

**LICENSING (No. 4).**

4° Elizabeth II., No. LVIII.

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**No. 58 of 1955.**

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**AN ACT to amend the Licensing Act, 1911-1954.**

[Assented to 9th December, 1955.]

**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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Licensing Act Amendment Act (No. 4), 1955.*

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(2) In this Act the Licensing Act, 1911-1954,

Act No. 32 of 1911 as reprinted with amendments to and including Act No. 76 of 1953 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, and further amended by Act No. 73 of 1954,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Licensing Act, 1911-1955.

2. Section thirty-one of the principal Act is <sup>S. 31</sup> amended—

- (a) by deleting the passage commencing with the word, “; but” in line four of subsection (1), and ending with the word, “persons” being the last word in that subsection; and
- (b) by repealing subsection (2).

3. Section fifty-four of the principal Act is <sup>S. 54</sup> amended—

- (a) by adding after the word, “license” in line three of subsection (2), the words, “the Court is of opinion that for any reason the Court thinks fit”;
- (b) by substituting for the word, “is” in line three of subsection (2), the words, “should be”;
- (c) by deleting the passage commencing with the word, “on” in line four of subsection (2) and ending with the word, “persons” in line seven of that subsection;
- (d) by adding after the word, “accordingly” in the last line of subsection (2), the passage, “, and the Court may allow, and from time to time extend, such period as they think fit, for the provision of accommodation necessary in respect of the publican’s general license”; and
- (e) by adding after subsection (2) the following subsection:—

(3) Notwithstanding anything contained in this Act, where under subsection (2) of this section prior to the amendment of that subsection by the Licensing Act Amendment Act (No. 4), 1955, a certificate for a publican's general license has been granted in lieu of a certificate for the renewal of a wayside house license for a house, the Court, having regard to the relevant conditions and circumstances of the district, may when considering the renewal of the license for the house on application being made at the hearing by the holder of the license grant to the applicant a certificate of renewal for the house as a wayside house license in lieu of the publican's general license.

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