



ANNO UNDECIMO

GEORGII V REGIS.

A.D. 1920.

No. 1449.

An Act to amend the Licensing Act, 1917, with respect to the surrender of Tenancies of Premises the Licences of which are not renewed, or cease to be in Force.

[Assented to, December 9th, 1920.]

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 (No. 2), 1920." Short titles.

(2) The Licensing Act, 1917, and this Act may be cited together as the "Licensing Acts, 1917 and 1920." No. 1322 of 1917.

2. This Act is incorporated with the Licensing Act, 1917, and that Act and this Act shall be read as one Act. Incorporation with Act No. 1322 of 1917.

3. Section 247 of the Licensing Act, 1917, is repealed, and the following section is substituted therefor— Provision substituted for section 247 of Licensing Act, 1917—

247. (1) Where in consequence of—

(a) a resolution adopted at a local option poll under this Act; or

(b) the refusal by the Court under section 69 of any application,

the licence of any premises is not renewed or ceases to be in force, and such premises are in the occupation of a lessee, the lessee

Surrender of tenancy if licence not renewed.

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lessee may, at any time after the non-renewal of such licence or after such licence has ceased to be in force, give to his immediate lessor written notice of his intention to surrender his lease at the expiration of fourteen days from the giving of such notice.

(2) At the expiration of such fourteen days the lessee may surrender his lease, and the lessor shall—

(a) accept such surrender, and

(b) execute all documents and do all other things which are necessary to give effect to such surrender and acceptance.

(3) Nothing in this section shall affect any right or remedy to which the lessor or lessee is lawfully entitled for anything done or omitted to be done under the lease so surrendered, prior to the date of such surrender.

(4) In this section the term "lease" means a lease or agreement for tenancy, whether in writing or not, and includes a sublease, and the terms "lessor" and "lessee" have corresponding meanings.

New section to be retrospective.

4. The provisions of the section so substituted shall apply notwithstanding that the non-renewal of the licence occurred, or the licence ceased to be in force before the passing of this Act.

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

W. E. G. A. WEIGALL, Governor.