

T A S M A N I A.

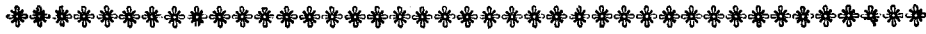


1867.

ANNO TRICESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 21.



AN ACT to further amend *The Licensing Act.*
[11 October, 1867.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 The Fee payable to the Colonial Treasurer in respect of any Licence granted upon Certificate or authority given at any Quarterly Licensing Meeting held on the first *Monday* in the month of *May* in any year shall be Two-thirds of the Fee now payable in respect of such Licence ; and the Fee payable to the Colonial Treasurer in respect of any Licence granted upon Certificate or authority given at any Quarterly Licensing Meeting held on the first *Monday* in the months of *August* or *November* in any year shall be One-half of the fee now payable in respect of such Licence.

Fees payable in respect of Licences granted at Quarterly Meetings.

2 In case any Wholesale, Manufacturer's, Brewer's, or Importer's Licence is issued after the Thirtieth day of *June* in any year, there shall be paid in respect of every such Licence One-half only of the Licence Fee now payable in respect thereof.

Half Fee in respect of certain Licences issued after 30th *June*.

3 The Fee payable to the Colonial Treasurer for any Licence to be issued upon Certificate, obtained at the Annual Licensing Meeting in any year, of approval of any person receiving a Public-house Licence, shall be paid to the Colonial Treasurer on or before the Thirty-first day of *December* in such year : Provided that it shall be lawful for the Colonial Treasurer to grant a Licence on any such Certificate after the

Licence Fee to be paid before end of *December* in each year.

Licensing Act Amendment.

Thirty-first day of *December* in any year upon payment of Five Pounds, over and above the amount of the Licence Fee, by the person applying for such Licence, and not otherwise.

Certificate to notify that no liquor to be sold until Licence fee paid.

Fees for Public-house Licence may be reduced in certain cases.

4 In every Certificate or authority granted at any Licensing Meeting there shall be inserted a notice that no liquor shall be sold until the Fee payable for the Licence has been paid to the Colonial Treasurer.

5 If it appears to the Justices assembled at any Licensing Meeting that the house in respect of which a Public-house Licence is applied for is actually required for the accommodation of travellers, but that the custom to be expected at such Public-house will be very inconsiderable as compared with the average custom of other Public-houses in the same District not situate in a Town, and will be comparatively of small profit and advantage to the holder of the Licence, it shall be lawful for such Justices, if they think fit, to reduce the Fee payable for such Licence to such sum not less than Twelve Pounds Ten Shillings as such Justices think reasonable: Provided that the provisions of this Section shall not apply to any house which is accessible by any roadway to any Public-house situate within Five Miles of such house, and that no such reduction shall be allowed in any case unless the Justices' approval thereof, stating fully the aforesaid particulars, is specially endorsed under the hands of any Two of them on the Certificate of approval of the applicant receiving the Public-house Licence.

Clerks of the Peace to issue Certificates of Transfers.

Colonial Treasurer to receive Fees.

Colonial Treasurer to notify Transfers in *Gazette*.

In Municipalities certain Fees and all Fines, &c. to go to Municipal Fund.

Alteration of Fees.

Repeal.

6 The Clerk of the Peace attending any Quarterly Licensing Meeting shall, on receipt of the sum of Five Shillings, deliver the Certificate approving of the Transfer of a Public-house or Packet Licence to, or to the order in writing of, the person in whose favour the same has been granted, and shall also forthwith send a certified copy of such Certificate to the Colonial Treasurer, who on receipt of the original Certificate of approval, and of the Fee now by law payable for a Certificate of approval of such Transfer, shall signify on the back of such Certificate his receipt of such Fee, and until such receipt is endorsed by the Colonial Treasurer the Certificate of Transfer shall have no force or effect whatever.

7 The Colonial Treasurer shall forthwith, after the receipt by him of any Transfer Fee, cause notice of the payment to be published in the *Gazette*; and it shall not be necessary for the Clerk of the Peace attending any Quarterly Licensing Meeting to cause full particulars of every Certificate approving of the Transfer of any Public-house or Packet Licence to be inserted in the *Gazette*.

8 In every Municipality, save and except all Fees by *The Licensing Act* or *The Licensing Amendment Act* or hereby made payable to the Colonial Treasurer, all moneys received by any Clerk of the Peace by virtue of the said Acts or of this Act and all Fines payable to Her Majesty, except where specifically appropriated, shall be paid to the Treasurer of the Municipality, and form part of the Municipal Fund of such Municipality.

9 All Fees by this Act made payable to the Treasurer of any Municipality may, by Bye-law of such Municipality, be altered or varied provided that the same shall not be increased in amount.

10 Sections Eighteen and Sixty of *The Licensing Act* are hereby repealed.

Licensing Act Amendment.

11 This Act, and *The Licensing Act*, and *The Licensing Amendment Act*, and *The Licensing Amendment Act, No. 2*, save so far as the same are altered, amended, or repealed by this Act, shall be read and construed together as one and the same Act. Acts to be read together.

12 This Act may be cited as “The Licensing Amendment Act, No. 3.” Short Title.

