

LIQUOR (REFUND OF RENT) ACT.

Act No. 45, 1918.

An Act to make provision for certain refunds being made in the rents of licensed premises ; to amend the Liquor Act, 1912, and the Liquor (Amendment) Act, 1916 ; and for purposes consequent thereon or incidental thereto. [Assented to, 19th December, 1918.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Preliminary.

1. This Act may be cited as the "Liquor (Refund of Rent) Act, 1918." It shall be read with the Liquor Act, 1912, and the Liquor (Amendment) Act, 1916.

Refund of rent.

2. In every case in which a court established by the Governor pursuant to the provisions of section two of the Liquor (Amendment) Act, 1916, has made an order under section three, subsection one, or section six of the said Act fixing an abatement in the rent which had or might thereafter become payable in respect of licensed premises during the period in which in pursuance of the Liquor Referendum Act, 1916, the closing time of licensed premises should be six o'clock, whether the court by such order has specified a date from which such abatement should take effect or not, every such order shall be deemed to have fixed the time from which such abatement should take effect as the twenty-first day of July, one thousand nine hundred and sixteen, and shall apply as well to rent actually

George V, actually paid by the lessee to the lessor before the date on which such order was made as to rent due and payable before the said date but then unpaid; and every lessor of premises in respect of which such order has been made shall be liable to refund to the lessee whose rent has been so abated the amount of rent abated by such order and this Act which has been paid by such lessee, or so much thereof as he has not refunded or allowed in account: Provided that nothing in this Act contained shall in any way affect the operation of or have any application to any order fixing an abatement of rent as from a specified date which has been made by any such court with the consent of the parties to the application for such order.

Recovery of
rent ordered
to be
refunded.

3. Any rent which a lessor is made liable by this Act to refund to a lessee shall be a debt recoverable by the lessee from the lessor in any court of competent jurisdiction; but any proceedings to recover any such refund shall be commenced within six months from the date of commencement of this Act.