

Liquor (Local Option) Amendment.

Act No. 5, 1913.

LIQUOR
(LOCAL
OPTION)
AMENDMENT.

An Act to amend Part IV of the
Liquor Act, 1912. [16th September,
1913.]

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

Short title.

1. This Act may be cited as the "Liquor (Local
Option) Amendment Act, 1913."

Amendment
of s. 80.

2. Section eighty of the Liquor Act, 1912, is repealed,
and the following is substituted for it :—

Maximum
number of
licenses and
clubs in
electorate.

80. (1) The number of publicans' licenses in an
electorate shall not, except in pursuance of special
authority granted as hereinafter in this Act provided,
at any time exceed a number to be found by adding
together—

- (a) the number of publicans' licenses (including
conditional publicans' licenses) which were
on the first day of January, one thousand
nine hundred and six, in the area con-
stituting the electorate; and
- (b) the number of applications pending for
licenses of premises in respect of which
publicans' licenses were held within four
months before the said day in such area;
and subtracting therefrom—
- (c) the number of publican's licenses in such
area which a special court has, in pursuance
of a vote taken under this Part or under
Part VI of the Act No. 40 of 1905, deter-
mined shall cease to be in force.

(2) The number of colonial wine licenses
in an electorate shall not, except in pursuance
of special authority granted as hereinafter in this
Act provided, at any time exceed a number to be
found by adding together—

- (a) the number of colonial wine licenses which
were on the first day of January, one
thousand nine hundred and six, in the
area constituting the electorate; and

(b)

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(b) the number of applications pending for licenses of premises in respect of which colonial wine licenses were held within four months before the said day in such area, and subtracting therefrom—

(c) the number of colonial wine licenses in such area which a special court has, in pursuance of a vote taken under this Part or under Part VI of the Act No. 40 of 1905, determined shall cease to be in force.

(3) The number of clubs in an electorate shall not at any time exceed the number of clubs formed before the first day of November, one thousand nine hundred and five, and bona fide used on that day as clubs in the area constituting the electorate, and registered under the Act No. 40 of 1905 on or before the first day of March, one thousand nine hundred and six.

(4) Provided that where a publicans' or colonial wine license, or the registration of a club has, after the first day of January, one thousand nine hundred and six, been removed from any area constituting an electorate to any other such area, it shall, for the purposes of this section, be counted as being in such other area.

3. Section ninety-one of the Liquor Act, 1912, is amended by inserting after paragraph (d) the following new paragraphs:—

Amendment
of s. 91.

(d i) The returning officer or his deputy who takes the poll under the Parliamentary Electorates and Elections Act, 1912, at any booth may appoint for such booth two scrutineers—one to act for licensed publicans, and one to act for temperance organizations; and shall in making such appointments first consider any nominations made to him by such publicans and organizations within the electorate:

Provided that each such scrutineer before acting in his office shall make and sign as prescribed the prescribed declaration.

(d ii) Any such scrutineer may be present in that part of the booth in which voting papers are received under this Act, and may be present when the box containing the voting papers is opened and the votes are counted.