



ANNO DECIMO TERTIO

GEORGI V REGIS.

A.D. 1922.

No. 1529.

An Act to further amend the Licensing Act, 1917, for the purpose of Removing Doubts as to the effect of certain Local Option Resolutions and to provide for the Issue of a Certificate of Registration to a certain Club, and for other purposes.

[*Assented to, December 21st, 1922.*]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited alone as the "Licensing Act Amendment Act, 1922." Short titles.

(2) The Licensing Act, 1917, the Licensing Act Amendment Act, 1920, the Licensing Act Amendment Act (No. 2), 1920, and this Act may be cited together as the "Licensing Acts, 1917 to 1922."

(3) The Licensing Act, 1917, is hereinafter referred to as "the principal Act." No. 1322 of 1917.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.

3. For the purpose of removing doubts it is hereby declared that the proclamation purporting to divide certain Electoral Districts into Local Option Districts made on the 29th day of November, 1917, and published in the *Government Gazette* on the same day, is and always has been valid. Declaration as to validity of a certain proclamation.

Licensing Act Amendment Act.—1922.

Local option resolution adopted in Local Option District afterwards embodied wholly or partly in new District to continue in force.

4. (1) For the purposes of this section—

- (a) “Old Local Option District” means any Local Option District constituted prior to the passing of The Constitution Further Amendment Act, 1913;
- (b) “New Local Option District” means a Local Option District constituted by the proclamation referred to in section 3 of this Act.

(2) A resolution adopted at a local option poll taken in any old Local Option District, which has not been altered or rescinded by a subsequent resolution, shall be deemed to have been and to have continued in force and shall be and continue to be in force within the area which was comprised in the old Local Option District notwithstanding that such area may have become a Local Option District or may now be a new Local Option District, or may have formed part of one or more Local Option Districts or may now form part of one or more new Local Option Districts, until such resolution is altered or rescinded by a resolution adopted at a poll taken in such new Local Option District.

Act not to affect applications pending before Licensing Court.

5. Nothing contained in section 3 or section 4 of this Act shall apply to or affect any application for a licence of any of the classes specified in section 224 of the principal Act made to the Licensing Court prior to the twenty-eighth day of July, nineteen hundred and twenty-two, and pending before the said Court at the time of the passing of this Act.

Certificate of registration may be granted to Returned Soldiers League for residential club-house.

6. (1) Whereas the Returned Sailors and Soldiers’ Imperial League of Australia (South Australian Branch), Incorporated, an association duly incorporated under the Associations Incorporation Act, 1890 (hereinafter referred to as “the said association”), has purchased the premises known as “The Prince of Wales Hotel,” situated in Angas Street in the City of Adelaide, with respect to which premises a publican’s licence is at present in force, with the object of converting such premises into a residential club-house for the members of the said association: And whereas the said association is desirous of securing a certificate of registration in respect of the said premises under Division XII. of Part IV. of the principal Act; for the purpose of removing doubts, it is hereby declared that the said association may be registered under Part IV. of the principal Act as a club, notwithstanding that it does not comply with the provisions of paragraphs (c) and (d) of section 95 of the principal Act, and a certificate of registration may be granted to the secretary or manager thereof in respect of the said licensed premises for the benefit of the said association upon the said premises ceasing to be used for the purposes of a public house, and such certificate may be renewed from time to time upon application made pursuant to the principal Act.

(2) The said association shall upon the passing of this Act be deemed to be registered under Part IV. of the principal Act as a club,

Licensing Act Amendment Act.—1922.

club, and a certificate of registration shall be issued by the Licensing Court to the secretary or manager thereof in respect of the said premises for the benefit of the said association forthwith upon the said premises ceasing to be used as a public house, or forthwith upon the passing of this Act, whichever is the later date.

(3) If at any time after the passing of this Act the renewal of a certificate of registration under Division XII. of Part IV. of the principal Act in respect of the said premises for the benefit of the said association is not applied for or is refused by the Licensing Court, the Licensing Court may, upon application made pursuant to the principal Act, grant a publican's licence under the said Act in respect of the said premises to a person appointed for the purpose of holding such licence by the trustees appointed by or pursuant to a certain indenture made the 27th day of July, one thousand nine hundred and twenty-two, between Arthur Seaforth Blackburn and others of the first part, Sir Henry Newman Barwell, K.C.M.G., of the second part, the said association of the third part, and the said Arthur Seaforth Blackburn and others of the fourth part; filed in Action No. 648 of 1921 in the Supreme Court of South Australia.

7. Section 194 of the principal Act is amended by inserting after the word "licence" in the third line thereof the words "or a certificate of registration of a club".

Amendment of principal Act, s. 194—
Limited permits to supply liquor on special occasions.

8. Schedule W1 of the principal Act is amended by inserting after the words "known as" in the sixth line thereof the words "or being the person named in the certificate of registration of the... ..Club, which is registered as a club in respect of the premises thereof situated at.....".

Amendment of principal Act, Schedule W1—
Form of application for permit.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

TOM BRIDGES, Governor.