

LICENSING (No. 4).

12° Elizabeth II., No. LXXXVII.

No. 87 of 1963.

AN ACT to repeal and re-enact with amendments section one hundred and fifty, to amend section one hundred and fifty-one, and to repeal section one hundred and fifty-two, of the Licensing Act, 1911-1963.

[Assented to 23rd December, 1963.]

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), 1963.*

(2) In this Act the Licensing Act, 1911-1963, is referred to as the principal Act.

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Approved for
reprint
8th June,
1960, and
amended by
Acts Nos.
17 of 1960,
73 of 1960,
53 of 1961,
59 of 1962,
64 of 1962,
66 of 1962,
and 20 of
1963.

(3) The principal Act as amended by this Act may be cited as the Licensing Act, 1911-1963.

2. This Act shall come into operation on a day to be fixed by proclamation.

Commence-
ment.

3. Section one hundred and fifty of the principal Act is repealed and re-enacted with amendments as follows—

S. 150
repealed and
re-enacted.

150. (1) Any person who, whether licensed or unlicensed, sells, supplies or gives any liquor in any quantity whatsoever, either alone or mixed with water or any other liquid, to any native for himself or for any other person, or solicits or receives from any native an order for the supply or delivery of liquor, commits an offence.

Penalty for
supplying
liquor to
natives in
proclaimed
areas.

Penalty: One hundred pounds, or imprisonment for six months, or both.

(2) Any native who knowingly receives or is in possession of any liquor commits an offence.

Penalty: Five pounds, or imprisonment for one month.

(3) This section applies only to such portion or portions of the State as the Governor may by proclamation declare to be an area or areas to which the provisions of this section shall apply.

(4) The Governor may from time to time, and at any time, by proclamation declare any portion or portions of the State to be an area or areas for the purposes of this section and thereupon the provisions of this section shall apply to each area so proclaimed.

(5) A proclamation made under this section may be cancelled or from time to time varied, or an error in a proclamation may be rectified, by a subsequent proclamation.

(6) In this section and in section one hundred and fifty-one of this Act, the term, "native" has the same meaning as that term has in and for the purposes of the Native Welfare Act, 1963.

S. 151
amended.

4. Section one hundred and fifty-one of the principal Act is amended—

(a) by substituting for the words, "aboriginal native to remain on or loiter about his licensed premises", in lines three and four of subsection (1), the passage, "native to remain on his licensed premises (unless he is employed on those premises) other than for the purpose of board and lodging"; and

(b) by substituting for subsection (2) the following subsection—

(2) This section applies only to such portion or portions of the State as the Governor has, pursuant to section one hundred and fifty of this Act, declared to be an area or areas to which the provisions of that section apply.

S. 152
repealed.

5. Section one hundred and fifty-two of the principal Act is repealed.