

LIQUOR (No. 2).

No. 119 of 1979.

AN ACT to amend section 51, section 55, section 59, section 59A, section 62, section 90 and section 166 of the Liquor Act, 1970-1978.

[Assented to 21st December, 1979.]

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 *Liquor Act Amendment Act (No. 2), 1979.* Short title and citation.

(2) In this Act the Liquor Act, 1970-1978 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Liquor Act, 1970-1979.

Commence-
ment.

2. The provisions of this Act shall come into operation on such day or days as is or are, respectively, fixed by proclamation.

Section 51
amended.

3. Section 51 of the principal Act is amended—

- (a) by adding after the word “form” in the last line of subsection (1), the passage “, which shall include a statement that notices of intention to object to the application should be lodged with the principal clerk by a date to be specified in the notice of application determined in accordance with the provisions of subsection (3) of section 55”;
- (b) by deleting the word “thirty” in line four of paragraph (a) of subsection (2), and substituting the passage “forty-five”; and
- (c) by deleting the passage commencing with the word “during” in line seven and ending with the words “as is” in line eleven of paragraph (b) of subsection (2), and substituting the passage “from a time within seven days after the lodging of the notice until the hearing of the application and when so displayed shall be not less than nine hundred millimetres wide and six hundred millimetres high and be headed by the words “LIQUOR ACT—NOTICE OF APPLICATION.” in lettering not less than seventy millimetres high, affixed to a board constructed of stiff material of at least equal size and otherwise of size and specifications”.

Section 55
amended.

4. Section 55 of the principal Act is amended by adding new subsections as follows—

- (5) Where an application made for the grant of a licence or a provisional certificate for a licence has been refused by the Court and an application is submitted in substantially the same form within the period of three months

(or any extension thereof granted by the Court pursuant to subsection (6) of this section) immediately succeeding the date on which the first-mentioned application was made, and the Court agrees to hear and determine such application any objection made to the first-mentioned application shall be deemed to have been made to the second-mentioned application and shall be treated in all respects as if it had been so made.

(6) The Court may extend the period of three months specified in subsection (5) of this section by a further period of not more than nine months, provided that notice in writing of any such extension shall be given to the applicant by the Court.

5. Section 59 of the principal Act is amended by adding after the word "licence" in line two, the words "or the removal of a licence".

Section 59
amended.

6. Section 59A of the principal Act is amended by adding after the word "licence" in line four, the words "or for the removal of a licence".

Section 59A
amended.

7. Section 62 of the principal Act is amended—

Section 62
amended.

- (a) as to subsection (1), by adding after the word "certificate" in line two, the words "for a licence or for the removal of a licence";
- (b) as to subsection (2), by adding after the word "licence" in line two, the words "or for the removal of a licence" and by adding the words "or removal of a licence" after the word "licence" where it appears in line three and again in line six; and
- (c) as to subsection (5), by adding after the word "licence" in line ten, the words "or the removal of the licence".

Section 90
amended.

8. Section 90 of the principal Act is amended by adding after the word "licence" in line three of subsection (1), the words "or for a provisional certificate for the removal of his licence".

Section 166
amended.

9. Section 166 of the principal Act is amended—

(a) as to subsection (1)—

(i) by adding after the word "licence" in line three, the words "or for a provisional certificate for the removal of a licence"; and

(ii) by adding after the word "removed" in line six of that subsection, the passage "nor shall the provisional certificate have effect, as the case may be,"; and

(b) as to subsection (2), by adding after the passage "licence," in line four, the passage "nor on the granting of a provisional certificate for the removal of such a licence,".