

LICENSING.

7° Elizabeth II., No. XXXIX.

No. 39 of 1958.

AN ACT to amend the Licensing Act, 1911-1956.

[Assented to 11th December, 1958.]

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, 1958*.

(2) In this Act the Licensing Act, 1911-1956, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Licensing Act, 1911-1958.

2. Section forty-four C of the principal Act is amended by— S. 44C
amended.

- (a) deleting the words “into the State” in line three of paragraph (a), subsection (1);
- (b) deleting the words “out of the State” in lines nine and ten of paragraph (a) of subsection (1);
- (c) substituting for the words “on the licensed premises” in line two of paragraph (b) of subsection (1) the words, “at the airport”;
- (d) substituting for the words, “prescribed by the Licensing Court as those during which meals shall be obtainable on the premises” in lines two, three, four and five of subparagraph (ii) of paragraph (b) of subsection (1) the words, “when liquor is authorised to be sold and disposed of under this section”; and
- (e) adding the following subsection—

(3) (a) The Court may, by order in writing signed by the Chairman,

- (i) impose, in respect of any airport license whether granted before or after the coming into operation of this subsection, conditions as to the manner in which the licensee shall supply, or cause to be supplied, liquor which is required for consumption with a meal; and
- (ii) revoke, or, from time to time, alter, conditions so imposed.
- (iii) if considered necessary for the adequate function of this section grant a wayside house license in relation to the room referred to in paragraph (b) of subsection (1) of this section.

Cf. s. 236
post.

(b) Conditions imposed, including alterations, if any, made, under paragraph (a) of this subsection, shall, until revoked, be complied with by the licensee, and for the purposes of this Act shall be deemed to be incorporated in, and to form part of, his license.

Cf. No. 36 of
1913, ss. 6
and 7.

(c) Compliance by the licensee, with conditions so imposed and with alterations, if any, so made, exempts the licensee from liability for an offence under section six, and under section seven, of the Illicit Sale of Liquor Act, 1913, in respect of liquor to which the conditions apply.

3. The Second Schedule to the principal Act is amended by—

- (a) deleting the words “into the State” in line four of the third paragraph of the form Airport License; and
 - (b) deleting the words “out of the State” in lines eight and nine of the third paragraph of the form Airport License.
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