

LEGISLATIVE ASSEMBLY

Read 1^o 4 May 1983

(Brought in by Mr Cathie and Mr Wilkes)

A BILL

To amend the *Liquor Control Act* 1968 and for other purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. (1) This Act may be cited as the *Liquor Control Act* 1983. Short title.

(2) In this Act the *Liquor Control Act* 1968 is called the Principal Act.

Principal Act
No. 7695.

Reprinted to
No. 9720.

Subsequently
amended by
Nos. 9804
and 9873.

(3) This Act shall come into operation on a date to be fixed by proclamation by the Governor in Council published in the *Government Gazette*.

Commence-
ment.

2. Section 5 (1) of the Principal Act is amended as follows:

Amendment of
No. 7695 s.5.

(a) For the interpretation of "Chairman" there shall be substituted the following interpretation:

15 "Chairman" means the Chairman or the acting Chairman of the Liquor Control Commission; "Chairman."

(b) At the end of the interpretation of "Commissioner" there shall be inserted the words "and the Deputy Chairman";

(c) After the interpretation of "Commissioner" there shall be inserted the following interpretations: 5

"Corporation."

"Corporation" has the same meaning as in the *Companies (Victoria) Code* 1982.

"Deputy Chairman."

"Deputy Chairman" means the Deputy Chairman of the Liquor Control Commission.; and

(d) After the interpretation of "Refreshment place" there shall be inserted the following interpretation: 10

"Related corporation."

"Related corporation" in relation to a corporation, has the same meaning as in the *Companies (Victoria) Code* 1982.;

Amendment of
No. 7695 s. 6.

3. Section 6 of the Principal Act is amended as follows: 15

(a) In sub-section (4) for the words "an additional Chairman" there shall be substituted the words "the Deputy Chairman";

(b) In sub-section (5) for the words "A Chairman" there shall be substituted the words "A judicial member"; 20

(c) In sub-section (6) for the words "a Chairman" there shall be substituted the words "a judicial member";

(d) In sub-section (7) for the words "A Chairman" there shall be substituted the words "A judicial member";

(e) In sub-section (8) for the words "a Chairman" there shall be substituted the words "a judicial member"; and 25

(f) In sub-section (9) for the words "a Chairman" there shall be substituted the words "a judicial member".

Amendment of
No. 7695 s. 7.

4. Section 7 of the Principal Act is amended as follows:

(a) In sub-section (6) the words "as deputy" shall be repealed; 30

(b) For the words "every deputy" there shall be substituted the words "every person"; and

(c) At the end of sub-section (6) there shall be inserted the following words "and shall be entitled to be remunerated at the same rate as the member for whom he acts". 35

Amendment of
No. 7695 s. 8.

5. Section 8 of the Principal Act is hereby amended as follows:

(a) For sub-sections (1) and (1A) there shall be substituted the following sub-sections:

"(1) The Chairman and the Deputy Chairman shall severally—

(a) be paid such annual salary and annual allowance as are for the time being payable to a judge of

the

the County Court under section 10 of the *County Court Act 1958*; and

- (b) be entitled to such reasonable travelling expenses as are for the time being fixed by the Order of the Governor in Council.

(1A) The Chairman shall in addition be entitled to an allowance under this Act at such rate as is fixed from time to time by the Governor in Council.

(1AA) All amounts payable under sub-sections (1) and (1A) shall be paid out of the Consolidated Fund which is hereby to the necessary extent appropriated accordingly.”;

- (b) In sub-section (2) for the words “A member and any deputy of a member other than a Chairman or the deputy of a Chairman” there shall be substituted the words “A member other than a judicial member”; and

- (c) In sub-section (3) for the words “the Chairman” (where twice occurring) there shall be substituted the words “a judicial member”.

6. For sub-section (1) of section 10 of the Principal Act there shall be substituted the following sub-section: Amendment of No. 7695 s. 10.

“(1) The Full Commission shall be constituted by three members at least one of whom shall be a judicial member.”.

7. At the end of section 13 (2) of the Principal Act there shall be inserted the words “or if he is not a member of the Full Commission, by the Deputy Chairman”. Amendment of No. 7695 s. 13.

8. Sections 11A and 104 (6) of the Principal Act shall be repealed. Amendment of No. 7695. Repeal of ss. 11A and 104 (6).

9. Section 26 of the Principal Act shall be amended as follows: Amendment of No. 7695 s. 26.

(a) In paragraph (e) of sub-section (1)—

(i) for the word “three” there shall be substituted the word “four”;

(ii) for the word “ten” where first occurring there shall be substituted the words “half-past eleven”; and

(iii) after the words “Sunday and” there shall be inserted the words “between the hours of twelve noon and three in the afternoon and between the hours of six and ten in the evening on”;

- (b) The word “and” at the end of sub-section (1) (f) shall be repealed;

(c) At

- (c) At the end of sub-section (1) there shall be inserted the following expression:
 “and
 (h) where a permit under sub-section (2) is in force for the purposes of this paragraph subject to and in accordance with the permit on a Sunday for consumption on the premises during the periods specified in the permit.”; 5
- (d) After sub-section (1B) there shall be inserted the following sub-sections: 10
 “(1C) The Commission shall not grant an hotelkeeper’s licence to a corporation where that corporation holds, at the time of application for the licence, more than 8 per centum of the hotelkeeper’s licences issued.
 (1D) For the purposes of sub-section (1C) a corporation shall be deemed to be the holder of an hotelkeeper’s licence where that licence is held by a related corporation.”; 15
- (e) In sub-section (2) for the expression “and (g)” there shall be substituted the expression “, (g) and (h)”;
- (f) After sub-section (3) there shall be inserted the following sub-sections: 20
 “(3A) The Commission shall not grant a permit authorising the licensee to sell and dispose of liquor on a Sunday on the premises specified in the licence for more than two periods, each of two hours, being periods between the hours of twelve noon and eight in the evening and where more than one period is authorized the periods must be separated by not less than two hours. 25
 (3B) The Commission shall not grant a permit under paragraph (h) of sub-section (1) unless it is satisfied— 30
 (a) that there is a popular demand for the supply and disposal of liquor on a Sunday in the locality in which the licensed premises are situated; and
 (b) that persons residing or worshipping in the vicinity of the licensed premises will not be unduly inconvenienced as a result of the granting of the permit.”. 35

10. In section 28 (1) of the Principal Act—

- (a) in sub-paragraph (a) (ii)— 40
 (i) for the word “three” there shall be substituted the word “four”; and
 (ii) for the word “ten” there shall be substituted the words “half-past eleven”; and
 (b) after

(b) after sub-paragraph (c) (i) there shall be inserted the following sub-paragraph:

5 “(ii) on any day (other than Good Friday, Anzac Day or a day to which sub-paragraph (i) would apply) between the hours of one in the morning and two in the morning.”.

11. After sub-section (3) of section 32 of the Principal Act there shall be inserted the following sub-sections:

Amendment of
No. 7695 s. 32.

10 “(4) The Commission shall not grant a retail bottled liquor licence to a corporation where that corporation holds, at the time of application for the licence, more than 8 per centum of the retail bottled liquor licences issued.

15 (5) For the purposes of sub-section (4) a corporation shall be deemed to be the holder of a retail bottled liquor licence where the licence is held by a related corporation.”.

12. After sub-section (1A) of section 35A of the Principal Act there shall be inserted the following sub-sections:

Amendment of
No. 7695
s. 35A.

20 “(1B) The Commission may on the application of the holder of a cider tavern licence and on the payment of the prescribed fee grant a permit subject to such terms, conditions, restrictions and limitations as it thinks fit in respect of such part or parts of the licensed premises as it thinks fit authorizing the sale or disposal of liquor on that part or parts of the premises for consumption on that part or parts of the premises with or ancillary to substantial refreshments between the hours of ten in the evening and one in the following morning on any day except a Sunday or Good Friday (but including the hour between twelve midnight and one in the morning on a Sunday).

30 (1C) A permit under sub-section (1B) shall remain in force until 31 December next following unless it is sooner revoked by the Commission and a permit may on the application of the licence holder and on payment of the fee prescribed by the regulations be renewed at the same time as the licence.”.

35 13. In section 37 (1) of the Principal Act after the expression “9 litres” there shall be inserted the expression “or, for the purposes of submitting samples for analysis under section 287 of the *Health Act* 1958, in quantities of not less than 370 millilitres”.

Amendment of
No. 7695 s. 37.

14. In section 38 of the Principal Act—

Amendment of
No. 7695 s. 38.

(a) in paragraph (b) of sub-section (1)—

40 (i) for the word “three” there shall be substituted the word “four”; and

(ii) for

- (ii) for the word "ten" (where first occurring) there shall be substituted the words "half-past eleven";
- (b) after paragraph (c) there shall be inserted the following paragraph:
 - "(ca) where a permit under sub-section (1AA) is in force 5
to any member of the club or the guest of any
member of the club or any person employed in
the club, subject to and in accordance with the
permit, on a Sunday for consumption on the
premises during the periods specified in the permit;" 10
- (c) after sub-section (1A) there shall be inserted the following sub-sections:
 - "(1AA) The Full Commission may grant a permit
to any holder of a club licence authorizing the licensee 15
to sell and dispose of liquor for consumption on the
licensed premises on a Sunday during the hours specified
in the permit.
 - "(1AB) The Commission shall not grant a permit
under sub-section (1AA) authorizing the licensee to sell 20
and dispose of liquor on a Sunday on the premises
specified in the licence for more than two periods, each
of two hours, being periods between the hours of twelve
noon and eight in the evening and where more than one
period is authorized the periods must be separated by 25
not less than two hours.
 - (1AC) The Commission shall not grant a permit
under sub-section (1AA) unless it is satisfied—
 - (a) that there is a popular demand for the supply
and disposal of liquor on a Sunday in the locality
in which the licensed premises are situated; and 30
 - (b) that persons residing or worshipping in the vicinity
of the licensed premises will not be unduly
inconvenienced as a result of the granting of the
permit.";
 - (d) in sub-sections (3), (5) and (7) for the expression 35
"sub-section (2)" there shall be substituted the expression
"sub-sections (1AA) and (2)".

Amendment of
No. 7695 s. 38B.

15. In sub-section (4) of section 38B of the Principal Act for the expression "\$100" there shall be substituted the expression "\$1000".

Amendment of
No. 7695
s. 38C.

16. In section 38C (3) of the Principal Act— 40

- (a) in paragraph (a) for the expression "1,000" there shall be substituted the expression "400"; and
- (b) in paragraph (b) for the expression "750" there shall be substituted the expression "300".

17. In

17. In section 38D (1) of the Principal Act—

Amendment of
Act No. 7695
s. 38D.

(a) after the word “licence” where first occurring there shall be inserted the expression “(hereinafter called a Victorian Food and Wine Festival Licence)”; and

5 (b) for the words “in such parts of the Treasury Gardens and the Fitzroy Gardens and such parts of the streets adjacent to those Gardens” there shall be substituted the words “in any part of any park or garden under the control of the City of Melbourne or any part of any street
10 adjacent to that park or garden or part thereof”.

18. In sub-section (1) of section 40A of the Principal Act—(a) for paragraph (b) there shall be substituted the following paragraph:

Amendment of
No. 7695 s. 40A.

“(b) between the hours specified in the licence;” and (b) paragraph (c) shall be repealed.

15 19. In section 43A (3) of the Principal Act for the words “and on which construction work is being undertaken” there shall be substituted the words “being land on which construction work is being undertaken or land in the vicinity of land on which construction work is being undertaken”.

Amendment of
No. 7695
s. 43A.

20 20. In section 45A (2) of the Principal Act—

Amendment of
No. 7695
s. 45A.

(a) for the word “three” there shall be substituted the word “four”; and

(b) for the word “ten” where first occurring there shall be substituted the words “half-past eleven”.

25 21. In section 45C of the Principal Act—

Amendment of
No. 7695
s. 45C.

(a) in sub-section (9) after the word “occasion” there shall be inserted the words “or for a series of functions and occasions”; and

30 (b) in sub-section (10) after the word “charge” there shall be inserted the words “and may be suspended or revoked by the Commission”.

22. In section 45D (2) after the word “Commission” there shall be inserted the words “or, in the case of a cricket club, a Saturday or Sunday between the hours of six in the afternoon and eight in the
35 evening and, in any other case,”.

Amendment of
No. 7695
s. 45D.

23. Sub-section (3) of section 49 of the Principal Act shall be repealed.

Amendment of
No. 7695 s. 49.

24. In

Amendment of
No. 7695 s. 52.

24. In section 52 of the Principal Act—

- (a) in sub-section (1) after the words “canteen licence” there shall be inserted the words “a Victorian Food and Wine Festival Licence”;
- (b) paragraph (a) of sub-section (5) shall be repealed; and 5
- (c) in paragraph (a) of sub-section (6) the expression “and as to the genuineness and value of the testimonials delivered pursuant to paragraph (a) of sub-section (5)” shall be repealed.

Amendment of
No. 7695 s. 53.

25. In section 53 of the Principal Act for the words “a booth licence” there shall be substituted the words “Victorian Food and Wine Festival Licence, Booth Licence”. 10

Amendment of
No. 7695 s. 54.

26. In section 54 of the Principal Act—

- (a) in sub-section (1) after paragraph (d) there shall be inserted the following paragraph: 15
 “(da) any association of employers of persons or employees engaged in the liquor industry or a group of those associations;”; and
- (b) in sub-section (4) after the words “cider tavern licence” there shall be inserted the words “convention facility licence or” and the expression “granted under sections 26 (1) (d), 35 (3B), 44, 45A, 45B, 45C, 45D and 46 or for the renewal of an Australian wine licence” shall be repealed. 20

Amendment of
No. 7695.
New ss. 56A
and 56AA.

Grant of an
annual permit.

27. For section 56A of the Principal Act there shall be substituted the following sections: 25

“56A. (1) A person who desires to obtain the grant of an annual permit shall apply to the Commission or the Secretary and shall give notice of that application.

(2) Notice of an application under sub-section (1) shall—

- (a) be in writing;
- (b) be signed by the applicant; 30
- (c) contain the applicant’s name and address;
- (d) specify the date on which the application will be made; and
- (e) specify the address of the premises or proposed premises 35
in respect of which the permit is sought.

(3) A copy of the notice under this section shall at least fourteen days before the date specified for the application be given in the prescribed manner—

- (a) to the Secretary;

(b) to

- (b) to the licensing inspector for the division; and
- (c) to the chief supervisor.

5 (4) A copy of the notice under this section shall be advertised at least fourteen days before the date specified for the application in a newspaper circulating in the area in which the premises are or are proposed to be situated.

10 56AA. (1) An annual permit holder may by application in writing in the prescribed form apply to the Commission on or before 31 October in any year or within such further time as the Commission in any particular case determines for the renewal of the permit. Renewal of an annual permit.

(2) A notice of intention to object to the renewal of an annual permit shall be served on the Secretary and the permit holder before 30 November or within such further time as the Commission in any particular case determines.

15 (3) Where notice of objection to the renewal of an annual permit has been served as required by this Act the permit shall on payment of the prescribed fee be deemed to be renewed until the determination of the objection by the Commission.

20 (4) If the objection to the renewal of the permit is upheld and the permit is not renewed the applicant shall be entitled to a refund of the prescribed fee.

(5) A permit renewed under this section may be renewed subject to the terms, conditions, restrictions and limitations (if any) which the Commission thinks fit to impose.”.

25 28. In section 56B (1) of the Principal Act the expression “under sections 26 (1) (d), 35 (3B), 44, 45A, 45B, 45C, 45D or 46” shall be repealed. Amendment of No. 7695 s. 56B.

29. For sub-section (5) of section 58 of the Principal Act there shall be substituted the following sub-section: Amendment of No. 7695 s. 58.

30 “(5) An objection to the renewal of a licence may be made by—

(a) the Equal Opportunity Board on any ground specified in sub-section (2) or on the ground that the members of the Board are of the opinion that an act of discrimination to which the *Equal Opportunity Act* 1977 applies has been performed by the licensee; or

35 (b) the Federated Liquor and Allied Industries Employees Union on any ground specified in sub-section (2) or on the ground that the Applicant has failed to observe the terms and conditions of an award relevant to his employees or that he has failed to comply with the provisions of the *Industrial Relations Act* 1979 or any regulations made under that Act.”.

40

Amendment of
No. 7695 s. 64.

30. In section 64 of the Principal Act—

- (a) sub-sections (2) and (7) shall be repealed; and
- (b) In sub-section (3) the words “and as to the genuineness and value of the testimonials” shall be repealed.

Amendment of
No. 7695 new
s. 66A.

**31. After section 66 of the Principal Act there shall be inserted 5
the following section:**

Limit on
transfer of
licences.

“66A. (1) The Commission shall not transfer a retail bottled liquor licence or an hotelkeeper’s licence to a corporation where the Corporation holds, at the time of the application for the transfer, in the case of a retail bottled liquor licence, more than 8 per centum 10
of the retail bottled liquor licences issued or, in the case of an hotelkeeper’s licence more than 8 per centum of the hotelkeeper’s licences issued.

(2) For the purposes of sub-section (1) a corporation shall be deemed to be the holder of a retail bottled liquor licence or an 15
hotelkeeper’s licence where that licence is held by a related corporation.”.

Amendment of
No. 7695 s. 77.

32. In section 77 (4) of the Principal Act—

- (a) the word ‘and’ after paragraph (b) shall be repealed; and 20
- (b) after paragraph (c) there shall be inserted the following expression:
“and
(d) to the town clerk or secretary of the municipality in which the premises from which the licence is 25
is to be removed are situated.”.

Amendment of
No. 7695 s. 96.

33. For section 96 of the Principal Act there shall be substituted the following section:

Licensee to
control business
carried out
on licensed
premises.

“96. (1) A licensee other than the holder of a club licence shall not let or sub-let any bar-room or the right to sell liquor on the 30
licensed premises.

Penalty: 2 penalty units.

(2) A licensee shall—

- (a) be the proprietor of any business involving the supply of food and liquor or accommodation which is carried 35
on on the licensed premises; and
- (b) be the employer of any person employed in the carrying on of that business—

unless the licensee has obtained the consent of the Commission not to do so. 40

Penalty: 2 penalty units.

(3) An

(3) An application for the consent under sub-section (2) shall—

- 5 (a) be in the prescribed form; and
 (b) be made in the manner prescribed for an application for the grant of an annual permit by section 56A and shall be subject to objections which may be made in the manner prescribed for objections to the grant of annual permits by section 56B.

(4) A consent under sub-section (2)—

- 10 (a) shall be subject to the terms, conditions, restrictions and limitations imposed by the Commission; and
 (b) shall be valid for the period specified in the consent.”.

34. In section 101 of the Principal Act—

Amendment of
No. 7695 s. 101.

- 15 (a) in sub-section (1) paragraph (a) shall be repealed;
 (b) after sub-section (1) there shall be inserted the following sub-section:

20 “(1A) A licensee shall not permit any person to manage, superintend or conduct the business of his licensed premises during his absence unless that person is over the age of 18 years and is a fit and proper person to manage the business.”.

35. In section 111 of the Principal Act after sub-section (3) there shall be inserted the following sub-section:

Amendment of
No. 7695 s. 111.

“(4) This section shall not apply to the holder of a vigneron’s licence who has been granted a permit under section 35 (3A).”.

25 36. After section 111 of the Principal Act there shall be inserted the following section:

Amendment of
No. 7695 new
s. 111A.

“111A. A licensee shall not offer packaged liquor for sale where a condition of that offer is that a customer cannot purchase more than a specified amount of that liquor at a specified price.

No limit to be placed on amount of liquor sold at specified price.

30 Penalty: 2 penalty units.”.

37. After section 112 of the Principal Act there shall be inserted the following section:

Amendment of
No. 7695
new s. 112A.

35 “112A. A licensee under a retail bottled liquor licence shall not permit a person under the age of 18 years to sell or dispose of liquor on the licensed premises.

Selling liquor by person under the age of 18 in retail bottled liquor store.

Penalty: 2 penalty units.”.

38. After

Amendment of
No. 7695
new s. 114A.

38. After section 114 of the Principal Act there shall be inserted the following section:

Holding out.

“114A. A person who holds himself out as being prepared to order or purchase liquor on behalf of another person shall be guilty of an offence.

5

Penalty: 2 penalty units.”.

Amendment of
No. 7695
new s. 156A.

39. After section 156 there shall be inserted the following section:

Discontinuance
fee.

“156A. (1) Where a licensee surrenders his licence or fails to renew it or where a licence is cancelled the Commission may upon the licence being cancelled or surrendered or upon the expiration of the period during which the licence may be renewed assess a discontinuance fee.

10

(2) The discontinuance fee shall be calculated by taking the difference between the licence fee which was last paid in respect of that licence and the licence fee which would in the opinion of the Commission have been payable in respect of the licence if it had been renewed for the year next following the year in which the licence was last in force.”.

15

Amendment of
No. 7695.
New s. 160A.

40. After section 160 of the Principal Act there shall be inserted the following section:

20

Reassessment
of licence fee.

“160A. (1) Where the Commission has fixed a licence fee payable for the grant or renewal of a licence on the basis of—

(a) in the case of the grant of a licence, the particulars supplied under sub-section (1) of section 160; or

(b) in the case of the renewal of a licence the statutory declaration required by sub-section (2) of section 160—

25

and the Commission is of the opinion that the information given in those particulars or that statutory declaration was incorrect the Commission may, notwithstanding section 159, reassess the licence fee.

30

(2) Where the Commission reassesses a licence fee under sub-section (1) and where—

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

(b) the Commission is of the opinion that the person who furnished the incorrect 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—

35

the person who paid the original licence fee shall be liable to pay the difference between the original licence fee and the reassessed licence fee.”.

40

41. Sub-section

41. Sub-section (2) of section 161 of the Principal Act shall be repealed. Amendment of
No. 7695 s. 161.

42. The Principal Act is amended as follows:

Penalty units.

- 5 (a) In section 10A (1) for the expression "\$1000" there shall be substituted the expression "10 penalty units".
- (b) In section 10A (2) for the expression "\$1000" there shall be substituted the expression "10 penalty units".
- (c) In section 10A (3) for the expression "\$1000" there shall be substituted the expression "10 penalty units".
- 10 (d) In section 23A (2) for the expression "\$500" there shall be substituted the expression "5 penalty units".
- (e) In section 26 (15) for the expression "\$100" there shall be substituted the expression "1 penalty unit".
- 15 (f) In section 26A (4) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (g) In section 35A (5) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (h) In section 38E (4) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- 20 (i) In section 45 for the expression "\$100" there shall be substituted the expression "1 penalty unit".
- (j) In section 45A (1) for the expression "\$100" there shall be substituted the expression "1 penalty unit".
- 25 (k) In section 45B (1) for the expression "\$100" there shall be substituted the expression "1 penalty unit".
- (l) In section 45B (2) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (m) In section 45C (1) for the expression "\$100" there shall be substituted the expression "1 penalty unit".
- 30 (n) In section 45C (2) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (o) In section 45D (5) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- 35 (p) In section 45D (6) for the expression "\$500" there shall be substituted the expression "5 penalty units".
- (q) In section 51 (6) for the expression "\$250" there shall be substituted the expression " $2\frac{1}{2}$ penalty units".
- (r) In section 70 for the expression "\$500" there shall be substituted the expression "5 penalty units".
- 40 (s) In section 79 (3) for the expression "\$500" there shall be substituted the expression "5 penalty units".

(t) In

- (t) In section 94 (3) for expression "\$20" there shall be substituted the expression " $\frac{1}{5}$ of a penalty unit".
- (u) In section 95 (5) for the expression "\$100" there shall be substituted the expression "1 penalty unit".
- (v) In section 97 (1) for the expression "\$100" there shall be substituted the expression "1 penalty unit". 5
- (w) In section 98 (4) for the expression "\$20" there shall be substituted the expression " $\frac{1}{5}$ of a penalty unit".
- (x) In section 99 (1) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit". 10
- (y) In section 100 for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (z) In section 104 (5A) for the expression "\$10 000" there shall be substituted the expression "100 penalty units".
- (aa) In section 110 (1) for the expression "\$500" there shall be substituted the expression "5 penalty units". 15
- (ab) In section 111 (1) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (ac) In section 112 (1) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit". 20
- (ad) In section 113 (1) for the expression "\$20" there shall be substituted the expression " $\frac{1}{5}$ of a penalty unit".
- (ae) In section 114 (1) for the expression "\$500" there shall be substituted the expression "5 penalty units".
- (af) In section 115 (3) (a) for the expression "\$200" there shall be substituted the expression "2 penalty units". 25
- (ag) In section 115 (3) (b) for the expression "\$400" there shall be substituted the expression "4 penalty units".
- (ah) In section 116 (7) for the expression "\$40" there shall be substituted the expression " $\frac{2}{5}$ of a penalty unit". 30
- (ai) In section 117 (6) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (aj) In section 118 (2A) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (ak) In section 118 (4) for the expression "\$100" there shall be substituted the expression "1 penalty unit". 35
- (al) In section 119 (5) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (am) In section 121A (2) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit". 40
- (an) In section 140 (2) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".

(ao) In

- (ao) In section 145 (2) (f) for the expression "\$50" there shall be substituted the expression " $\frac{1}{2}$ a penalty unit".
- (ap) In section 159 (5) for the expression "\$200" there shall be substituted the expression "2 penalty units".
- 5 (aq) In section 160 (6) for the expression "\$200" there shall be substituted the expression "2 penalty units".

43. The member of the Commission occupying the position of additional Chairman of the Commission immediately before the commencement of this Act shall on and from the commencement of
10 this Act occupy the position of Deputy Chairman on the same terms and conditions as those upon which he held the position of additional Chairman and for the remainder of the term for which he had been appointed to that former position.

44. (1) Paragraph (e) of section 26 (1), paragraph (a) of section
15 28 (1), paragraph (b) of section 38 (1) and sub-section (2) of section 45A of the Principal Act as amended by this Act shall not apply to a person who is the holder of an annual permit under any one of those sections at the commencement of this Act unless the Commission upon receiving an application from that person, orders that the
20 relevant provision, as amended by this Act, apply.

(2) An application under sub-section (1) shall be made in the manner prescribed for an application for the grant of an annual permit by section 56A of the Principal Act and shall be subject to objections which may be made in the manner prescribed for objections
25 to the grant of annual permits by section 56B of the Principal Act.

