

LICENSING ORDINANCE 1969

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No. 17 of 1969

An Ordinance to amend the *Licensing Ordinance* 1939-1967

[Assented to 26 June, 1969]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1.—(1.) This Ordinance may be cited as the *Licensing Ordinance* 1969. Short title and citation

(2.) The *Licensing Ordinance* 1939-1967 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the *Licensing Ordinance* 1939-1969.

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

3. Section 3 of the Principal Ordinance is amended by omitting the words— Parts

“Division 1.—Duty to Obtain Licence.”

and inserting in their stead the words—

“Division 1.—Licence for Sale of Liquor.”

4. After section 13A of the Principal Ordinance, the following section is inserted in Division 1 of Part IV:—

“13B. This Ordinance does not apply to or in relation to the supplying of liquor to, or the keeping, sale for consumption, purchase for consumption or consumption of liquor at, the public lounge and adjacent rooms and outdoor observation deck all situated on the first floor of the premises known as the Overseas Terminal Building situated at the airport known as Darwin Airport.” Further exemption

5. Section 69 of the Principal Ordinance is amended by omitting from sub-section (1.) all words after the word “Territory”. Power of company to hold licence

6.—(1.) Section 106A of the Principal Ordinance is amended— Grant of airport liquor licence

(a) by omitting paragraph (a) of sub-section (1.);
and

* The date fixed was 16 July, 1969 (see *Northern Territory Government Gazette* No. 29 of 16 July, 1969, page 195).

(b) by omitting from paragraph (b) of sub-section (1.) the word "other".

(2.) An airport liquor licence, granted in respect of the premises known as the Overseas Terminal Building situated at the airport known as Darwin Airport, in force immediately prior to the commencement of this Ordinance is, by virtue of this section, cancelled and shall cease to have any force or effect from and including the date of commencement of this Ordinance.

Selling liquor
without licence

7. Section 134 of the Principal Ordinance is repealed and the following section inserted in its stead:—

"134.—(1.) Any unlicensed person who, except as allowed by this Ordinance, directly or indirectly sells or supplies for profit, or permits to be sold or supplied for profit, any liquor, in any quantity, shall be guilty of an offence.

Penalty: For a first offence, not less than One hundred dollars nor more than Two hundred dollars, or imprisonment for six months, and, for any subsequent offence, imprisonment for one year.

"(2.) The last preceding sub-section does not apply to or in relation to the sale or supply, in a quantity of not less than five imperial gallons, of liquor to a person who—

(a) holds a licence authorizing the sale of liquor of the same kind as that liquor; or

(b) may, by virtue of this Ordinance, sell that kind of liquor, either without restriction or otherwise as specified in this Ordinance, without holding a licence authorizing such a sale."

Purchasing liquor
from unlicensed
persons

8. Section 135 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

"(3.) The last two preceding sub-sections do not apply to or in relation to the purchase, the attempted purchase, the receipt or the attempted receipt of liquor by a person in circumstances where the sale or supply of that liquor to that person would not constitute an offence against this Ordinance by the person who so sold or supplied it."
