

LICENSING (PROVISIONAL CERTIFICATE).

11° and 12° GEO. VI., No. XLVII.

No. 47 of 1947.

AN ACT to repeal the Licensing (Provisional Certificate) Act, 1941, and to extend the time for making applications under section sixty-two of the Licensing Act, 1911-1946 in respect of provisional certificates granted by the Licensing Court since the first day of January, One thousand nine hundred and thirty-nine, or which may hereafter during a prescribed period be granted by the Licensing Court and for other relative purposes.

[Assented to 19th December, 1947.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same as follows:—

1. This Act may be cited as the *Licensing (Provisional Certificate) Act, 1947*, and shall be read as one with the Licensing Act, 1911-1946 (Act No. 32 of 1911 as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1928 and amended by the Acts No. 27 of 1928, No. 41 of 1928, No. 23 of 1929, No. 30 of 1930, No. 27 of 1931, No. 36 of 1931, No. 49 of 1931, No. 35 of 1934, No. 34 of 1939, No. 35 of 1944 and No. 43 of 1946), hereinafter referred to as the principal Act.

Short title.

Repeal.

2. The Licensing (Provisional Certificate) Act, 1941 (No. 45 of 1941), is hereby repealed.

**Definition of
"the prescribed
period."**

3. In this Act, unless inconsistent with the context, "the prescribed period" means the period commencing on the first day of January, one thousand nine hundred and thirty-nine and ending on a day to be fixed by proclamation by the Governor, which day shall be not later than the thirty-first day of December, one thousand nine hundred and fifty-one.

**Extension of
time with
respect to
provisional
certificates.**

4. Notwithstanding anything to the contrary contained in sections sixty-one and sixty-two of the principal Act, where during the prescribed period a provisional certificate has been granted or may hereafter be granted under section sixty-one of the principal Act to any person, such person may make application under section sixty-two of the principal Act for a publican's general license in pursuance of such provisional certificate at any quarterly sitting of the Licensing Court held at any time during the prescribed period or within twelve months after the end of the prescribed period and the time specified in such provisional certificate and the time limited by the conditions indorsed on or attached to such provisional certificate (whether such times or either of them shall have expired or not) are hereby extended until the expiration of twelve months after the end of the prescribed period and the said conditions shall stand amended accordingly.

**Provisional
certificates
not
transferable.**

5. Notwithstanding the provisions of section sixty-two of the principal Act, the person to whom a provisional certificate has been or may hereafter be granted shall not transfer the same except upon application by him to and with the approval of the Licensing Court, which approval such Court may grant or refuse at its discretion.

**Duration
of Act.**

6. This Act shall continue in force until the thirty-first day of December, one thousand nine hundred and fifty-two, and no longer.