

WESTERN AUSTRALIA



ANNO SECUNDO

GEORGII QUINTI REGIS,

II.

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No. 46 of 1911.

AN ACT to amend the Licensing Act, 1911.

[Assented to 22nd December, 1911.]

**B**E 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*, 1911, and shall be read as one with the Licensing Act, 1911, hereinafter referred to as the principal Act. Short title.

2. (1.) The licensing districts shall continue as constituted at the commencement of the principal Act until the thirty-first day of March, one thousand nine hundred and fourteen, and shall be deemed to have continued as so constituted notwithstanding the Redistribution of Seats Act, 1911. Licensing districts.

(2.) On the first day of April, one thousand nine hundred and fourteen, the then existing electoral districts shall, subject as hereinafter provided, become licensing districts for the purposes of this and the principal Act: Provided that if the Governor shall, for the purposes aforesaid, on or before the said first day of April, by proclamation amalgamate two or more such electoral districts into one district, or divide any such electoral district into two or more districts, then any electoral district

affected shall not become a licensing district, but every district formed by such amalgamation or division shall become a licensing district on the said first day of April: Provided also that every such licensing district as aforesaid shall bear such name as the Governor shall from time to time determine, and shall remain and continue to be a licensing district for the purposes aforesaid until Parliament otherwise provides.

Amendment of  
section 44.

**3.** Subsection (1) of Section forty-four of the principal Act is hereby amended by substituting the word "two" for the word "twenty-five" in paragraph (a).

Amendment of  
section 52.

**4.** Section fifty-two of the principal Act is amended by adding a subsection, as follows:—

(2.) Notwithstanding anything in this Act contained to the contrary, if on an application for the renewal of a wayside-house license such renewal is refused on the ground that the house is situated in or within a distance of ten miles from a municipal district or townsite in which the population exceeds one hundred persons, the Court may, without requiring the applicant to make any further or other application, grant to the applicant a certificate for a publican's general license for the same house in lieu of a certificate for the renewal of the wayside-house license, and a publican's general license may be granted to the applicant accordingly.

Amendment of  
section 57.

**5.** Section fifty-seven of the principal Act is amended by adding a subsection, as follows:—

(6.) An order of removal of a license from licensed premises to other premises proposed to be erected, or in course of erection, or intended to be added to or altered to make such premises suitable to be licensed under this Act, may be made by the Licensing Court, in its discretion, on such conditions as to the Court may seem fit.

Provided that no such order of removal shall take effect until the Court certifies in writing that such conditions have been performed to its satisfaction.

Amendment of  
section 65.

**6.** Section sixty-five of the principal Act is amended by inserting the following proviso:—

Provided that nothing in this section shall prevent the Licensing Court from granting or transferring a license to a married woman living apart from her husband by reason of his being an invalid suffering from an illness or disease which precludes him from living on the licensed premises.