



ANNO DECIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1968

No. 23 of 1968

An Act to amend the Licensing Act, 1967.

[Assented to 5th December, 1968.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles

1. (1) This Act may be cited as the "Licensing Act Amendment Act (No. 2), 1968".

(2) The Licensing Act, 1967, as amended by this Act, may be cited as the "Licensing Act, 1967-1968".

(3) The Licensing Act, 1967, is hereinafter referred to as "the principal Act".

Amendment of
principal Act,
s. 37—
Licence fees.

2. Subsection (1) of section 37 of the principal Act is amended—

(a) by striking out from paragraph (a) the passage " : Provided that the gross amount paid or payable during the twelve months ended on the thirtieth day of June, 1967, shall be deemed not to include sales to persons holding a licence under the Acts repealed by this Act" and inserting in lieu thereof the passage "or, if the licence is granted or renewed on or after the first day of January, 1969, the fee shall be equal to the sum of six per centum of that gross amount" ;

- (b) by inserting after the passage "permitted by law to sell liquor" in paragraph (b) the passage "or, if the licence is granted or renewed on or after the first day of January, 1969, a fee equal to the sum of six per centum of four-fifths of that gross amount";
 - (c) by inserting after the passage "under section 13" in paragraph (c) the passage "or, if the licence is renewed on or after the first day of January, 1969, a fee equal to the sum of six per centum of that gross amount";
 - (d) by striking out paragraph (d);
 - (e) by inserting after the passage "permitted by law to sell liquor" in paragraph (e) the passage "or, if the licence is granted or renewed on or after the first day of January, 1969, a fee equal to the sum of six per centum of four-fifths of that gross amount";
- and
- (f) by inserting after the passage "permitted by law to sell liquor" in paragraph (f) the passage "or, if the licence is granted or renewed on or after the first day of January, 1969, a fee equal to the sum of six per centum of four-fifths of that gross amount".

3. Section 82 of the principal Act is amended—

- (a) by inserting after subsection (1) the following subsection:—

(1a) A company incorporated in the United Kingdom or in any State or Territory of the Commonwealth and registered in this State as a foreign company pursuant to Division III of Part XI of the Companies Act, 1962-1966, or pursuant to any corresponding previous enactment—

- (a) that held a licence of any kind under the Licensing Act, 1932-1966;

or

- (b) that was carrying on business pursuant to section 13 or the proviso to section 161 of the Licensing Act, 1932-1966, immediately before the commencement of the Licensing Act, 1967,

shall be entitled, subject to this Act, to obtain and hold a licence of any kind (except a full publican's licence, a limited publican's licence, a retail storekeeper's licence, a wine licence, or a brewer's Australian ale licence) and, except as

Amendment of
principal Act,
s. 82—
Power of
company to
hold licence.

provided in this subsection, a company that is not incorporated under the laws of this State, shall not be entitled to hold a licence. ;

(b) by striking out the word "such" in subsection (2) ;

and

(c) by striking out subsections (5) and (6).

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.