

LICENSING (No. 4).

5° Elizabeth II., No. XLII.

 No. 42 of 1956.

AN ACT to amend the Licensing Act, 1911-1956.*[Assented to 18th December, 1956.]*

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 *Licensing Act Amendment Act (No. 4), 1956.* Short title and citation

(2) In this Act the Licensing Act, 1911-1956, Act No. 32 of 1911 as reprinted with amendments to and including Act No. 76 of 1953 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, and further amended by Acts Nos. 73 of 1954, 55 of 1955, 58 of 1955 and 7 of 1956, Vol. 7 of the Reprinted Acts. Approved for reprint. 9/4/54.

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Licensing Act, 1911-1956.

S. 44D
amended.

2. Section forty-four D of the principal Act is amended by adding to subsection (1) the following proviso:—

Provided that a canteen license shall not be granted in respect of premises which are situate within twenty miles of premises the subject of a publican's general license, an hotel license or a wayside-house license.

S. 44E
amended.

3. Section forty-four E of the principal Act is amended by—

(a) deleting the words "but only" in line three of subsection (1);

(b) by substituting for paragraph (a) of subsection (1) the following paragraph—

(a) if the company—

(i) is one which is exploring, prospecting or mining for petroleum, pursuant to the provisions of the Petroleum Act, 1936; or

(ii) is one which, for the purposes of its business, is operating in an isolated area,

in any of the licensing districts mentioned in or declared under subsection (1) of section forty-four D of this Act;

(c) inserting after the word "petroleum" in the last line of paragraph (b) of subsection (1) the words "or is so operating as aforesaid";

(d) adding after the word "petroleum" in the last line of paragraph (c) of subsection (1) the words "or with the operations of a company as aforesaid".

4. Section forty-four F of the principal Act is amended by deleting the words "of exploring, prospecting or mining for petroleum which work is" in lines two and three of paragraph (a). S. 44F
amended.

5. Section fifty-nine of the principal Act is amended by adding to paragraph (a) of subsection (8) the following proviso:— S. 59
amended.

Provided that the premises to which it is sought to remove the license are not situate within twenty miles of premises the subject of a publican's general license, an hotel license or a wayside-house license.

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

- (a) inserting after the word "of" in line four of the third paragraph of the form Canteen License the words "a company which is";
 - (b) inserting after the figures "1936" in line six of the third paragraph of the form Canteen License the words "or any company which for the purpose of its business is operating in an isolated area".
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