

LIQUOR—

LIQUOR (NEW GUINEA) ORDINANCE 1950.⁽¹⁾

No. 33 of 1950.

An Ordinance to amend the Liquor Ordinance 1931-1947 of the Territory of New Guinea.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Papua and New Guinea Act 1949*, as follows:—

Short title and citation.

1.—(1.) This Ordinance may be cited as the *Liquor (New Guinea) Ordinance 1950*.⁽¹⁾

(2.) The *Liquor Ordinance 1931-1947*⁽²⁾ of the Territory of New Guinea is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Liquor Ordinance 1931-1950*.

Commencement.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.⁽¹⁾

Duties of Inspector.

3. Section seventeen of the Principal Ordinance is amended by inserting in paragraph (a) after the words “public houses” the word “, restaurants”.

Restricted areas.

4. Section twenty-two of the Principal Ordinance is amended—
(a) by omitting from sub-section (1.) the words “an uncontrolled area” and inserting in their stead the words “a restricted area”; and

(1) Particulars of this Ordinance are as follows:—

Date on which made by Gov. Gen. in Council.	Date on which notified in <i>Cwth. Gaz.</i>	Date on which took effect.
7.12.1950	14.12.1950	21.12.1950 (<i>Papua and N.G. Govt. Gaz.</i> of 21.12.1950)

(2) The *Liquor Ordinance 1931-1938* is printed in *The Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. III., on pp. 3085-3119; as to subsequent amendments see the footnotes to that Ordinance.

(b) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) In this section, ‘restricted area’ means any area in the Territory of New Guinea declared by the Administrator by proclamation in the *Gazette* to be a restricted area for the purpose of the *Restricted Areas Ordinance 1950*⁽³⁾ and any area in that Territory deemed by section three of that Ordinance to be a restricted area for the purposes of that Ordinance.”

5. Section twenty-three of the Principal Ordinance is amended—

Nature of
licences.

(a) by omitting from paragraph (d) the word “and”; and

(b) by omitting paragraph (e) and inserting in its stead the following paragraphs:—

“(e) Club licences; and

(f) Restaurant licences.”

6. Section twenty-four of the Principal Ordinance is amended by omitting from sub-section (1.) the words “Two shillings” and inserting in their stead the words “Three shillings and sixpence”.

Publican's
licence.

7. After section thirty of the Principal Ordinance the following sections are inserted:—

“30A.—(1.) A restaurant licence shall authorize the licensee to sell, supply and dispose of wines, beers, ales or stout on the licensed premises between the hours of twelve noon and two-thirty in the afternoon, and between the hours of six o'clock and nine o'clock in the evening, of any day, to persons having on the premises a meal of not less than two courses for which a price (excluding the price of any liquor) of not less than Three shillings and sixpence is paid, or to permit the consumption of wines, beers, ales or stout on the licensed premises between those hours by any such persons.

Restaurant
licence.

(2.) A restaurant licence shall not be granted except in respect of premises in which meals are regularly supplied on sale to the public for consumption on those premises.

(3.) The annual fee to be paid for a restaurant licence shall be as prescribed.

“30B.—(1.) The holder of a restaurant licence under this Ordinance may apply to the Commissioner for a special permit under this section, and the Commissioner may, if he is satisfied that there are reasonable grounds for the grant of a special permit, grant the application.

Special permits
for sale, &c.,
of liquor in
restaurant.

(2.) Subject to this section, a special permit shall authorize the holder of the permit to sell, supply and dispose of, or permit the consumption of, wines, beers, ales or stout on the licensed premises,

(3) Printed in this Volume on pp. 1183-1187.

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between the hours of nine o'clock in the evening and twelve midnight as part of a meal of not less than two courses for which a price of not less than Three shillings and sixpence (excluding the price of any liquor) is paid.

(3.) A special permit under this section—

- (a) shall be granted in respect of a specified day only ; and
- (b) may be restricted to such hours, within the limits prescribed in the last preceding sub-section, as the Commissioner determines.

(4.) The fee to be paid for a special permit under this section shall be as prescribed.”

Transfers.

8. Section thirty-two of the Principal Ordinance is amended by omitting the words “ or a storekeeper’s licence ” and inserting in their stead the words “, storekeeper’s licence or restaurant licence ”.

Permit to supply liquor during prohibited hours.

9. Section thirty-five of the Principal Ordinance is amended by omitting from sub-section (1.) the words “ or licensed public house ” and inserting in their stead the words “, licensed public house or licensed restaurant ”.

Applications for licences, &c.

10. Section thirty-seven of the Principal Ordinance is amended by inserting in sub-section (4.) after the word “ licence ” (second occurring) the words “ or restaurant licence ”.

Maintenance of licensed premises in clean and sanitary condition.

11. Section fifty-two of the Principal Ordinance is amended by omitting the words “ or of a club licence ” and inserting in their stead the words “, club licence or restaurant licence ”.