4) (c)—

Omit “premises; and”, insert instead “premises;”.

(b) Section 20D (4) (c1)—

After section 20D (4) (c), insert :—

(c1) subject to any conditions and provisions to
which the license is for the time being subject
under section 23A; and

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(10) (a) Section 21 (1) (b)—

Omit “upon, or purchased by him for any booth in respect of which a license was, during the said period of twelve months, granted to him or to any other person:”, insert instead “or purchased by him for sale, disposal or delivery pursuant to a functions license.”.

(b) Section 21 (1) (j)—

Omit the paragraph.

(c) Section 21 (1) (o), (o1), (o2)—

Omit section 21 (1) (o), insert instead :—

- (o) For a new annual functions license, the sum of \$100.
- (o1) For the renewal of an annual functions license held otherwise than by the holder of a publican’s license or an Australian wine license, a sum equal to 8 per cent of the amount paid or payable by or on behalf of the licensee for all liquor which, during the twelve months ended on 31st December next preceding the date of the application for the renewal of the license, was purchased for sale, disposal or delivery pursuant to the license.
- (o2) For a limited functions license, the sum of \$25 per day for each bar at or from which liquor is to be served.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(d) Section 21 (1B)—

After section 21 (1A), insert :—

(1B) Notwithstanding any other provision of this Act, where the applicant for the renewal of a publican's license or a spirit merchant's license satisfies the board that any amount paid or payable by or on behalf of the licensee for liquor (being an amount by reference to which the fee payable for renewal of the license is required under subsection (1) to be fixed) was paid or payable for liquor which was sold for export from Australia and was so exported, the board shall, in assessing the fee, disregard the amount paid or payable for the liquor so sold for export.

(11) (a) Section 22 (1) (a)—

Omit "any booth in respect of which a license was during the said period of twelve months, or portion thereof, as the case may be, granted to him or to any other person", insert instead "sale, disposal or delivery pursuant to a functions license".

(b) Section 22 (1) (d)—

Omit "furnished.", insert instead "furnished; and".

(c) Section 22 (1) (e)—

After section 22 (1) (d), insert :—

(e) such other particulars as may be prescribed.

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(d) Section 22 (2)—

Omit “and the period in respect of which such declaration is furnished”, insert instead “, the period in respect of which the declaration is furnished and such other particulars as may be prescribed”.

(12) (a) Section 23 (5A)—

After section 23 (5), insert :—

(5A) Where the board decides to make a reassessment under subsection (5) of a license fee (in this subsection referred to as “the original license fee”) and, in making the reassessment, states that it does so by reason of incorrect information contained in any statutory declaration furnished under this Act by reference to which the original license fee was fixed or reassessed and—

(a) the reassessed license fee is greater than the original license fee; and

(b) the board is of the opinion that the person who furnished the information knew or ought to have known it to be incorrect or furnished it with reckless indifference as to whether it was correct or incorrect,

the board may make that reassessment under subsection (5) at the amount at which the original license fee would have been fixed or reassessed if the information had been correct, increased by an amount not exceeding the difference between the original license fee and that lastmentioned amount.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(b) Section 23 (6) (b)—

After “license fee” where lastly occurring, insert “, together with any increase referred to in subsection (5A).”.

(c) Section 23 (9)—

After section 23 (8), insert :—

(9) Where a license fee fixed or reassessed under this section would, but for this subsection, be an amount of dollars and cents, the license fee shall be fixed or assessed at the amount of those dollars.

(13) Section 23A—

Omit the section, insert instead :—

23A. (1) A license or a permit under section 57B shall be subject to such conditions and provisions as the court directs upon the grant, renewal or transfer of the license or permit.

Conditions and provisions relating to licenses and section 57B permits.

(2) A permit under section 57B shall be subject to such additional conditions and provisions as the court, upon any complaint made as referred to in section 57BA (1), directs.

(3) Any condition or provision to which a license (other than a limited functions license) or permit is subject under subsection (1) or (2) or section 153A—

(a) shall, subject to paragraph (b), be a condition or provision to which any renewal or further renewal of the license or permit is subject; and

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(b) may be revoked or varied—

- (i) by the court, on application made to the court by the licensee or holder of the permit or by an inspector; or
- (ii) by the court of its own motion, upon the renewal or further renewal of the license or permit.

(14) Section 24 (1B)—

After section 24 (1A), insert :—

(1B) A copy of the notice in writing delivered to the clerk of the licensing court in accordance with subsection (1) shall be served on, or sent by registered letter to, the council of the city, municipality or shire within which the premises to which the application relates are situated.

(15) (a) Section 28—

Omit “, or for booth licenses, or for limited public hall licenses,”, insert instead “or limited functions licenses”.

(b) Section 28—

Omit “booth licenses and limited public hall licenses”, insert instead “limited functions licenses”.

(16) Section 33 (1)—

After “Provided that”, insert “, except in such circumstances as may be prescribed.”.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

- (17) Section 35 (1)—
Omit “booth license or a limited public hall license”, insert
instead “limited functions license”.
- (18) Section 37 (1)—
Omit “booth license or a limited public hall license”, insert
instead “limited functions license”.
- (19) (a) Section 40B (1A), (6)—
Omit the subsections.
- (b) Section 40B (3), (4)—
Omit “or vehicle or vehicles” wherever occurring.
- (20) (a) Section 51B (1)—
After “dining area”, insert “, lounge or beer garden”.
- (b) Section 51B (3)—
After “section”, insert “or revoke or vary any con-
ditions to which the permission is for the time being
subject or attach new conditions to the permission”.
- (c) Section 51B (4)—
Omit “Subsection (1) of section 51”, insert instead
“Except in relation to a licensee who fails to comply
with any conditions to which a permission granted to
him under this section is for the time being subject,
section 51 (1)”.

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

- (d) Section 51B (4)—
Omit “, for the purpose of partaking of a meal.”
- (21) Section 52—
Omit the section.
- (22) (a) Section 57 (1) (e)—
After section 57 (1) (d), insert :—
(e) otherwise than in accordance with any conditions or provisions to which the license is for the time being subject under section 23A or 153A.
- (b) Section 57 (1B) (d)—
After section 57 (1B) (c), insert :—
(d) otherwise than in accordance with any conditions or provisions to which the license is for the time being subject under section 23A.
- (c) Section 57 (2) (a)—
Omit “bona-fide traveller.”
- (23) (a) Section 57B (1) (a)—
Omit “time; and”, insert instead “time;”.
- (b) Section 57B (1) (b)—
Omit “entertainment;”, insert instead “entertainment; and”.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(c) Section 57B (1) (c)—

After section 57B (1) (b), insert :—

- (c) that notice in or to the effect of the prescribed form of intention to apply for the permit has been served on, or sent by registered letter to, the council of the city, municipality or shire within which the premises to which the application relates are situated and has been published on 2 occasions at intervals of 7 days between each of the occasions in newspapers—
- (i) one of which circulates throughout New South Wales; and
 - (ii) the other of which, if there is a newspaper which circulates in the area in which those premises are situated but not throughout New South Wales, is that newspaper or, if there is not such a newspaper, is a newspaper which circulates throughout New South Wales, whether or not it is the same newspaper as the newspaper referred to in subparagraph (i),

(24) Section 57BA—

After section 57B, insert :—

57BA. (1) Upon complaint being made to the licensing court by the city, municipal or shire council in whose area premises with respect to which a permit under section 57B is in force or by 20 or more persons who reside in the vicinity of any such premises that the premises are being conducted in a manner that habitually or frequently disturbs unduly the quiet or good order of the neighbourhood or

Cancellation
of endorse-
ment under
section
57B.

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

that persons after resorting to the premises have habitually or frequently disturbed unduly the quiet or good order of the neighbourhood, the licensing court shall summon the holder of the permit to appear before the court and show cause why the endorsement should not be cancelled.

(2) Section 123 applies to and in respect of proceedings on a complaint made as referred to in subsection (1) in the same way as that section applies to and in respect of proceedings on a complaint made as referred to in that section, as if a reference in that section to a licensee or a license were a reference to the holder of a permit or a permit, as the case may be.

(3) Upon any complaint made as referred to in subsection (1), the licensing court shall, if it is satisfied that the premises are being conducted in such a manner as to habitually or frequently disturb unduly the quiet or good order of the neighbourhood or that persons after resorting to the premises have habitually or frequently disturbed unduly the quiet or good order of the neighbourhood—

- (a) cause the endorsement on the permit to be cancelled; or
- (b) direct that the permit be subject to such conditions and provisions as are specified in the direction.

(4) Upon the cancellation of the endorsement on the permit, the endorsement has no force or effect.

Liquor (Amendment).

SCHEDULE 3—*continued.*

FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

(25) Section 57D—

Before section 58, insert :—

57D. Nothing in this Act authorises the holder of a publican's license or Australian wine license to keep his licensed premises (except a part of his premises in which liquor is being sold, supplied or delivered with or as ancillary to a bona fide meal or supper or in which meals or substantial refreshments are available, with or without charge) open at any time for the sale, supply or delivery of any liquor in a bar-room unless, at that time, a light meal is available, with or without charge, in that or another bar-room on his licensed premises in which the liquor is then available for sale, supply or delivery.

Light meal
to be
available
in certain
licensed
premises.

(26) (a) Section 58 (1)—

Omit “, inmate, or traveller”, insert instead “or inmate”.

(b) Section 58 (2)—

Omit “, inmate, or traveller”, insert instead “or inmate”.

(27) (a) Section 58A (1)—

Omit “or traveller” where firstly occurring.

(b) Section 58A (1)—

Omit “, lodger or traveller”, insert instead “or lodger”.

Liquor (Amendment).

SCHEDULE 3—*continued.*FURTHER AMENDMENTS TO PART III OF THE LIQUOR
ACT, 1912—*continued.*

- (28) Sections 60, 61—
Omit the sections.
- (29) Section 66 (3)—
Omit “traveller or”.

Sec. 4.

SCHEDULE 4.

FURTHER AMENDMENTS TO PART IIIA OF THE LIQUOR ACT, 1912.

- (1) Section 78E (4)—
After section 78E (3), insert :—
- (4) A copy of the notice required by subsection (2) (a) shall be served on, or sent by registered letter to, the council of the city, municipality or shire within which the restaurant to which the application relates is situated and, if the notice relates the applicant’s intention to apply for an endorsement under section 78D, shall be published on 2 occasions at intervals of 7 days between each of the occasions in newspapers—
- (a) one of which circulates throughout New South Wales; and
 - (b) the other of which, if there is a newspaper which circulates in the area in which the licensed premises are situated but not throughout New South Wales, is that newspaper or, if there is not such a newspaper, is a newspaper which

Liquor (Amendment).

SCHEDULE 4—*continued.*

FURTHER AMENDMENTS TO PART IIIA OF THE LIQUOR
ACT, 1912—*continued.*

circulates throughout New South Wales, whether or not it is the same newspaper as the newspaper referred to in paragraph (a).

(2) Section 78G (1A)—

Omit the subsection.

(3) (a) Section 78H (5)—

After “(5),”, insert “(5A),”.

(b) Section 78H (5)—

Omit “and (8)”, insert instead “, (8) and (9)”.

(4) Section 78IA—

After section 78I, insert :—

78IA. (1) A permit (whether or not under section 78D) shall be subject to such conditions and provisions as the court directs upon the grant, renewal or transfer of the permit. Conditions and provisions attaching to permits.

(2) A permit endorsed as a cabaret permit shall be subject to such additional conditions and provisions as the court, upon approving of the endorsement or upon any complaint made as referred to in section 57BA (1), as applied by section 78S (1A), directs.

(3) Any condition or provision to which a permit is subject under subsection (1) or (2)—

(a) shall, subject to paragraph (b), be a condition or provision to which any renewal or further renewal of the permit is subject; and

Liquor (Amendment).

SCHEDULE 4—*continued.*FURTHER AMENDMENTS TO PART IIIA OF THE LIQUOR
ACT, 1912—*continued.*

(b) may be revoked or varied—

- (i) by the court, on application made to the court by the holder of the permit or by an inspector; or
- (ii) by the court of its own motion, upon the renewal or further renewal of the permit.

(5) (a) Section 78K (1)—

After “section”, insert “and with any conditions and provisions to which the permit is for the time being subject under section 78IA”.

(b) Section 78K (4D) (b)—

After “aforesaid”, insert “or to which the permit is for the time being subject under section 78IA”.

(c) Section 78K (4D) (c)—

Omit “ten dollars”, insert instead “\$25 or, where some other fee is prescribed, the prescribed fee”.

(6) Section 78S (1A)—

After section 78s (1), insert :—

(1A) The provisions of section 57BA apply to and in respect of a permit endorsed as a cabaret permit, the holder of a permit so endorsed and a restaurant in respect of which a permit so endorsed is held, in the same way as they apply to a permit under section 57B, the holder of a permit under section 57B and licensed premises.

Liquor (Amendment).

SCHEDULE 4—*continued.*

FURTHER AMENDMENTS TO PART IIIA OF THE LIQUOR
ACT, 1912—*continued.*

(7) Section 78U (2)—

After “(2),”, insert “(2A),”.

SCHEDULE 5.

Sec. 4.

FURTHER AMENDMENTS TO PART IX OF THE LIQUOR ACT, 1912.

(1) (a) Section 124—

Omit “wife of the licensee or any of his family”, insert instead “spouse of the licensee or any of the licensee’s family”.

(b) Section 124—

Omit “such wife”, insert instead “such spouse”.

(c) Section 124 (2)—

At the end of section 124, insert :—

(2) A reference in subsection (1) to the spouse of a licensee includes a reference to a person not legally married to the licensee but who ordinarily lives with the licensee as the licensee’s spouse on a permanent and bona fide domestic basis.

Liquor (Amendment).

SCHEDULE 5—*continued.*FURTHER AMENDMENTS TO PART IX OF THE LIQUOR ACT, 1912
—*continued.*

(2) Section 125 (5)—

Omit “imposed by the court on the grant of a license”, insert instead “to which the license is for the time being subject under section 23A or 153A”.

(3) Section 131—

Omit “apply” where secondly occurring, insert instead “to apply”.

Sec. 4.

SCHEDULE 6.

FURTHER AMENDMENTS TO PART XA OF THE LIQUOR ACT, 1912.

(1) Section 152c (3)—

After section 152c (2), insert:—

(3) A copy of the notice referred to in subsection (1) shall be served on, or sent by registered letter to, the council of the city, municipality or shire within which the premises to which the application relates are situated.

(2) Section 152G (3) (a)—

Omit “booth license or a limited public hall license”, insert instead “limited functions license”.

(3) Section 152GA—

After section 152G, insert :—

Liquor (Amendment).

SCHEDULE 6—*continued.*

FURTHER AMENDMENTS TO PART XA OF THE LIQUOR ACT,
1912—*continued.*

152GA. (1) A permit shall be subject to such conditions and provisions as the court directs upon the grant or renewal by the court of the permit.

Conditions
and pro-
visions
attaching
to permits.

(2) Any condition or provision to which a permit is for the time being subject under subsection (1)—

(a) shall, subject to paragraph (b), be a condition or provision to which any renewal or further renewal of the permit is subject; and

(b) may be revoked or varied—

(i) by the court, on application made to the court by the holder of the permit or by an inspector; or

(ii) by the court of its own motion, upon the renewal or further renewal of the permit.

(3) A permit shall not be made subject to a condition or provision specifying a period referred to in section 152i (2) (b) unless the governing body of the university or college concerned has consented to that period.

(4) (a) Section 152H (5)—

After “(5),”; insert “(5A),”.

(b) Section 152H (5)—

Omit “and (8)”, insert instead “, (8) and (9)”.

Liquor (Amendment).

SCHEDULE 6—*continued.*FURTHER AMENDMENTS TO PART XA OF THE LIQUOR ACT,
1912—*continued.*

(5) (a) Section 152I (2A)—

After section 152I (2), insert :—

(2A) Notwithstanding subsection (2), a permit does not authorise the sale and supply of liquor as referred to in that subsection unless, except where the sale and supply of liquor with or as ancillary to a meal is authorised under that subsection, at all times when the premises are open for the sale or supply of liquor, a light meal is available, with or without charge, in at least one of the rooms on the premises in which the liquor is then available for sale or supply.

(b) Section 152I (3)—

Omit “ten dollars”, insert instead “\$25 or, where some other fee is prescribed, the prescribed fee”.

Sec. 4.

SCHEDULE 7.

FURTHER AMENDMENTS TO PART XI OF THE LIQUOR ACT, 1912.

(1) (a) Section 153 (1) (r)—

After section 153 (1) (q), insert :—

(r) For prescribing what constitutes a light meal for the purposes of sections 57D and 152I (2A).

Liquor (Amendment).

SCHEDULE 7—*continued.*

FURTHER AMENDMENTS TO PART XI OF THE LIQUOR
ACT, 1912—*continued.*

(b) Section 153 (2A)—

After section 153 (2), insert :—

(2A) A provision of a regulation may—

(a) apply generally or be limited in its application by reference to specified exceptions or factors; or

(b) apply differently according to different factors of a specified kind,

or may do any combination of those things.

(2) Section 153A (1)—

After “conditions” wherever occurring, insert “and provisions”.

(3) Section 156A—

After section 156, insert :—

156A. If the holder of any license or permit issued under this Act allows any person under the age of 18 years, other than a near relative or connection, to sell, supply, deliver or serve liquor on the premises to which the license or permit relates, he shall be liable for every such offence to a penalty not exceeding \$200.

Sale, etc.,
of liquor
by minors
prohibited.

(4) Section 168 (8), (9)—

After section 168 (7), insert :—

(8) (a) Notwithstanding anything contained in this Act, the Governor may subject to such conditions as he may impose sanction and authorise the issue by the licensing court of a license for the sale of liquor at the College of

Ryde
College of
Catering
Studies and
Hotel
Administra-
tion.

*Liquor (Amendment).*SCHEDULE 7—*continued.*FURTHER AMENDMENTS TO PART XI OF THE LIQUOR
ACT, 1912—*continued.*

Catering Studies and Hotel Administration conducted by the Department of Technical and Further Education at Ryde in the State of New South Wales.

(b) The Governor may in imposing any conditions under this subsection exempt the College referred to in paragraph (a) and the licensee thereof from such of the provisions of this Act as he may determine.

(c) The Governor may, from time to time, vary, add to or revoke any conditions imposed or exemptions granted under this subsection and may, in the absence of any such conditions or exemptions, from time to time impose or grant them.

(d) The Governor may, before sanctioning and authorising the issue of any license under this subsection, refer the matter to the licensing court for inquiry and report.

Sydney
Entertain-
ment
Centre.

(9) (a) Notwithstanding anything contained in this Act, the Governor may subject to such conditions as he may impose sanction and authorise the issue by the licensing court of a license for the sale of liquor at the Sydney Entertainment Centre.

(b) The Governor may in imposing any conditions under this subsection exempt the Centre referred to in paragraph (a) and the licensee thereof from such of the provisions of this Act as he may determine.

(c) The Governor may, from time to time, vary, add to or revoke any conditions imposed or exemptions granted under this subsection and may, in the absence of any such conditions or exemptions, from time to time impose or grant them.

Liquor (Amendment).

SCHEDULE 7—*continued.*

FURTHER AMENDMENTS TO PART XI OF THE LIQUOR
ACT, 1912—*continued.*

(d) The Governor may, before sanctioning and authorising the issue of any license under this subsection, refer the matter to the licensing court for inquiry and report.

(5) (a) Section 168B (1) (b)—

Omit “and”.

(b) Section 168B (1) (c)—

Omit “delivered.”, insert instead “delivered; and”.

(c) Section 168B (1) (d)—

After section 168B (1) (c), insert :—

(d) such other particulars as may be prescribed.

(6) Section 168D (2) (a)—

Omit the paragraph, insert instead :—

(a) a licensee under a limited functions license; or
