

LICENSING.

10° and 11° GEO. VI., No. XLIII.

No. 43 of 1946.

AN ACT to amend subsection three of section forty-six of the Licensing Act, 1911-1944.

[Assented to 24th January, 1947.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Licensing Act Amendment Act, 1946*, and shall be read as one with the Licensing Act, 1911-1944 (Act No. 32 of 1911 as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1928 and amended by the Acts No. 27 of 1928, No. 41 of 1928, No. 23 of 1929, No. 30 of 1930, No. 27 of 1931, No. 36 of 1931, No. 49 of 1931, No. 35 of 1934, No. 34 of 1939 and No. 35 of 1944), hereinafter referred to as the principal Act.

Short title.
cf. No. 35 of
1944, s. 3.

Amendment
of s. 46 (3).

2. Subsection (3) of section forty-six of the principal Act is amended as follows:—

- (a) By inserting after the word “shall” in line three of the said subsection the words “in any case where the licensee is not an officer employed by the Commissioner”; and
- (b) by adding at the end of the said subsection the words following, namely:—

Power to
Commissioner
of Railways
to grant
licenses in
certain cir-
cumstances.
of Public
Acts of Q'ld.,
Vol. 5, page
117, s. 164.

Notwithstanding anything in this Act contained, the Commissioner of Railways may, from time to time, grant to an officer employed by him a license for the sale of liquor in any railway refreshment room for the period of one year from the date of the license, upon such terms and conditions, and subject to such restrictions, as shall be prescribed in by-laws to be made under and in accordance with the Government Railways Act, 1904-1939, and may at any time cancel any license issued under this subsection. The person so licensed may, during the currency of the license, sell liquor in such railway refreshment room, and shall for that purpose have and be entitled to the same rights and privileges and be subjected to the obligations and conditions which the Licensing Act imposes on the holder of a railway refreshment room license:

Provided always—

- (a) such liquor shall be sold only within a reasonable time before and after the arrival or departure of any passenger train at or from such station between the hours of nine in the morning and nine at night in any part of the State except the Goldfields district, and between the hours of nine in the morning and eleven at night in the Goldfields district; and
- (b) during any time when other licensed premises are required under this Act to be closed, liquor shall only be sold or supplied to

passengers who have travelled on the railway or are about to travel on the railway a distance of not less than twenty miles to or from the station at which the railway refreshment room is situated.

3. The principal Act as amended by this Act may be cited as the *Licensing Act, 1911-1946.*

**Citation of
Principal Act
as amended.**
