

485

(Hon. Mr. McLean.)

Outlying Districts Sale of Spirits.

ANALYSIS.

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Construction.</p> <p>3. Governor may declare that Assessors shall sit with the Licensing Court.</p>	<p>4. Assessors only to act in respect of licenses to take effect in an outlying district.</p> <p>5. Certificates not to issue for licenses without consent of Assessor.</p> <p>6. Other classes of licenses not to issue without consent of Assessor.</p>
---	--

A BILL INTITULED

AN ACT to amend "The Outlying Districts Sale of Spirits Act, 1870."

WHEREAS it is expedient to amend "The Outlying Districts Sale of Spirits Act, 1870," and to regulate the manner in which certificates authorizing licenses to be issued within districts proclaimed under the said Act shall be granted:

5 **BE IT THEREFORE ENACTED** by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Outlying Districts Sale of Spirits Act, 1874;" and this Act shall be read with "The Outlying Districts Sale of Spirits Act, 1870" (hereinafter called "the said Act").

2. In the construction of this Act, the expression "licensing district" shall mean any licensing district constituted under "The Licensing Act, 1873," or any Act amending the same; the expression "Licensing Court" shall mean the Court held under the provisions of the last-mentioned Acts; and the expression "outlying district" shall mean any district defined under the said Act and subject thereto, or that may hereafter be defined thereunder.

3. It shall be lawful for the Governor, by warrant under his hand, to declare that the Assessor or Assessors appointed for any outlying district under the said Act, or such of them as he shall think fit, shall sit and act with the Licensing Court held for any licensing district included in or forming part of such outlying district.

4. Such Assessor or Assessors shall sit and act with the Licensing Court only in respect of licenses that may be issued or intended to be issued or take effect, in the outlying district for which such Assessor or Assessors have been appointed, and not otherwise.

If there shall be more than one Licensing Court held within any such outlying district, the Governor may in and by such warrant nominate the Assessor or Assessors who shall sit at any particular Licensing Court to be therein mentioned, and such Assessor or Assessors shall sit and act only at the Licensing Court for which he or they shall be so nominated. 5

Certificates not to issue for licenses without consent of Assessor.

5. No certificate authorizing any license to be issued or take effect within any outlying district as aforesaid shall be granted, nor shall any renewal transfer or removal of any license within such district be granted or allowed without the consent of the Assessor or Assessors appointed under this Act and present at the sitting of the Licensing Court. Such consent shall be signified by the counter-signatures of such Assessor or Assessors upon every certificate or other document which by "The Licensing Act, 1873," or any Act amending the same, is required to be signed by the Chairman of the Licensing Court. 10 15

But nothing herein or in the said Act contained shall be construed to require that the consent of an Assessor or Assessors shall be necessary for any license of a temporary nature or that may be granted by the Chairman of a Licensing Court alone, or by any Resident Magistrate or two members of a Licensing Court. 20

If only one Assessor be present at any sitting of the Licensing Court, his signature upon any certificate or other document granted or issued by such Court shall be sufficient evidence of consent for the purposes of this Act without the necessity of the consent and signature of the other Assessor or Assessors entitled to sit at such Court. 25

Other classes of licenses not to issue without consent of Assessor.

6. With respect to licenses issued under the last-mentioned Acts and granted by some person or authority other than a Licensing Court, but which licenses are intended to take effect within any outlying district, the Governor may in the manner hereinbefore provided nominate one or more such Assessors as aforesaid for the purpose of assenting to the issue of such licenses within such district; and no such license shall be issued unless the consent of such Assessor or Assessors to the issue thereof has been obtained and signified in the manner herein provided. 30 35