

LICENSING.

5° Elizabeth II., No. VII.

No. 7 of 1956.

AN ACT to amend the Licensing Act, 1911-1955.

[Assented to 11th October, 1956.]

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:—

1. (1) This Act may be cited as the *Licensing Act Amendment Act, 1956.* Short title and citation.

(2) In this Act, the Licensing Act, 1911-1955, Act No. 32 of 1911 as reprinted with amendments to and including Act No. 76 of 1953 incorporated pursuant to provisions of the Vol. 7 of the Approved for Reprint Reprinted Acts. 9/4/54.

Amendments Incorporation Act, 1938, and as further amended by Acts Nos. 73 of 1954, and 55 and 58 of 1955,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Licensing Act, 1911-1956.

S. 28
amended.
Cf. No. 55
of 1955, s. 2.

2. Subsection (1) of section twenty-eight of the principal Act is amended by adding a paragraph as follows:—

(q) Canteen licenses.

Ss. 44D, 44E
and 44F
added.
Cf. No. 55 of
1955, s. 3.

Districts in
which
canteen
licenses may
be granted.

3. The principal Act is amended by adding after section forty-four C the following sections—

44D. (1) A canteen license may be granted in respect of premises which are situate within the licensing districts of East Kimberley, West Kimberley, Broome, Pilbara, Roebourne, Gascoyne, or Murchison; or such other licensing district as the Governor declares and is hereby authorised to declare from time to time, but only on the recommendation of the Court.

(2) A proclamation made under subsection (1) of this section may, on the recommendation of the Court, be varied or revoked by subsequent proclamation.

44E. (1) A canteen license may be granted by the Court on the application of a person nominated in writing by a company, but only—

(a) if the company is exploring, prospecting or mining for petroleum, pursuant to the provisions of the Petroleum Act, 1936, in any of the licensing districts mentioned in or declared under subsection (1) of section forty-four D of this Act;

Canteen
license may
be granted
to person
nominated
by a company
carrying on
operations
under
Petroleum
Act,
1936-1954.

- (b) if the premises to which the application relates is situate in the licensing district in which the company is so conducting exploration, prospecting or mining for petroleum; and
- (c) if, in the opinion of the Court, the granting of the license to the applicant is necessary or desirable for the accommodation of persons who are engaged in or in connection with the work of exploring, prospecting or mining for petroleum.

(2) A canteen license may be granted only in respect of premises situate within an area in which the granting of any other type of license under this Act, for those premises, is in the opinion of the Court, impracticable or undesirable.

44F. A canteen license shall, subject to the provisions of this Act, authorise the licensee to sell and dispose of any liquor by the bottle or glass in any quantity on the licensed premises therein specified—

Canteen
license.

- (a) to persons who are engaged in the work of exploring, prospecting or mining for petroleum which work is being carried on by or on behalf of a company referred to in subsection (1) of section forty-four E of this Act; or
- (b) to persons temporarily lodging in the vicinity of the site of the licensed premises, for the purpose of transacting business with the company.

4. Section forty-seven of the principal Act is amended by adding after the words, "airport license" in line two of subsection (8), the words, "or to an application for a canteen license".

S. 47
amended.
Cf. No. 55 of
1955, s. 4.

S. 59
amended.

5. Section fifty-nine of the principal Act is amended—

(a) by substituting for the word, “No” in line one of subsection (1) the passage, “Subject to the provisions of subsection (8) of this section, no”;

(b) by adding the following subsection:—

(8) (a) A canteen license may, subject to notice being given as required by paragraph (b) of this subsection, be removed from a licensing district mentioned in or declared under subsection (1) of section forty-four D of this Act to another such district, or from one part of such a district to another part of the district.

(b) At least three days’ notice in the form in the Eighth Schedule shall be given by the licensee to the Court.

S. 72
amended.

6. Section seventy-two of the principal Act is amended—

(a) by adding after the words, “Fifteen pounds” in the last line of the second proviso to subsection (2) the following:—

For a canteen license—Fifteen pounds.;

(b) by adding after the word, “license” in line two of subsection (4) the passage, “, canteen license”.

S. 124
amended.
Cf. No. 55
of 1955.
s. 8 (a).

7. Section one hundred and twenty-four of the principal Act is amended by adding before the word, “or” in line two the passage, “, canteen”.

S. 177
amended.

8. Subsection (2) of section one hundred and seventy-seven of the principal Act is amended by adding before the words, “an Australian” in line three the passage “, a canteen license”.

9. The Second Schedule to the principal Act is amended by adding at the end thereof the following:—

Second
Schedule
amended.
Cf. No. 55
of 1955, s. 10

The Licensing Act, 1911.

(As amended.)

CANTEEN LICENSE.

Whereas the Licensing Court for the Licensing District of _____ at a sitting held on the _____ day of _____, 19____, by its certificate dated the _____ day of 19____, authorised the issue of a Canteen License for certain premises being _____, situated at _____ to _____ a nominee of _____, referred to in this license as the company.

And whereas the sum of £ _____ has been paid as the fee for the said license.

Now it is hereby declared that the said _____ is licensed to keep a canteen and to sell liquor therein by the bottle or glass to persons who are engaged in the work of exploring, prospecting or mining for petroleum, pursuant to the provisions of the Petroleum Act, 1936, which work is being carried on by or on behalf of the company, or to persons temporarily lodging in the vicinity of the site of the above premises for the purpose of transacting business with the company, under and subject to the provisions of the Licensing Act, 1911, as amended.

The license commences on the _____ day of _____, 19____, and continues until the 31st day of December, 19____, if not forfeited in the meantime.

Dated this _____ day of _____ 19____.

Receiver of Revenue.
(Place of issue.)

Third
Schedule
amended.

10. The Third Schedule to the principal Act is amended by adding after the word, "LICENSE," being the last word in the heading of the form headed "APPLICATION FOR A SPIRIT MERCHANT'S LICENSE, A GALLON LICENSE, A BREWER'S LICENSE, AN EATING-HOUSE, BOARDING - HOUSE, OR LODGING - HOUSE LICENSE, OR A BILLIARD TABLE LICENSE" the words, "OR A CANTEEN LICENSE,".
