

LICENSING.

4° Elizabeth II., No. LV.

No. 55 of 1955.

AN ACT to amend the Licensing Act, 1911-1954.

[Assented to 9th December, 1955.]

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, 1955.*

(2) In this Act the Licensing Act, 1911-1954,

Approved for
reprint,
9/4/54.

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 Act No. 73 of 1954,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Licensing Act, 1911-1955.

2. Section twenty-eight of the principal Act is amended by adding after paragraph (o) of subsection (1) a paragraph as follows:—

S. 28
amended.

(p) Airport licenses.

3. The principal Act is amended by adding after section forty-four the following sections:—

Ss. 44A, 44B
and 44C
added.

44A. (1) An airport license may be granted in respect of—

Airport
license.

(a) the premises situate at the airport known as Perth Airport and which premises are known as the Overseas Terminal Building, or such other premises so situate as the Court may consider suitable premises; and

(b) premises which are situate at any other airport in the State as the Governor may from time to time, on the recommendation of the Court, by proclamation declare.

(2) A proclamation made under subsection (1) of this section may, on the recommendation of the Court, be varied or revoked by a subsequent proclamation.

44B. (1) An airport license may be granted by the Court to a person nominated in writing for that purpose by the Commonwealth Department of Civil Aviation on the application of such

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airport
license.

person if, in the opinion of the Court, the granting of the license to the applicant is necessary or desirable for the refreshment, entertainment and convenience of aircraft passengers and other persons utilising the airport.

(2) On an application for an airport license the Court shall have regard to the necessity of the license in view of existing licenses at or within the vicinity of the airport.

Authority of
airport
license.

44C. (1) An airport license shall, subject to the provisions of this Act, authorise the licensee to sell and dispose of any liquor on the licensed premises specified in the license—

(a) for a period of thirty minutes before the arrival at the airport of any aircraft conveying passengers into the State, and for a period not exceeding six hours during the time after its arrival that the aircraft is grounded at the airport, and for a period of thirty minutes before the departure from the airport of any aircraft conveying passengers out of the State—

(i) to any passenger who has alighted from or who intends to board the aircraft;

(ii) to any airline official or to any officer of the Commonwealth Department of Civil Aviation; or

(iii) to any person who is in the company of any such passenger, official or officer; or

(b) to any person being served with a meal on the licensed premises in a room set aside for the purpose, if—

(i) the liquor is drunk or consumed with the meal; and

- (ii) the meal is served during the hours prescribed by the Licensing Court as those during which meals shall be obtainable on the premises.

(2) Any liquor sold and disposed of under the provisions of paragraph (a) of subsection (1) of this section shall not be sold by the bottle or in a bottle and shall be drunk or consumed in or upon the licensed premises.

4. Section forty-seven of the principal Act is amended by adding after subsection (7) a subsection as follows:—

S. 47
amended.

(8) This section shall not apply to an application for an airport license.

5. Section seventy-two of the principal Act is amended by inserting after the word "license" in line two of the third proviso to subsection (2) the words "or for an airport license".

S. 72
amended.

6. Section one hundred and twenty-one of the principal Act is amended by inserting after the word "license" where it appears in line eleven of subsection (1) and in line ten of subsection (2) the words "or of an airport license" in each case.

S. 121
amended.

7. Section one hundred and twenty-two of the principal Act is amended by—

S. 122
amended.

- (a) inserting after the word "Sunday" in line seven of subsection (1) the words "except under the authority of an airport license, or upon any";
- (b) inserting after the letters "p.m." in line five of paragraph (b) of subsection (2) the words "or, where the premises are the subject of an airport license, during the hours prescribed by the Licensing Court,".

S. 124
amended.

8. Section one hundred and twenty-four of the principal Act is amended by—

- (a) inserting after the word “wayside-house” in line two the word “airport”;
- (b) inserting after the word “of” in line ten the words “subsection (1) and”.

S. 177
amended.

9. Section one hundred and seventy-seven of the principal Act is amended by inserting after the word “of” in line three of subsection (2) the words “an airport license”.

Second
Schedule
amended.

10. The Second Schedule to the principal Act is amended by adding at the end thereof the following:—

The Licensing Act, 1911.

(As amended.)

AIRPORT LICENSE.

Whereas the Licensing Court for the Licensing District of _____ at a sitting held on the _____ day of _____ 19____, by its certificate dated the _____ day of _____ 19____, authorised the issue to _____ of an Airport License for certain premises _____ situated at _____ Airport.

And whereas the said _____ has paid the sum of £ _____ as the fee for the said license.

Now it is hereby declared that the said _____ is licensed to sell and dispose of liquor in the said premises (a) for a period of thirty minutes before the arrival at the airport of any aircraft conveying passengers into the State and for a period not exceeding six hours during the time after its arrival that the aircraft is grounded at the airport and for a period of thirty minutes before the departure from the airport of any aircraft conveying passengers out of the State, to any passenger who has alighted from or who intends to board the aircraft, or to any airline official or any officer of the Commonwealth Department of Civil Avia-

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tion, or to any person who is in the company of any such passenger, official or officer (such liquor not to be sold by the bottle or in a bottle and to be consumed on the premises); or (b) to any person being served with a meal on the said premises in a room set aside for the purpose (such liquor to be consumed with the meal and the meal served during the prescribed hours); under and subject to the provisions of the Licensing Act, 1911, as amended, applicable to such license.

The license to commence on the _____ day of _____, 19____, and continue until the 31st day of December, 19____, if not forfeited in the meantime.

Dated this _____ day of _____, 19____.

Receiver of Revenue.

(Place of issue.)

11. The Third Schedule to the principal Act is amended by adding at the end thereof the following:—

Third
Schedule
amended.

The Licensing Act, 1911.

(As amended.)

NOTICE OF APPLICATION FOR AIRPORT LICENSE.

To the Licensing Court for the _____ District
of _____ in Western Australia.

I, A.B., being the person nominated by the Commonwealth Department of Civil Aviation, do hereby give notice that it is my intention to apply at the next Quarterly Sitting of the Licensing Court for the said District for an Airport License for the sale of liquor in and on premises

situated at _____ Airport.

Dated this _____ day of _____, 19____.

(Signature of Applicant.)
