

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 6 of 1938.

AN ORDINANCE

To amend the Liquor Ordinance 1929-1936.

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 *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1.—(1.) This Ordinance may be cited as the *Liquor Ordinance* 1938. Short title and citation.

(2.) The *Liquor Ordinance 1929-1936* 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 1929-1938*.

2. Section twenty-six of the Principal Ordinance is amended— Conditions of grant to Club Licences.

(a) by inserting in paragraph (a) of sub-section (1.), after the word “body”, the words “(incorporated or otherwise)”;

(b) by inserting in paragraph (c) of that sub-section, after the word “members”, the words “or, where the club is incorporated, from the funds of the club”;

(c) by inserting in paragraph (e) of that sub-section, after the word “honorary”, the words “but not including first or foundation members”;

(d) by inserting in sub-section (5.), after the word “issued”, the words “or transferred”;

(e) by inserting, after sub-section (5.), the following sub-sections:—

“(5A.) Where, during the currency of a club licence granted in respect of an unincorporated club, a club formed by members of the unincorporated club becomes incorporated, the Magistrate may—

(a) on a resolution of a majority of the members of the unincorporated club present at a general meeting called for the purpose of approving of the transfer of the licence or of the transfer, to the incorporated club, of the whole of the assets of the unincorporated club;

(b) on a resolution of a majority of the members of the incorporated club present at a general meeting called for the purpose; and

(c) on the application jointly of the secretary of the unincorporated club and the secretary of the incorporated club, if the conditions specified in sub-section (1.) of this section are satisfied in respect of the incorporated club, transfer the licence from the secretary of the unincorporated club on behalf of that club to the secretary of the incorporated club on behalf of that club.

“(5B.) The fee for every transfer under the last preceding sub-section shall be Two pounds.

“(5C.) The licence shall be transferred by endorsement thereon, or, if for any reason the licence cannot be produced, by endorsement on a duplicate thereof, issued in pursuance of this Ordinance, and the secretary of the incorporated club shall thereupon be the holder of the licence for that club.”; and

(f) by adding at the end thereof the following sub-section:—

“(7.) In this section, ‘committee’, in relation to an incorporated club, includes the board of directors or other like body.”.

Licensing of premises proposed to be erected.

3. Section thirty-three of the Principal Ordinance is amended by adding at the end of sub-section (4.) the following proviso:—

“Provided that no such application shall be granted unless and until the Magistrate is satisfied that the Proper Authority under the Canberra Building Regulations made under the *Building and Services Ordinance* 1924-1934 has approved of the plans and specifications of the premises proposed to be erected.”.

Rebuilding of licensed premises.

4. Section thirty-eight of the Principal Ordinance is amended by inserting in sub-section (1.), after the word “plans”, the words “, approved by the Proper Authority under the *Canberra Building Regulations* made under the *Building and Services Ordinance* 1924-1934.”.

Dated this twenty-third day of February, 1938.

GOWRIE

Governor-General.

By His Excellency's Command,

V. C. THOMPSON

for Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.