

CORRIGENDA—*continued.*

Page 2856—*Liquor Ordinance, 1911-1940.*

In Section 85 for “twleve” read “twelve”.

# LIQUOR ORDINANCE, 1911-1940. <sup>(1)</sup>

## An Ordinance to consolidate and amend the Law Regulating the Sale of Intoxicating Liquor and for other purposes.

**B**E it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

### PART I—PRELIMINARY.

1. This Ordinance shall come into operation on a day to be fixed by the Lieutenant-Governor by Proclamation published in the *Gazette* and may be cited as the *Liquor Ordinance, 1911-1940.* <sup>(1)</sup>

Commencement and short title.  
Amended by No. 2 of 1930, s. 2.

It is divided into Parts as follows:—

- Part I.—Preliminary.
- Part II.—Licensing Districts Courts and Meetings.
- Part III.—Number of Licences.
- Part IV.—Licences and Their Granting Renewal Transfer Removal and Transmission.
- Part V.—Rights Duties and Liabilities of Licensees and Others and Offences.
- Part VI.—Reduction of Number of Licences.
- Part VII.—Legal Proceedings Evidence Regulations and Forms.

(1) The *Liquor Ordinance, 1911-1940*, comprises the *Liquor Ordinance, 1911*, as amended by the other Ordinances referred to in the following Table:—

#### ORDINANCES OF THE LEGISLATIVE COUNCIL FOR THE TERRITORY OF PAPUA.

Short title, number and year.	Date of assent by Lieut.-Gov.	Date notified in Papua <i>Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
<i>Liquor Ordinance, 1911</i> (No. 20 of 1911)	20.5.1911	(a)	1.1.1912 ( <i>Papua Govt. Gaz.</i> of 6.12.1911)
<i>Liquor Ordinance, 1911</i> (No. 2) (No. 29 of 1911)	21.11.1911	(a)	21.11.1911 ( <i>Statute Law of Papua, 1888 to 1916, Vol. II, p. 588</i> )
<i>Liquor Ordinance, 1916</i> (No. 12 of 1916)	9.8.1916	7.3.1917	9.8.1916 ( <i>Statute Law of Papua, 1888 to 1916, Vol. II, p. 588</i> )
<i>Liquor Ordinance, 1935</i> (No. 11 of 1935)	23.7.1935	5.2.1936	23.7.1935 ( <i>Ordinances etc. of Papua, 1935, p. 33</i> )
<i>Liquor Ordinance, 1940</i> (No. 10 of 1940)	19.8.1940	6.11.1940	1.4.1941 (Sec. 2, <i>Liquor Ordinance, 1940</i> )

(a) No notice of non-disallowance has been published in *Papua Govt. Gaz.*

LIQUOR—

Repeal.

2. The following Ordinances are repealed:—

*The Liquor Ordinance of 1891 (No. 6 of 1891);*

*The Liquor Law Amendment Ordinance of 1906 (No. 6 of 1906);*

*The Liquor Law Amendment Ordinance of 1910 (No. 8 of 1910);*

*The Liquor Ordinance Amendment Ordinance of 1911 (No. 3 of 1911).*

Saving clause.

3. Such repeal shall not prejudice nor affect the validity or duration of any certificate licence or authority lawfully granted nor any act done right acquired or any liability obligation penalty forfeiture or punishment incurred under or in respect of any of the Ordinances hereby repealed.

Interpretation.

4. In this Ordinance unless the context otherwise indicates or requires—

“Court” or “Licensing Court” means the licensing court having jurisdiction under this Ordinance within the district;

Amended by  
No. 11 of 1935,  
s. 2.

“Resident Magistrate” includes an acting resident magistrate and in such part of a District specified as provided in Section Six hereof an Assistant Resident Magistrate.

“Clerk” means the clerk of a licensing court of the district and includes the resident magistrate for the time being carrying out the duties of such clerk;

“Publican” means the holder of a publican’s licence under this Ordinance;

“Licensed Storekeeper” means the holder of a storekeeper’s licence under this Ordinance;

“District” means licensing district;

Amended by  
No. 29 of 1911,  
s. 2.

“Bar-room” means any room in which liquor is kept and in or from which liquor is directly supplied to customers;

“Inspector” means an inspector of licensed premises appointed under this Ordinance;

Amended by  
No. 29 of 1911,  
s. 2.

“Liquor” means brandy gin rum whisky cordials containing spirits wine cider perry mead ale porter beer and includes any liquid containing alcohol ordinarily used or fit for use as a beverage;

“Treasurer” means the Treasurer for the time being of the said Territory;

*Liquor Ordinance, 1911-1940.*

“Town” includes Port Moresby Samarai Kulumadau and Daru and any other township or town declared by the Lieutenant-Governor<sup>(2)</sup> by proclamation<sup>(3)</sup> in the *Gazette* to be towns within the meaning of this Ordinance.

PART II.—LICENSING DISTRICTS COURTS AND MEETINGS.

5.—(1.) The licensing districts established<sup>(4)</sup> at the time of the coming into operation of this Ordinance shall subject to the provisions of subsection (2.) of this section continue to be the licensing districts under this Ordinance.

Licensing districts.

(2.) The Lieutenant-Governor<sup>(2)</sup> may by proclamation<sup>(5)</sup> in the *Gazette* alter the boundaries of any licensing district or may subdivide the same into two or more districts or may amalgamate any such district with one or more districts.

Provided that the licensing district now established within the Central Division of the Territory shall always be contained within the Central Licensing District.

6. There shall be a licensing court for each district.

Licensing courts.  
Amended by  
No. 11 of 1935,  
s. 3.

In every licensing district the court shall consist of the resident magistrate within such district; or if there be more than one or no such resident magistrate then such resident magistrate as the Lieutenant-Governor in Council<sup>(2)</sup> shall appoint from time to time.

An Assistant Resident Magistrate appointed for the purpose may constitute the Court in such part of a District as may be specified by the Lieutenant-Governor in Council<sup>(2)</sup> by Order<sup>(6)</sup> published in the *Gazette*.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(3) By Proclamation dated 14.6.1933 and published in *Papua Govt. Gaz.* of 3.8.1933, the Lieutenant-Governor proclaimed and declared that “the town of Bwagaia, as defined for the purposes of the *Police Offences Ordinance, 1912-1930*,” should be “a town within the meaning of the *Liquor Ordinance, 1911-1935*.” For the definition of the town of Bwagaia for the purposes of the *Police Offences Ordinance, 1912-1930*, see Proclamation dated 24.9.1934, published in *Papua Govt. Gaz.* of 3.10.1934, and printed on p. 1469.

(4) The licensing districts established at the time of the coming into operation of the *Liquor Ordinance, 1911*, were those which existed by virtue of Section 7 of *The Liquor Ordinance of 1891* (as amended), which provided: “The district for the time being of each Court of Petty Sessions now established or that hereafter may be established in the Possession shall be a separate licensing district under this Ordinance.” For the districts of the Courts of Petty Sessions as at 1.1.1912, see Proclamation dated 18.3.1911, published in *Papua Govt. Gaz.* of 28.3.1911, and printed on p. 971.

(5) No proclamation has been published in *Papua Govt. Gaz.*

(6) By Order in Council dated 23.3.1936 and published in *Papua Govt. Gaz.* of 1.4.1936, the Lieutenant-Governor in Council ordered, “That the Trobriand Islands and Woodlark Island be parts of a District in which an Assistant Resident Magistrate appointed for the purpose may constitute a Licensing Court”, and appointed two named Assistant Resident Magistrates to constitute such Courts. From time to time since these appointments were made other named Assistant Resident Magistrates have been appointed by Orders in Council to constitute these two Courts.

LIQUOR—

Jurisdiction.  
Pap. No. 6 of  
1891, s. 8,  
altered.  
Amended by  
No. 29 of 1911,  
s. 3.

7. Subject to the provisions of this Ordinance the court of a licensing district shall throughout such district have power to grant and renew licences and to permit transfers transmissions removals and renewals of licences and to exercise every authority conferred upon licensing courts by this Ordinance.

Place for  
holding court.

8. Every licensing court shall be held in some court house of a petty sessions district comprised within such licensing district or in some other building<sup>(7)</sup> to be appointed by the Lieutenant-Governor in Council<sup>(2)</sup> and notified in the *Gazette*.

A licensing court may adjourn from time to time to the same or any other court house or building within the licensing district.

Clerk and  
other officers.

9. The Lieutenant-Governor<sup>(2)</sup> may appoint such persons as he thinks fit to be clerks or other officers of licensing courts. The duties of a clerk in any district shall in the absence of any such appointment be carried out by the resident magistrate constituting the court of the district.

Quarterly  
meetings.  
Q. No. 18 of  
1885, s. 14.

10. A quarterly meeting of the licensing court for each district shall be held at the place appointed at ten o'clock in the forenoon on the second Wednesday in the months of March June September and December in every year for the consideration of applications for licences and certificates and the renewal transfer and removal of licences under this Ordinance.

Duties of clerk.  
Q. *ib.* s. 19.

11. The clerk of a licensing court shall—

(1) Keep a register of all licences and certificates granted from time to time by the court and such register shall as nearly as possible show—

- (a) The names arranged alphabetically of the licensees or holders of certificates;
- (b) The nature in each case of the licence or certificate and whether it is new transferred or removed; and
- (c) The locality and designation (if any) in each case of the licensed premises and (in the case of a publican's licence) the accommodation provided:

And shall as occasion may require make such alterations and additions as may be required in such register by the reason of the granting of further licences or certificates or the renewal removal transfer transmission or forfeiture of licences previously granted

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(7) No other building has been appointed by any notification published in *Papua Govt. Gaz.*

*Liquor Ordinance, 1911-1940.*

- and shall notè in such register the convictions (if any) and the nature thereof recorded against any licensee in any court of which he is officially informed in the interval between any two meetings of the licensing court;
- (2) Cause a list to be prepared showing the names and places of abode of all applicants for a licence or certificate and for renewal transfer or removal of a licence and the locality and designation (if any) of the premises;
  - (3) Fourteen days before every quarterly meeting at which any application is to be heard cause one copy of such list to be posted in some conspicuous place outside and one copy inside of the court or building in which the sittings of the licensing court are appointed to be held;
  - (4) Report to the licensing court in respect of all applications for licences certificates or transfers of licences whether the applicants or intended transferees have previously been applicants for a licence or the transfer of a licence under this or any Ordinance hereby repealed and if so with what result;
  - (5) Immediately on receipt of a notice of application for a licence or for a transfer renewal or removal of a licence forward a copy thereof to the inspector of the district in which the licensed premises are situated or applied for and of any districts to which any removal is sought for inquiry and report;
  - (6) When any objection has been made to any application for a licence or certificate or for the renewal transfer removal or transmission of a licence or certificate by any person other than an inspector to forward immediately a copy thereof to the inspector of the district in which the licensed premises are situated or applied for and of any division to which any such removal is sought for inquiry and report;
  - (7) To publish a list of all applications granted or refused by the court in the *Gazette*;
  - (8) Give such other notices and perform such other duties as may be required under the provisions of this Ordinance or any Regulation made thereunder or as may be directed to be given or performed by the court.

## LIQUOR—

### PART III.—NUMBER OF LICENCES.

Number of licences not to be increased.

12.—(1.) The number of licences in the Territory for the sale of liquor shall in no case exceed the number of licences in force in the Territory on the first day of September One thousand nine hundred and six.

Pap. No. 6 of 1906, s. 2(2).

(2.) Before granting an application or conditional application for a new licence for the sale of liquor the licensing court of the Central Licensing District shall refer the matter to the Treasurer who shall inform the court whether if the new licence be granted the number of licences in the Territory will exceed that number and in all cases in which the court is informed by the Treasurer that that number will be exceeded the application shall be refused.

### PART IV.—LICENCES AND THE GRANTING RENEWAL TRANSFER REMOVAL AND TRANSMISSION THEREOF.

No liquor to be sold or billiard or bagatelle table to be kept without a licence. S.A. 970 of 1908, s. 11, altered. Inserted by No. 29 of 1911, s. 4.

12A. Subject to the provisions of the next succeeding section of this Ordinance no person shall directly or indirectly sell or permit to be sold any liquor nor shall any person keep or maintain any billiard bagatelle or billiard-bagatelle table for hire or as a means of gain or profit without being licensed so to do under this Ordinance or any Ordinance hereby repealed.

Exceptions to applications of Ordinance. S.A. 76, s. 13, altered. Inserted by No. 29 of 1911, s. 4.

12B. The provisions of this Ordinance relating to the sale of liquor shall not apply to the sale of any beverage usually considered non-intoxicating and containing less than two per cent. of proof spirit nor to the sale of spirituous or distilled perfume *bonâ fide* as perfumery; nor to the prescription or administration of any liquor simply as medicine or for medicinal purposes by or under the direction of any known or practising physician surgeon or properly qualified pharmaceutical chemist; nor shall any licence be required by the master or commander of any steamer or other vessel for the supply of any allowance of liquor to the crew of such steamer or vessel not being a native as defined by *The Arms Liquor and Opium Prohibition Ordinance, 1888*<sup>(8)</sup> or any Ordinance amending the same.

Nature of licences.

First Schedule.

First Schedule.

First Schedule.

13. Licences to be granted under this Ordinance shall be of three classes—that is to say one to be denominated a “publican’s licence” which shall be in the Form (1) of the First Schedule to this Ordinance; another to be denominated a “storekeeper’s licence” which shall be in the Form (2) of the First Schedule to this Ordinance; and another to be denominated a “billiard-table licence” which shall be in the Form (3) of the First Schedule to this Ordinance.

(8) Repealed and replaced by the *Arms, Liquor and Opium Prohibition Ordinance, 1911-1935.*

*Liquor Ordinance, 1911-1940.*

14.—(1.) Every publican's licence shall authorize the person thereby licensed to sell and dispose of any liquor in any quantity in the house or on the premises therein specified subject to the provisions of this Ordinance; and subject as aforesaid to keep open on the said premises not more than two bars or places where liquor is sold over the counter.

Publican's  
licence.  
S.A. 970 of  
1908, s. 16.

(2.) The annual fee to be paid for a publican's licence in the town of Port Moresby shall be One hundred pounds and in any other town Thirty pounds and outside the limits of a town Twenty pounds.

Annual fee for  
publican's  
licence.  
Sub-section (2)  
amended by  
No. 10 of 1940,  
s. 3.

15.—(1.) Every storekeeper's licence shall authorize the person thereby licensed to sell and dispose of liquor in the house or on the premises therein specified in quantities of not less than one reputed quart bottle of spirits or wine or one dozen reputed quart bottles or two dozen reputed pint bottles of other fermented liquor to be taken away at one time by one person and not to be drunk in or about the house or on the premises in which such liquor is sold.

Storekeeper's  
licence.  
S.A. *Ib.* s. 17.

(2.) The annual fee to be paid for a storekeeper's licence in a town shall be Thirty pounds and outside the limits of a town Fifteen pounds.

Sub-section (2)  
amended by  
No. 29 of 1911,  
s. 5.

16.—(1.) Every billiard-table licence shall authorize the person thereby licensed to keep set up and maintain on the premises described in such licence billiard bagatelle and billiard-bagatelle tables or any of them and to allow such tables to be used only between the hours of eight in the morning and eleven at night but not at any time on any Sunday Christmas Day or Good Friday.

Billiard-table  
licence.  
S.A. *Ib.* s. 25.

(2.) The annual fee for a billiard-table licence in a town shall be Five pounds.

17. Subject to this Ordinance every licence shall commence and take effect from the date on which it is therein stated to commence and if not previously forfeited shall be in force until and including the thirty-first day of March in the year next following the date of the licence but no longer.

Date from which  
licence to take  
effect.  
S.A. *Ib.* s. 28,  
altered.  
Q. 49 Vic.  
No. 18, s. 52,  
altered.

18. In the case of any licence being issued or renewed for a period of less than one year a proportional amount only of the licence fee shall be payable by the licensee.

Licences for  
part of the  
year.  
S.A. *Ib.* s. 29.  
Q. *Ib.* s. 53.

19. All licences granted under any of the Ordinances hereby repealed and existing at the time of the coming into operation of this Ordinance shall unless otherwise expressly provided by this Ordinance for the then unexpired term thereof respectively be held subject to the provisions of the Ordinances hereby repealed.

Existing  
licences to be  
held under  
repealed  
Ordinances till  
expiration.

LIQUOR—

Accommodation required within townships.  
S.A. 970 of 1908, s. 25.

Amended by No. 12 of 1916, s. 2, and by No. 10 of 1940, s. 4.

20. No publican's licence shall be granted transferred removed or renewed for to or in respect of any premises situated within the boundaries of any town or in any place distant less than three miles from any such town which do not at and after the time of applying for the same contain in addition to and exclusive of such reasonable accommodation for the family and servants of the proposed licensee as the court may think necessary at least one dining-room of adequate size and at least three sitting-rooms of moderate size and six bedrooms of which none contains less than one thousand cubic feet or is less than nine feet high constantly ready and fit for public accommodation nor unless there are attached to such premises sufficient privies urinals baths in a room or rooms set apart for the purpose and other necessary and proper sanitary conveniences.

Applications for publicans' and storekeepers' licences to be made to court of Central District.

21.—(1.) All applications for new publicans' or storekeepers' licences under this Ordinance shall be made to the licensing court of the Central Licensing District.

(2.) No other licensing court shall have jurisdiction to grant a new publican's or storekeeper's licence.

Application for billiard-table licences to court of district in which premises situated.

22. Applications for billiard-table licences may be made to the licensing court for the district in which the premises licensed or proposed to be licensed are situate.

Notice by applicant for new licence.  
Q. 49 Vic.  
No. 18, s. 28.

23. Every person desirous of obtaining a publican's licence or storekeeper's licence or billiard-table licence shall at least twenty-one days before applying for a licence deliver to the clerk a notice in writing in duplicate signed by the applicant and as nearly as may be in one of the forms of the Second Schedule hereto.

Second Schedule.

Conditional application for licence for new premises.  
N.S.W. No. 18 of 1898, s. 26, altered.

24.—(1.) Any person desirous of obtaining a new publican's licence for premises proposed to be erected or for premises erected but requiring additions or alterations to make them suitable to be licensed under this Ordinance may before building such new premises or making such additions or alterations to premises already erected make a conditional application to the licensing court of the Central Licensing District and in such case may furnish the court with a properly-drawn plan showing the locality the number and size of the rooms and all other information necessary to enable the court to form a correct estimate of the suitability of such premises when completed; and subject to the other provisions of this Ordinance in respect to applications for new licences and objections thereto the court may grant such conditional application and after recording the same in the book of the proceedings of the court may furnish a copy of such record to the applicant and shall furnish a copy of such record to the Treasurer.

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(2.) The granting of such conditional application shall remain in force until the completion of such premises provided such completion is effected within six months from the date of such record. The plans so furnished shall be marked for identification by the court and deposited with the clerk.

(3.) On the completion of such premises the applicant shall notify the inspector thereof who shall after examination thereof certify whether or not they are completed in accordance with the plans so furnished; and if the inspector certifies in the affirmative a publican's licence may be granted by the court at its next sitting unless the court is then satisfied that the character of the applicant is objectionable or that the number of licences would thereby be increased beyond the number provided for under this Ordinance.

**25.—(1.)** Renewals of licences granted under any of the Ordinances hereby repealed and existing at the time of the commencement of this Ordinance shall, if applied for, be applied for, and if granted shall be held, under and subject to the provisions of this Ordinance.

Renewals of existing licences to be under this Ordinance.

(2.) The first renewal granted under any application made under this Ordinance for renewal of any licence existing at the commencement of this Ordinance shall be for a period calculated from the date of the expiration of such existing licence until the thirty-first day of March next following such date of expiration.

Existing licences to be renewed so as to terminate at common date.

(3.) Special meetings of the licensing court may be held at any time and place within the district for the purpose of hearing and determining applications for first renewals made under Subsection (2.) of this section.

Special meetings of court for first renewals.

(4.) All subsequent applications for renewals of any such licence and for renewal of licences granted under this Ordinance shall be made to the licensing court at the quarterly meeting held in March.

Subsequent renewals to be applied for at March meeting.

**26.** Applications for the first renewal of any licence granted under any Ordinance hereby repealed existing at the commencement of this Ordinance shall be made for and if granted shall be granted for either a publican's licence or a storekeeper's licence under this Ordinance at the option of the holder of such licence.

Applicant for renewal of existing licence to elect as to class of licence under this Ordinance.

**27.** A publican's licence may be renewed as a storekeeper's licence and a storekeeper's licence may be renewed as a publican's licence if the court shall think fit and if the publican or licensed storekeeper as the case may be who applies for such renewal at the time of giving notice of application therefor shall include a request to that effect in such notice and pay the prescribed fee payable for a licence of the class requested in the notice.

Classes of licence interchangeable.

LIQUOR—

Renewal notice of.

Q. 49 Vic.  
No. 18, s. 29.

Third Schedule.

No further notice and no attendance necessary.

Q. *Ib.* s. 29.

28.—(1.) Every person desirous of obtaining a renewal of a publican's licence or storekeeper's licence held by him shall twenty-one days before applying for such renewal deliver to the clerk a notice in writing and in duplicate signed by him and as nearly as may be in the form of the Third Schedule to this Ordinance.

(2.) It shall not be necessary for an applicant for a renewal of a licence to give or publish any further notice or to attend at the hearing of his application unless he is required by the court to do so or unless notice of objection to a renewal of his licence has been duly served upon him.

Transfer of a licence.

Q. *Ib.* s. 81, altered.

Fourth Schedule.  
Form 1.

29.—(1.) When any person holding a licence under this Ordinance desires to transfer his licence to any other person the intending transferor and transferee shall deliver a notice of their intention to apply for such transfer in like manner and at like times as are required in the case of applications for new licences but in the Form (1) of the Fourth Schedule to this Ordinance.

(2.) If no objection is made to the transfer or to the proposed transferee the licensing court may at any meeting or adjourned meeting transfer the licence to the proposed transferee by an endorsement upon the licence in the Form (2) of the Fourth Schedule to this Ordinance.

Form 2.

(3.) If an objection is made to the transfer or to the proposed transferee the application shall be heard and determined in accordance with the provisions of this Ordinance.

Transfer fee.

(4.) A fee of Five pounds shall be paid for every transfer of a publican's licence or storekeeper's licence and a fee of One pound for every transfer of a billiard-table licence.

Removal of licence.

Q. *Ib.* s. 32, altered.

Fifth Schedule.  
Form 1.

30.—(1.) If any person holding any licence under this Ordinance desires to remove his business from the licensed premises occupied by him to any other premises in the same or another district he shall deliver to the clerk of the licensing court of the district or of both such districts as the case may be a notice as nearly as may be in the Form (1) of the Fifth Schedule to this Ordinance of his intention to apply for leave to do so. Such notice shall be delivered at the same time and in the same manner as are hereby required in the case of applications for new licences.

(2.) If the court grant the application the authority for such removal shall be given by endorsement on the licence as nearly as may be in the Form (2) of the Fifth Schedule to this Ordinance. If the court refuses the application the existing licence shall not be prejudiced.

Authority for removal.

Q. *Ib.* s. 32.

Sub-section (2) amended by No. 29 of 1911, s. 6.

Fifth Schedule.  
Form 2.

(3.) Nothing herein contained shall be construed to make it obligatory on the holder of a licence who puts up new premises of

the same or superior accommodation to and on the site of his licensed premises to apply for a removal of his licence to such new premises.

31. If the premises of any licensee under this Ordinance are by fire tempest or other calamity rendered unfit for the carrying on of his business the resident magistrate constituting the court of the district on application at any time by or on behalf of the licensee may if he thinks fit by certificate in the form of the Sixth Schedule to this Ordinance authorize such licensee to carry on his business temporarily under his existing licence in some neighbouring premises although they have not all the accommodation prescribed by this Ordinance for any period not extending beyond the period of his licence.

Temporary removal of licence.

Q. 49 Vic. No. 18, s. 37, altered.

Sixth Schedule.

32.—(1.) A company incorporated under the laws of the said Territory and with the sole object of carrying on the business of a licensed publican may hold a publican's licence in respect of one hotel only.

Incorporated company may hold publican's licence.

S.A. 970 of 1908, s. 75. Pap. No. 6 of 1891, s. 6, altered.

(2.) Upon applying for any such licence or any renewal thereof the company shall submit to the court the name of a person as its manager of the licensed premises and for the purposes of objections such person shall be deemed to be the applicant. The licence shall state the manager's name and the approval in writing of the resident magistrate of the court of the district shall be necessary before any change of manager will be recognized for the purposes of this Ordinance.

Manager to be approved by resident magistrate.

S.A. *ib.* s. 75.

(3.) For the purposes of this Ordinance the manager of the licensed premises shall be deemed to be the person licensed in respect of the premises or the holder of the licence thereof and such premises shall be deemed to be his licensed premises or the premises in respect of which he is licensed to hold a licence.

Manager deemed to be licensee.

S.A. *ib.* s. 75.

(4.) In addition to the manager the company shall be responsible to pay the amount of any fines or penalties incurred or inflicted in consequence of any offence upon the licensed premises against this Ordinance or any Ordinance amending the same and the same may be enforced by a warrant of execution in manner provided by "*The Justices Act of 1886*"<sup>(9)</sup> (Queensland Adopted).

Company liable for fines and penalties.

S.A. *ib.* s. 75.

33.—(1.) Subject to the provisions of Subsection (6.) hereof and during the subsistence of any licence granted under this Ordinance the licensee if an individual must reside on the licensed premises specified in his licence or be represented by a manager as hereinafter mentioned and if a firm shall in any case be represented by such a manager.

Licensee or manager to reside on premises.

Pap. *ib.* s. 25, altered.

Sub-section (1) amended by No. 29 of 1911, s. 7.

(9) Repealed and replaced in the Territory of Papua by the *Justices Ordinance, 1912-1940.*

## LIQUOR—

Seventh  
Schedule.

(2.) The appointment of such a manager shall be in writing in the form of the Seventh Schedule hereto and he shall during the subsistence of the licence reside on the licensed premises except when the licensee being an individual is himself residing thereon. Such writing shall be signed by the licensee or his representative and by the manager. The person that signs such writing as the representative of the licensee and the person that signs the writing as the manager appointed thereby may be one and the same person.

(3.) Not more than one manager shall be appointed in respect of one licence at the same time.

(4.) Such writing shall be delivered to the clerk of the court of the district and the appointment thereby made shall be subject to the approval of the resident magistrate of such court.

Pap. No. 6 of  
1891, s. 26,  
altered.

(5.) When such appointment has been approved by the said resident magistrate such manager shall until written notice of revocation of his appointment or his resignation thereof is filed with the clerk of the court be deemed to be the person licensed in respect of the premises referred to in the said writing; but this shall not absolve the licensee named in the licence from any liability under this Ordinance.

(6.) A licensed storekeeper or holder of a billiard-table licence need not reside on the licensed premises but if an individual shall personally supervise the business carried on thereon or be represented by a manager to be appointed under the provisions of this section and if a firm shall in any case be represented by such a manager to be appointed as aforesaid.

No grant or  
transfer of  
licence to person  
already holding  
licence.

Pap. No. 8 of  
1910, s. 2,  
altered.

Sub-section (1)  
amended by  
No. 29 of 1911,  
s. 8.

**34.—(1.)** No publican's licence or storekeeper's licence shall be granted or transferred to any person firm or company who is already the holder of a publican's licence or storekeeper's licence under this Ordinance or of a licence to sell liquor under any Ordinance hereby repealed except with the consent of the Lieutenant-Governor in Council.<sup>(2)</sup>

(2.) Nothing in Subsection (1.) of this section shall prevent or prohibit the granting of a renewal to any person or firm under the provisions of this Ordinance of any number of licences to sell liquor held by him or them at the time this Ordinance came into operation.

### *Objections.*

**35.** Subject to this Ordinance objections may be made to the granting renewal removal or transfer of any licence either personally or by petition to the licensing court competent to grant the same respectively.

Objections.

Q. 49 Vic.  
No. 18, s. 40.

Pap. No. 6 of  
1891, s. 12,  
altered.

Amended by  
No. 29 of 1911,  
s. 9.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

Such objections may be made by any person.

The signature or signatures to every such petition shall be verified on oath by the petitioner or some one or more of the petitioners.

**36.** Any one or more of the following objections may be taken to the granting of a publican's licence:—

Objections to the granting of a publican's licence.

Q. 49 Vic. No. 18, s. 41, altered.

- (1) That the applicant is a person of drunken or dissolute habits or immoral character or is unfit to hold a licence;
- (2) That a licence held by him has within twelve months preceding the time when the application is made been forfeited or cancelled;
- (3) That premises held by him under licence granted under any of the repealed Ordinances or under a publican's licence have been the resort of persons of well-known bad characters;
- (4) That the applicant has been convicted of two or more offences against this Ordinance or any of the repealed Ordinances within twelve months preceding the time when the application is made;
- (5) That the reasonable requirements of the residents in or travellers through the neighbourhood do not justify the granting of the licence applied for;
- (6) That the premises in respect of which the licence is applied for is in the immediate vicinity of a place of worship a hospital or school;
- (7) That the conditions prescribed by this Ordinance or any of them have not been complied with by the applicant either personally or with regard to the premises in respect of which the licence is applied for;
- (8) That the management of the licensed premises in such particulars as are specified in the notice has not been satisfactory.

**37.** Any one or more of the following objections may be taken to the renewal of a publican's licence:—

Objection to the renewal of a licence.

Q. *Ib.* s. 42, altered.

The first second third fourth fifth seventh and eighth in the list in the last preceding section.

**38.** Any one or more of the following objections may be taken to the transfer of a publican's licence as respects the transferee:—

Objections to transfer of publican's licence.

Q. *Ib.* s. 43.

The first second third fourth and seventh in the said list.

## LIQUOR—

Objections to removal of publican's licence.

Q. 49 Vic. No. 18, s. 44.

39. Any one or more of the following objections may be taken to the removal of a publican's licence:—

The fifth sixth and seventh in the said list; and

(9) That the owner of the premises from which the licence is proposed to be removed objects to such removal.

Objections to all applications relative to storekeeper's or billiard licence.

40. Any one or more of the following objections may be taken as to all applications in connection with a storekeeper's licence or billiard-table licence:—

That the applicant is of bad fame or character; that the applicant is interested in keeping a brothel or house of ill-fame; that he is of drunken or dissolute habits or is not a fit and proper person to be licensed; that he has within twelve months previously been deprived of a licence under this Ordinance or any Ordinance hereby repealed; that the licensing of the premises is not required for the accommodation of the public.

To renewal thereof.

41. The renewal of a storekeeper's licence or a billiard-table licence may be objected to on the grounds that the management of the licensed premises in such particulars as are specified in the notice has not been satisfactory.

Notice of objections to be given.

Q. *Ib.* s. 47.  
S.A. 970 of 1908, s. 46, altered.

42. No person shall be heard either personally or by counsel in support of any objection to the grant renewal transfer or removal of any licence under this Ordinance unless notice in writing of such objection has been given to the clerk of the court and to the applicant at least seven clear days before the day on which the application is to be heard.

Provided that no court shall be precluded from entertaining any objection which may arise during the hearing of an application; but the applicant shall be then entitled to an adjournment for such time not less than three days as the court thinks fit.

### *Transmission of Licences.*

Death or insolvency of licensee.

S.A. *Ib.* s. 55, altered.

43. Upon the death or insolvency of a licensee or holder of a certificate under this Ordinance his executor administrator or other legal personal representative or nearest of kin or the Curator of Intestate Estates on behalf of his estate or the trustee of the estate of such insolvent person may apply to the resident magistrate of the licensing court for the district wherein the licensed premises are situated for permission for such executor administrator personal representative next-of-kin or curator or trustee as the case may be either by himself or by an agent to be approved by such resident magistrate to carry on the business of such deceased or insolvent licensee until the end of the term of his licence was granted.

Such application may be made to the resident magistrate of the court notwithstanding that a quarterly meeting is not then being held and shall be made forthwith after the death or insolvency; otherwise the licence shall become and be void.

Every such certificate of permission shall be as nearly as may be in the form of the Eighth Schedule hereto as may be applicable and the grantee thereof shall be subject to the provisions of this Ordinance in the same manner as the original licensee would have been.

Eighth Schedule.

44. If any licensee or holder of a certificate becomes insane and remains so under restraint for one month the court may on the application of the wife of such insane person or if he has no wife then on the application of the nearest of kin or of the Curator in Insanity authorize such wife or an agent to carry on the business of such insane person under such licence or certificate until the end of the term thereof or until the recovery of such insane person.

When licensee  
insane.  
Q. 49 Vic.  
No. 18, s. 56.

Such authority shall be in the form in the Eighth Schedule hereto and such agent shall be liable and subject to the same duties obligations and penalties in respect of the licence as if he were the original licensee.

Eighth Schedule.

45. In the event of the marriage of any female licensee the licence held by her shall confer upon her husband the same privileges and shall impose upon him the same duties obligations and liabilities as if such licence had been granted to him originally unless he is disqualified from holding a licence under this Ordinance or unless within thirty days after the celebration of the marriage by writing under his hand addressed and delivered to the clerk of the court for the licensing district wherein the premises are situated he disclaims the transmission herein provided for; in either of which cases the licence shall become and be void.

Licence of female  
on marriage to  
vest in  
husband.  
Q. 1b. s. 57.

#### *Lost Licences.*

46. If a licence is lost or destroyed the licensee may apply to the resident magistrate of the licensing court for the district wherein the licensed premises are situated for a certificate under his hand that such lost or destroyed licence had been issued to such licensee and such resident magistrate on being satisfied that such licence is lost or destroyed and has not been forfeited or transferred may grant a certificate to that effect in the form of the Ninth Schedule hereto or to the like effect. A fee of One pound shall be paid for such certificate and the same shall for all purposes be taken as representing such lost or destroyed licence.

Duplicate licence  
in case of lost  
or destroyed  
licence.  
Q. 1b. s. 58.

Ninth Schedule.

Any person who attempts to make use of any lost licence shall be liable to a penalty of Fifty pounds.

LIQUOR—

*Annual List.*

Treasurer to  
publish annual  
list.

Q. 49 Vic.  
No. 18, s. 59.

47. The Treasurer shall during the month of January in each year cause to be published in the *Gazette* a list of all licences issued under this Ordinance during the preceding twelve months specifying the nature of the licences the names of the licensees and the designation and localities of the premises licensed in each district or special district.

*Procedure on Hearing of Applications.*

Hearing in  
open court.

Q. *Ib.* s. 48.

Pap. No. 6 of  
1891, s. 15,  
altered.

48. The hearing of all applications for a licence or the renewal removal or transfer of a licence shall be conducted in open court.

If the application is refused the grounds of refusal shall be given and shall be entered on the records of the court.

Discretion of  
court.

S.A. 970 of  
1908, s. 59.

Pap. *Ib.* ss. 15,  
16, and 17,  
altered.

49. No licence shall be renewed nor shall any application be granted as a matter of course; and upon the hearing of any application for the grant renewal removal or transfer of a licence whether notice of objection has been delivered or not the court shall hear inquire into and determine the application and all such objections (if any) on the merits and shall grant or refuse the application upon any ground which entirely in the exercise of its discretion it deems sufficient.

No appeal.

S.A. *Ib.* s. 59.

Against such grant or refusal there shall be no appeal.

No compensation.

S.A. *Ib.* s. 59 (3).

50. No compensation shall be payable to any person by reason of the refusal of the court to grant any application.

Witnesses.

Pap. *Ib.* s. 16,  
altered.

N.S.W.  
No. 18 of 1898,  
s. 10, altered.

51.—(1.) The applicant and any person objecting to any application may obtain at the office of the clerk of the court summonses for witnesses.

(2.) The court may summon and examine on oath such witnesses as it thinks necessary.

(3.) Such witnesses shall be summoned and examined as nearly as may be in the manner directed by any Ordinance or Adopted Act<sup>(10)</sup> now or hereafter to be in force relating to the duties of justices of the peace or their powers and authorities on summary convictions and orders.

(4.) If any person duly summoned to attend as a witness at any such court neglects without sufficient excuse to appear and give evidence or refuses to be sworn or to answer any lawful question or wilfully interrupts the proceedings of such court he shall be subject to be dealt with in all respects as a person summoned or sub-

(10) See the *Justices Ordinance*, 1912-1940.

pœnaed or appearing as a witness before any justices in obedience to a summons or subpœna and neglecting or refusing without just excuse to attend or refuses to be examined on oath or to take an oath or to answer any lawful question may by law be dealt with.

52. The court at any quarterly meeting may order that any person objecting to any application and failing to support such objection to its satisfaction shall pay to the applicant a sum not exceeding Twenty pounds for the costs incurred by such applicant in supporting such application; and such sum may be recovered in the same manner as any sum of money ordered to be paid by any order of justices.

Costs may be given against objector.  
S.A. 970 of 1908, s. 62, altered.

Provided that no such order shall be made where such objection is made by any member of the police or any inspector.

53.—(1.) If any person entitled to apply for a renewal of any licence in respect of any premises fails to make application therefor to the court within the proper time it shall be lawful for the resident magistrate of the court for the Central Licensing District if satisfied that such failure arose through illness accident or misadventure to grant to such person a certificate which shall authorize such person to carry on the business of such premises until the next quarterly meeting of the court of the Central Licensing District; and such person shall during the period such certificate continues in force be deemed a licensed person and be subject to the same liabilities and penalties as if he held a licence under this Ordinance and such certificate shall whilst in force be deemed to be the licence of such person. Provided that such magistrate shall not grant such certificate unless and until he has obtained from the Treasurer a certificate that the number of licences for the sale of liquor in the Territory will not thereby be exceeded.

Special permits to carry on after failure to renew.  
S.A. *Ib.* s. 63, altered.

(2.) Such person shall, within seven days after such certificate, present or send the same to the Treasurer and pay the same licence fee as would have been payable if such certificate had been a licence granted at the proper meeting of the court; and in the event of a licence being granted by the court of the Central Licensing District at a subsequent meeting no further fee shall be payable in respect of such licence for that licensing year.

54.—(1.) Whenever any licensing court grants any licence or renewal of a licence the resident magistrate constituting such court shall at the time the licence or renewal thereof is granted forthwith sign a licence in such of the forms contained in the First Schedule hereto as is applicable and shall forthwith cause the

Court to sign licences.  
S.A. *Ib.* s. 48, altered.  
First Schedule.

## LIQUOR—

Treasurer or officer appointed by him to issue same.

S.A. 970 of 1908, s. 48, altered.

Until fee paid person entitled deemed unlicensed.

S.A. *Ib.* s. 49, altered.

same to be handed to the Treasurer or to some officer<sup>(11)</sup> appointed by him in the district; and such Treasurer or officer aforesaid shall on receipt of the annual fee payable in respect of the licence granted issue and deliver such licence to the person in whose favour the same has been granted or his agent the Treasurer or officer aforesaid having minuted at the foot of the licence the day on which the same was so issued by him.

(2.) Until the sum payable for a licence is paid to the Treasurer or such officer as aforesaid and the licence is actually issued by him the person entitled to such licence shall be deemed unlicensed; and in case the same is not paid within two calendar months after the date of the meeting at which the same was granted the grant thereof shall be wholly void and the licence shall not be issued.

### PART V.—RIGHTS DUTIES AND LIABILITIES OF LICENSEES AND OTHERS AND OFFENCES.

Names and light to be exhibited.

Q. 49 Vic. No. 18, s. 61, altered.

S.A. *Ib.* s. 109, altered.

55. Every holder of a publican's licence and every holder of a billiard-table licence under this Ordinance shall have his name in legible letters at least two inches long with the words "Licensed Publican" or "Licensed Billiard Table Keeper" as the case may be and the name of his manager (if any) with the addition of the word "Manager" painted up and kept constantly remaining and to be seen and read on a conspicuous part of the front of his licensed premises; and every holder of a publican's licence shall have a lamp fixed in front of his licensed premises and either opposite to or over the principal or entrance door thereof at a distance of not less than seven feet from the ground and shall keep such lamp well cleaned and trimmed and if situated within any town alight continuously from sunset to sunrise throughout the year.

Any person failing to observe the provisions of this section shall be liable to a penalty of not more than Ten pounds for every offence. Provided that no person shall be liable to a penalty by reason of his lamp having ceased to be alight after eleven o'clock at night unless he has been called upon by some person to and has neglected to light the same.

(11) Pursuant to Section 54, the Treasurer, by notice dated 12.6.1912 and published in *Papua Govt. Gaz.* of 3.7.1912, appointed, as from 1.1.1912, the following officers to issue Licences, on behalf of the Treasurer, "in the Divisions specified respectively:—

The Resident Magistrate, Eastern Division, Samarai.

The Resident Magistrate, Nepa, Lakekamu.

The Resident Magistrate, South Eastern Division, Kulumadau."

By further notice dated 23.7.1912 and published in *Papua Govt. Gaz.* of 7.8.1912, the Treasurer appointed "The Resident Magistrate, Buna Bay, Kumusi Division," to issue licences under Section 54, such appointment to date as from 1.1.1912. By further notice dated 14.2.1913 and published in *Papua Govt. Gaz.* of 5.3.1913, the Treasurer appointed the Resident Magistrate, Central Division, to issue licences under Section 54, such appointment to date as from 1.1.1913. No other appointments by office have been published in *Papua Govt. Gaz.*, but there is no provision in Section 54 requiring appointments to be gazetted.

*Liquor Ordinance, 1911-1940.*

**55A.—(1.)** Every publican shall provide and maintain upon his licensed premises in proper and convenient situations—

(a) baths in a room or rooms set apart for that purpose with a sufficient supply of water;

(b) at least two closets or privies and one urinal and other sanitary conveniences constructed and kept in all respects in accordance with the *Health Ordinance, 1912*,<sup>(12)</sup> and the regulations thereunder. One of such closets or privies shall be specially allotted to and reserved for the use of female guests and boarders and the other to and for the use of male guests and boarders and shall be in addition to those reasonably required for the use of the other inmates of the licensed premises.

Baths and sanitary conveniences.

Cf. Q. 3 Geo. V. No. 29, ss. 23 (b), 24.

Section 55A inserted by No. 12 of 1916, s. 3.

(2.) Any publican failing to observe any of the provisions of Subsection (1.) of this section shall be liable to a penalty not exceeding Twenty pounds for each offence.

(3.) The foregoing provision of this section shall not apply to licensed premises situated outside the limits of any town.

**55B.—(1.)** Every publican shall provide and maintain upon his licensed premises an adequate dining-room equipped with appliances requisite for serving meals to guests.

Dining-room on licensed premises.

Section 55B inserted by No. 10 of 1940, s. 5.

(2.) Any publican failing to observe the provisions of Subsection (1.) of this section shall be liable to a penalty not exceeding Fifty pounds for each offence.

**55c.—(1.)** Every publican shall cause meals to be prepared cooked and served upon his licensed premises for any person requiring the same within the hours set forth in the Thirteenth Schedule to this Ordinance and upon payment of a reasonable sum.

Meals on licensed premises.

Section 55C inserted by No. 10 of 1940, s. 5.

(2.) Any publican who without reasonable excuse proof whereof shall lie upon him fails to comply with the provisions of Subsection (1.) of this section shall be liable to a penalty not exceeding Ten pounds for each such offence.

**55d.** Any person who after having been supplied with any meal by a publican on licensed premises in accordance with the provisions of the preceding section of this Ordinance fails without reasonable excuse proof whereof shall lie upon him to pay for the same shall be guilty of an offence and liable to a penalty not exceeding Ten pounds and in default of payment to imprisonment for any period not exceeding one month.

Failure to pay for meals an offence.

Inserted by No. 10 of 1940, s. 5.

(12) Now the *Health Ordinance, 1912-1924.*

LIQUOR—

Failure to pay for accommodation an offence.

Inserted by No. 10 of 1940, s. 5.

Only two bar-rooms.

Pap. No. 6 of 1906, s. 10, altered.

S.A. 970 of 1908, s. 110, altered.

Subletting bar. S.A. 7b. s. 110.

55E. Any person who having been supplied by a publican with accommodation on licensed premises fails without reasonable excuse proof whereof shall lie upon him to pay for the same shall be liable to a penalty not exceeding Ten pounds and in default of payment to imprisonment for any period not exceeding one month.

56.—(1.) No licensee under this Ordinance or any Ordinance hereby repealed shall sell or supply liquor in more than two bar-rooms in or upon his licensed premises or shall have more than two bar-rooms in or upon such premises.

(2.) No licensee shall let or sublet any bar-room or the right to sell liquor on his licensed premises.

(3.) Any licensee on whose premises liquor is sold or supplied in more than two bar-rooms or on whose premises there are more than two bar-rooms and any licensee who lets or sublets any bar-room or the right to sell any liquor on his licensed premises shall be liable to a penalty for a first offence of not exceeding Twenty pounds and for every subsequent offence of not less than Twenty or more than Fifty pounds.

57. No licensee under this Ordinance or any Ordinance hereby repealed shall—

- (a) absent himself from the management and superintendence of the business carried on under his licence for a longer period than seven days continuously without the permission of a resident magistrate; or
- (b) permit any unlicensed person to be in effect the keeper of his licensed premises; or
- (c) knowingly permit any person who has forfeited or been deprived of any licence under this Ordinance or any Ordinance hereby repealed or to whom any licence has been refused by reason of bad character or misconduct to be employed in any capacity on his account on his licensed premises.

Absence without permission. Q. 49 Vic. No. 18, s. 86.

Unlicensed person not to keep premises. Q. 7b. s. 86.

Employing disqualified persons. Q. 7b. s. 86.

Penalty.

Any licensee offending against any of the provisions of this section shall be liable to a penalty not exceeding Thirty pounds and upon a second conviction shall be liable to a like penalty and his licence may be forfeited.

Penalty for keeping billiard-tables &c. without a licence. Q. 7b. s. 62, altered.

58.—(1.) Any person who keeps sets up or maintains any billiard bagatelle or billiard-bagatelle table for hire or as a means of gain or profit without a billiard-table licence and any person holding any billiard-table licence who permits or allows any billiard bagatelle or billiard-bagatelle table on his licensed premises to be used otherwise than during the days and hours authorized or other-

*Liquor Ordinance, 1911-1940.*

wise than in accordance with the authority conferred by such licence shall be liable to a penalty not exceeding Ten pounds and for a second offence to a penalty not exceeding Fifty pounds.

(2.) The provisions of this section shall not apply to premises *bonâ fide* occupied as a club provided that the tables therein are used only by members of such club and their guests.

59. All liquor sold under the authority of this Ordinance in a quantity not less than half a pint shall if required by the purchaser be measured and delivered according to Imperial standard measures. On failure to measure as aforesaid the person selling the same shall be liable to a penalty not exceeding Five pounds.

Liquor to be sold by Imperial measure.  
Q. 49 Vic. No. 18, s. 65, altered.

The provisions of this section shall not apply to liquors usually sold in reputed pint or quart bottles which are sold by a licensed person in such bottles.

60. Any person who sells gives or supplies or permits to be sold given or supplied—

Penalty for supplying liquor to certain persons.  
Q. 7b. s. 67, altered.

- (a) any liquor to any person in a state of intoxication or to any habitual drunkard; or
- (b) any liquor to any boy or girl apparently under the age of sixteen years; or
- (c) any liquor to any boy or girl apparently under the age of eighteen years for consumption on the premises; or
- (d) any liquor to any person who is insane or is reasonably suspected to be insane whether temporarily or permanently;

shall for the first of either of such offences be liable to a penalty of not exceeding Five pounds and for a second or subsequent offence of either kind to a penalty not exceeding Twenty pounds.

61. If any person licensed to sell liquor under this Ordinance or any Ordinance hereby repealed is convicted under the provisions of *The Arms Liquor and Opium Prohibition Ordinance, 1888*,<sup>(8)</sup> or any Ordinance amending the same of supplying any native as defined by such Ordinance by sale gift or in any other way either directly or indirectly with intoxicating liquor as defined by such Ordinance the tribunal or authority that convicts such person may in addition to any penalty which under such last-mentioned Ordinance it may impose upon such person cancel any licence that such person holds under this Ordinance.

If licensee convicted under Prohibition Ordinance of 1888, licence may be cancelled.  
Pap. No. 6 of 1891, s. 47, altered.  
Amended by No. 29 of 1911, s. 10.

(8) Repealed and replaced by the *Arms, Liquor and Opium Prohibition Ordinance, 1911-1935.*

LIQUOR—

Adulterated liquor not to be sold.

Pap. No. 6 of 1891, s. 45.

S.A. 970 of 1908, s. 128, altered.

62.—(1.) Every person who mixes or causes or permits to be mixed with any liquor sold or offered or exposed for sale by him any deleterious ingredient or who sells or offers or exposes or has for sale any adulterated liquor or liquor containing any ingredient deleterious to health or has on any premises where any liquor is sold or exposed for sale any substance matter or thing of a deleterious character which it may be reasonably inferred is kept for the purpose of adulterating or mixing with liquor shall be liable for the first offence to a penalty of not less than Twenty pounds nor more than Fifty pounds or to imprisonment for any term not exceeding three months with or without hard labour and for the second or any subsequent offence to a penalty of not less than Fifty pounds nor more than One hundred pounds or to imprisonment for any term not exceeding six months with or without hard labour and also to be declared disqualified perpetually from applying for or obtaining or holding a licence or renewal or transfer of a licence under this Ordinance.

(2.) No person shall be liable to a penalty under this section if he satisfies the justice that such liquor was when the alleged offence was committed in the same condition as it was when it came into his possession by a *bonâ fide* purchase and was not adulterated or mixed with any deleterious substance by him or any person acting under his authority or in his employ and that such substance matter or thing was not kept for adulterating or mixing with liquor.

Order forbidding supply of liquor to drunkards.

S.A. *Ib.* s. 56, altered.

S.A. *Ib.* s. 147, altered.

63.—(1.) Upon complaint in writing made to any justice of the peace that any person by the habitual or excessive use of liquor misspends wastes or lessens his means or injures or is likely to injure his health or endangers or interrupts the peace welfare or happiness of his family such justice shall issue his summons calling upon such person to appear at a time and place to be therein named and show cause why an order should not be made forbidding all persons to supply him with liquor.

(2.) At the time and place mentioned in such summons any resident or assistant resident magistrate or two justices of the peace may investigate the matters contained in such information and hear the evidence adduced in support thereof and also the evidence (if any) of the person informed against and of any witnesses called on his behalf and may adjourn such investigation from time to time and may upon proof to his or their satisfaction of the facts alleged in such information make an order forbidding all persons whomsoever to give or supply the person named in such order with liquor for the period of twelve months from the date thereof.

Tenth Schedule.

(3.) An order under this section shall be as nearly as may be in the form of the Tenth Schedule hereto and shall be in force throughout the Territory. A copy thereof may be served upon any

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person either personally or in any way in which a summons may be served under "The Justices Act, 1886"<sup>(9)</sup> (Queensland adopted).

(4.) After an order under this section has been issued any person who has been served with a copy of such order or who knows that such order has been issued that shall whilst such order is in force supply any liquor to or for the use of such person to whom the order relates shall be liable upon conviction to a penalty not exceeding Twenty pounds and in default of payment to be imprisoned for any period not exceeding two months.

(5.) If the person against whom an order is made under this section drinks liquor at any time during the period named in the order except under the advice of a medical man he shall be liable to imprisonment for any term not exceeding one month without hard labour.

64. If a licensee receives in payment or as a pledge for any liquor or entertainment supplied in or from his licensed premises or for the use of any billiard table bagatelle table or billiard-bagatelle table on his licensed premises anything except current money bank notes cheques on banks or money order or money orders or takes any such notes cheques or order at less than full nominal value thereof he shall forfeit and pay for every such offence a penalty not exceeding Twenty pounds.

Pledges  
forbidden.  
Pap. No. 6 of  
1891, s. 40,  
altered.

65. No licensed publican shall maintain in any court an action for the recovery of any debt or demand for any sum exceeding Forty shillings for any liquor sold or disposed of for consumption on his premises except to *bonâ fide* lodgers or travellers.

Limitation of  
claim for liquor  
sold.  
Q. 49 Vic.  
No. 18, s. 71.

66. Any licensed publican who refuses without lawful excuse to receive and accommodate a *bonâ fide* traveller unless the traveller is intoxicated or of known disreputable character shall be liable to a penalty not exceeding Five pounds.

Refusal to  
receive  
traveller.  
Q. 1b. s. 74,  
altered.

67.—(1.) Subject as hereinafter mentioned no licensed person shall keep his licensed premises open for the sale of liquor or shall sell or supply any liquor or shall permit any liquor to be consumed on his licensed premises—

Times premises  
may not be open  
or liquor sold.  
S.A. 970 of  
1908, s. 155,  
altered.  
Q. 1b. s. 75,  
altered.

(a) upon any Sunday or Good Friday;

(b) upon any Christmas Day after the hour of two o'clock in the afternoon;

(c) upon any other day except between the hours of six in the morning and eleven at night.

Provided that any licensed person may clear and close and lock his licensed premises at ten o'clock in the evening and keep them closed and locked until six o'clock in the morning.

(9) Repealed and replaced in the Territory of Papua by the *Justices Ordinance*, 1912-1940.

LIQUOR—

(2.) Every licensee who offends against any of the foregoing provisions of this section shall be liable to a penalty for the first offence of not more than Five pounds and for any subsequent offence of not more than Ten pounds.

(3.) Provided that nothing in this section shall relate to the sale or supply to or consumption of liquor by the licensee any member of his family living or staying on the premises any servant of the licensee living or staying on the premises any person disabled by accident or sickness any *bonâ fide* lodger or *bonâ fide* traveller (which persons are in this Ordinance called "excepted persons") if the liquor is not drunk in any bar-room on the licensed premises. The burden of proving any person to be an excepted person shall be upon the licensee.

Penalty for persons drinking or purchasing liquor during prohibited time.  
S.A. 970 of 1908, s. 164(1).

(4.) Any person other than an excepted person who purchases or obtains or attempts to purchase or obtain liquor or is found drinking liquor in any licensed premises during any day or time during which the sale of liquor is prohibited by law shall be liable to a penalty not exceeding Ten pounds.

Definition of traveller.  
Q. 49 Vic.  
No. 18, s. 76.

68.—(1.) For the purposes of this Ordinance a person shall not be deemed to be a *bonâ fide* traveller unless the place where he lodged during the preceding night is at least five miles distant from the place where he demands or attempts to be or is supplied with liquor.

(2.) If in the course of any proceedings against any holder of a licence for infringing the provisions of the last preceding section the defendant fails to prove that the person to whom the liquor was sold or supplied was a *bonâ fide* traveller but the justices are satisfied that the defendant honestly believed that such person was a *bonâ fide* traveller and further that the defendant took all reasonable precautions to ascertain whether or not he was such a traveller the justices shall dismiss the case as against the defendant.

(3.) If the justices think that the person to whom the liquor was so sold or supplied falsely represented himself to be a *bonâ fide* traveller they may direct proceedings to be taken against him under the next following section.

False representation as traveller.  
Q. Ib. s. 77.

69. Any person who falsely represents himself to be a traveller lodger or guest within the meaning of this Ordinance in order to obtain liquor at or on any licensed premises on any prohibited day or within any prohibited time shall be liable to a penalty not exceeding Five pounds.

Billiard-rooms when closed.  
Q. Ib. s. 79.

70. Every holder of a billiard-table licence who keeps his premises open between the hours of eleven at night and eight in

*Liquor Ordinance, 1911-1940.*

the forenoon or permits any games to be played therein within such hours or on Sunday Good Friday or Christmas Day shall be liable for each such offence to a penalty not exceeding Five pounds.

71. No licensed publican shall permit dancing or public singing on any part of his premises open to public resort or permit any part of such premises to be used for theatrical representations or public musical performances or as a place of common resort to which persons are admitted by ticket or special payment without first obtaining the permission in writing of a resident magistrate.

Dancing &c.  
prohibited  
without  
permission.  
Q. 49 Vic.  
No. 18, s. 80,  
altered.

Such permission may be revoked after it is granted by the same authority and shall in no case be granted for more than two days.

Any licensed publican offending against the provisions of this section shall be liable to a penalty not exceeding Ten pounds.

72.—(1.) No person licensed under this Ordinance or any Ordinance hereby repealed shall permit or suffer any person—

Gambling and  
disorderly  
persons.  
Q. 17. s. 81,  
altered.

(a) to play any unlawful game or sport; or

(b) to exercise expose open or show to be played thrown or drawn any lottery; or

(c) to play any game on a Sunday;

on his licensed premises or the appurtenances thereof.

(2.) No person licensed under this Ordinance or any Ordinance hereby repealed shall permit or suffer reputed prostitutes or thieves or drunken or disorderly persons to be in or upon such premises or appurtenances.

(3.) Any person who offends against any provision of this section shall be liable to a penalty for the first offence not exceeding Ten pounds and for a second offence of not less than Ten pounds nor more than Fifty pounds and for a third offence to a penalty of Fifty pounds and forfeiture of his licence.

73. Any person holding a licence under this Ordinance or any Ordinance hereby repealed who is found drunk in any part of his licensed premises or the appurtenances thereof to which the public have access shall be liable to a penalty of not exceeding Twenty pounds.

Penalty for  
licensees drunk  
on premises.  
S.A. 970 of  
1908, s. 118.

74. Any justice if any riot or tumult happens or is expected to take place may order or direct that any person licensed under this Ordinance and keeping any house where such riot or tumult happens or is expected to take place shall close his house for any time that the said justice so orders or directs; and any person who does not obey such order or direction shall be liable to a penalty of not exceeding Twenty pounds.

Closing houses  
against riots.  
S.A. 17. s. 129.

Certain persons may be excluded from premises.  
Q. 49 Vic.  
No. 18, s. 83.

75. Any person may refuse to admit into or may turn out of his licensed premises any person who is drunken violent quarrelsome indecent or disorderly or any person whose presence on his premises would subject him to a penalty under this Ordinance; and all police officers and constables are hereby required on the demand of such licensee to expel or assist in expelling every such person and may use such force as may be required in so doing.

Any such person refusing to quit such premises or resisting removal therefrom shall in addition to any penalty to which he may be liable for his conduct under this or any other Ordinance be further liable under this Ordinance to a penalty not exceeding Five pounds on account of such refusal or resistance.

Drunken and disorderly persons may be apprehended.  
Q. *Ib.* s. 84.  
Amended by  
No. 29 of 1911,  
s. 11.

76. Any European member of police may apprehend any person found drunk or creating a disturbance on the premises of any licensee under this Ordinance or any Ordinance hereby repealed or in any public place and may detain him until brought before a justice; and such person shall on conviction be liable to a penalty not exceeding Two pounds and in default be imprisoned for any period not exceeding one month.

Harbouring police.  
Q. *Ib.* s. 85,  
altered.

77. Any licensee who knowingly harbours any police constable or suffers any police constable to remain on his licensed premises during any part of the time appointed for such constable to be on duty unless in the execution of his duty or who supplies any liquor or refreshment whether by way of gift or sale to any constable on duty except when such constable is a *bonâ fide* traveller shall be liable to a penalty not exceeding Five pounds.

Sale of goods left by lodgers.  
Q. *Ib.* s. 94,  
altered.

78. If any lodger or guest after being provided with accommodation by a licensed publican leaves the premises of such licensed publican without paying the amount legally due for such accommodation and refreshment as have been provided for him and leaves on the premises any goods or property for a longer period than three months without paying to such licensed publican the amount so due such licensed publican may on application to the court with the sanction of the court and after publication of such notice or notices as the court may direct cause such goods or property to be removed and disposed of by public auction.

The proceeds of the sale of any such goods or property shall after deduction of the proper charges of the sale and of the maintenance of the goods or property be handed over to the clerk of the court authorizing the sale thereof and shall to the extent of the amount due to such licensed publican be paid to him. Any surplus shall be paid by the clerk to the Treasurer for the benefit of such lodger or guest and if not claimed by him within two years shall be placed to the credit of the revenue of the said Territory.

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**79.** No property of any traveller guest or inmate of any premises in respect of which a publican's licence has been granted under this Ordinance or of any person who has entrusted such traveller guest or inmate therewith and being in or on such premises or any part thereof shall be liable to be distrained or seized for or in respect of rent of such premises or in respect of any other claims whatsoever against the same premises or the owner thereof.

Guest's property not to be distrained for rent.  
Q. 49 Vic. No. 18, s. 95, altered.

If any such property is distrained or seized contrary to this Ordinance any resident magistrate or two justices may summarily inquire into the matter upon the complaint of any person suffering thereby and may order such property to be restored to its owner and may award payment of reasonable costs of the proceedings against the person so distraining or seizing.

**80.** Any inspector justice or any officer or European non-commissioned officer or member of police or European member of the constabulary may demand admittance into and may enter into any licensed premises or any part thereof at any time by day or night and if admittance is refused or delayed may break into such premises.

Entry upon licensed premises.  
Pap. No. 6 of 1891, s. 62, altered.

If any person refuses or wilfully delays admittance to or obstructs the entrance into any such place of a person authorized by this section to enter therein the person so offending shall be liable to a penalty of not exceeding Fifty pounds and in default of payment to be imprisoned for any term not exceeding six months.

**81.** Every licensee under this Ordinance shall on demand by an inspector justice or officer or European non-commissioned officer or member of police or constabulary at his licensed house produce his licence; and if such licensee refuses or neglects to do so on such demand he shall be liable to a penalty not exceeding Ten pounds unless some reasonable excuse is given by him to the satisfaction of the justice for non-production thereof.

Production of licence.  
Q. 1b, s. 99, altered.

**82.** If any licensed publican abandons his licensed premises or wilfully and persistently neglects to keep his licensed premises open for public convenience during lawful hours he shall be liable upon conviction in a summary way to have his licence forfeited.

Abandonment of premises to forfeit licence.  
Q. 1b, s. 101.

**83.** If any licensed storekeeper abandons his licensed premises or wilfully and persistently neglects to keep his licensed premises open for the sale of liquor as allowed by his licence during ordinary business hours or to keep liquor for sale on his licensed premises he shall be liable upon conviction in a summary way to have his licence forfeited.

Abandonment of storekeeper's premises &c.

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Authority to  
wife on  
conviction of  
a licensee.  
Q. 49 Vic.  
No. 18, s. 102.

84. If any licensee is convicted of any criminal offence a resident magistrate may grant authority to his wife or some member of his family to carry on the business under the licence until the expiration of the licence or for any shorter period.

Forfeiture for  
offences against  
Ordinance.  
Q. *Ib.* s. 103.  
S.A. 970 of  
1908, s. 70,  
altered.

85. If within a period of twelve months a licensee is convicted of three offences against any of the provisions of this Ordinance or any of the Ordinances hereby repealed it shall be in the discretion of the justices before whom the third conviction is had to order and adjudge that his licence shall be forfeited and such licence shall thereupon cease to be of any force or effect and the person whose licence is so forfeited shall thereupon be disqualified for a term of three years from holding any licence under this Ordinance. Such order may be in the form of the Eleventh Schedule to this Ordinance.

Eleventh  
Schedule.

Storekeeper  
selling liquor  
otherwise than  
as authorized.  
S.A. *Ib.* s. 132,  
altered.  
Amended by  
No. 29 of 1911,  
s. 12.

86. If any person holding a licence under this Ordinance sells or disposes of any liquor except according to the tenor of and as authorized by his licence he shall for each offence be liable to a penalty of not exceeding Fifty pounds.

Penalty for  
selling liquor  
without a licence.  
Pap. No. 6 of  
1891, s. 50.  
S.A. *Ib.* s. 134,  
altered.

87. If any unlicensed person except as allowed by this Ordinance directly or indirectly sells or permits to be sold any liquor he shall for every such offence be liable to a penalty of not less than Ten pounds nor more than Fifty pounds or to be imprisoned for any period not exceeding six months.

Penalty for  
opening or  
drinking liquor  
in store.  
S.A. *Ib.* s. 131.

88. If any person who has purchased any liquor from any person holding a storekeeper's licence drinks such liquor or opens any bottle or other vessel containing such liquor in or about the house or the premises described in the licence granted to such holder he shall be liable to a penalty of not less than One pound or more than Ten pounds.

Penalty for  
evasion of  
provisions  
disallowing  
consumption on  
premises.  
S.A. *Ib.* s. 130,  
altered.

89. If any person holding a storekeeper's licence with intent to evade the provisions of this Ordinance takes or causes or authorizes empowers permits or suffers any person to take or carry any liquor out of or from the premises of such licensed person for the purpose of being sold on his account or for his benefit or of being drunk or consumed in any other premises whatever belonging to or hired used or occupied by such licensed person such liquor shall be deemed and taken to have been drunk or consumed upon the licensed premises of such licensed person and he shall for every such offence be liable to a penalty of not less than Five pounds nor more than Thirty pounds.

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90. Upon information in writing and on oath being made before any justice by any inspector constable or credible person that he suspects or has reason to believe that any liquor is sold or kept for sale in any unlicensed house or place described in the information by some person not licensed to sell the same it shall be lawful for such or any other justice in his discretion to grant his warrant to any police constable or any other person to be named by such justice therein to enter and search such house or place by day or by night and the said police constable or person may break upon<sup>(13)</sup> the doors thereof if not opened within a reasonable time after demand and may seize all such liquor as he may find there and the vessel or vessels containing the same and detain and remove what is so seized until the owner thereof appears before a resident magistrate or two justices to claim such liquor and satisfies such magistrate or justices how or for what purpose he became possessed of the same; and if the owner does not appear before such magistrate or justices within seven days after the seizure of such liquor or if he does so appear and it appears to the magistrate or justices after examination that such liquor was in the said house or place for the purpose of being illegally disposed of then such magistrate or justices shall adjudge the same and the vessels containing the same to be confiscated and the same shall be forthwith sold and after payment of the expenses of such sale the proceeds thereof shall be paid to the Treasurer and by him to the credit of the revenue of the Territory; otherwise the property so seized shall be restored to the owner thereof.

Unlicensed house or place may be searched.

Q. 49 Vic. No. 18, s. 111.

S.A. 970 of 1908, s. 176.

Pap. No. 6 of 1891, s. 51, altered.

Amended by No. 29 of 1911, s. 13.

91. It shall not be lawful for any person to bring on board any of His Majesty's ships or vessels any liquor without the previous consent of the officer commanding such ship or vessel; and it shall be lawful for any officer in His Majesty's Service or warrant or petty officer of the Navy or non-commissioned officer of Marines with or without seamen or persons under his command to search any vessel hovering about or approaching or which has hovered about or approached any of His Majesty's ships or vessels and if any liquor is found on board such boat or vessel to seize such liquor and the same shall be forfeited to His Majesty.

Liquor not to be brought on to His Majesty's ships without commander's consent.

Pap. 1b. s. 49, altered.

Any person who brings any liquor on board any of His Majesty's ships or vessels without such previous consent or approaches or hovers about any of His Majesty's ships or vessels for the purpose of bringing any liquor on board the same without such previous consent or for the purpose of selling or giving without such previous consent liquor to men in His Majesty's Service shall be liable to a penalty of not exceeding Ten pounds for every such offence.

(13) The words "break upon" appeared in the original Ordinance. The word "upon" has now been omitted and the word "open" inserted in its stead by the Second Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea.

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It shall be lawful for every officer in His Majesty's Service or any such warrant or petty or non-commissioned officer as aforesaid or for any European officer or constable of police with or without any warrant or other process to apprehend or cause to be apprehended any such offender or person so acting and to bring him or cause him to be brought before a resident magistrate or two justices for the purpose of having him summarily tried for the same.

Liquid presumed  
to be liquor.  
S.A. 970 of  
1908, s. 167.

92. In any proceedings for an offence against any of the provisions of this Ordinance—

- (a) any liquid shall until the contrary is proved be deemed to be liquor; and
- (b) every separate sale or supplying shall be deemed a separate offence.

Appointment  
of inspectors.  
S.A. *Ib.* s. 169.

93. The Lieutenant-Governor in Council<sup>(2)</sup> may from time to time appoint one or more inspector or inspectors of licensed premises for any licensing district under this Ordinance.

Duties of  
inspectors.  
S.A. *Ib.* s. 170.

94. It shall be the duty of every such inspector to ascertain by personal inspection the mode in which the licensed premises situated within the licensing district to which he is appointed are conducted and managed and the state condition nature and extent of accommodation of such premises and to keep a record of all convictions against all licensees of such premises and also to see that the provisions of this Ordinance are duly observed and also to attend the meetings of the court of such district and to report upon all the licensed premises situated therein with regard to the conduct and management of the same and of the business carried on therein and to the accommodation thereof; and such inspector may upon giving the notice hereinbefore provided for object to any application for the granting of new licences or the renewal removal or transfer of licences.

Powers of  
inspectors to  
search and  
seize suspected  
liquor.  
S.A. *Ib.* s. 171.

95. Every inspector may at any time—

- (1) enter the premises of or any premises occupied or used by any person (in this section referred to as the vendor) selling or keeping or offering or exposing for sale any liquor;
- (2) search such premises for the purpose of ascertaining whether the vendor has in or upon the premises any substance matter or thing of a deleterious character which it may reasonably be inferred is kept for the purpose of adulterating or mixing with the liquor sold or kept or offered or exposed for sale or has for sale

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

*Liquor Ordinance, 1911-1940.*

any adulterated liquor containing any deleterious ingredient;

- (3) seize and take away any liquor whatsoever which he has reasonable grounds for believing to be adulterated or to contain any deleterious ingredient or to be unfit for human beings to drink and also any substance matter or thing which he has reasonable grounds for believing to be of a deleterious character and which he discovers on the premises of the vendor;
- (4) enter on such premises or elsewhere and submit any liquor substance matter or thing, seized or any sample thereof to any test or analysis which he considers necessary for determining whether such liquor is adulterated or contains any deleterious ingredient or is fit for human beings to drink or whether such substance matter or thing is of a deleterious character;

and every person upon whose premises or upon the premises occupied and used by whom any adulterated liquid or liquor containing any injurious ingredient or unfit for human beings to drink or any substance matter or thing of a deleterious character which it may reasonably be inferred is kept for adulterating or mixing with the liquor sold or kept or offered or exposed for sale is found (of all of which matters the fact of such liquor substance matter or thing being found in such premises shall be *primâ facie* evidence) shall be liable to the like penalties imprisonment and disqualification as are hereinbefore provided for under Section 62 of this Ordinance and all liquor of the like kind to that seized and all substances matters and things of a deleterious character found upon the premises shall be confiscated upon the order of the convicting magistrate or justices.

Provided always that—

- (a) no inspector shall enter any private room in the actual use and occupation of a *bonâ fide* lodger or of any licensee unless he has first given notice of his intention to such lodger or licensee or in case of the absence of either of them to the person appearing to have charge of the licensed premises or unless he has the assent of such lodger licensee or person appearing to be in charge as aforesaid;
- (b) the inspector shall if requested by the vendor at the time of seizure in his presence set aside in a separate vessel or vessels for analysis a sample of the liquor substance matter or thing seized and shall annex to every such vessel the name and address of the vendor and shall with such seal or seals (if any) as the vendor

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furnishes secure such vessel name and address in such manner that the vessel cannot be opened or the name and address taken off without breaking such seal or seals and shall also if thereunto required leave with the vendor a vessel containing a corresponding sample and the name and address of the vendor secured thereto by the inspector with his own seal in manner aforesaid;

- (c) no evidence of the analysis of the sample so sealed shall be receivable upon the hearing of any information or complaint under this section unless previous to the opening of the vessel containing such sample reasonable notice has been given by the inspector to the vendor or by the vendor to the inspector (as the case may require) of the time and place at which it is intended to open such sample for analysis in order that the vendor or inspector may if he thinks fit attend and inspect the condition of the seals attached to such vessel.

Licensed premises to be kept in repair and clean.  
S.A. 970 of 1908, s. 172.

96.—(1.) The holder of a publican's licence shall at all times keep the licensed premises in good repair and sufficiently well furnished for the accommodation of travellers and other persons using the same and every part thereof and the appurtenances thoroughly clean and disinfected.

Notice by inspector.

(2.) Upon failing to put the premises into such repair or to have them so furnished as aforesaid or have the same or any part thereof and the appurtenances so cleansed and disinfected as aforesaid within such time as mentioned in any notice in that behalf delivered to him by any inspector the holder of such licence shall be liable to a penalty of not exceeding Ten pounds.

(3.) The resident magistrate or justices before whom such holder is convicted under this section or the licensing court for the district after such conviction may direct the licensed premises to be closed until such notice is complied with; and thereafter until such inspector has signified by notice in writing to such holder that he is satisfied with the state of the premises or until the magistrate or justices who made such direction or the licensing court directs that the said premises may be reopened the said premises shall for all purposes under this Ordinance be regarded as unlicensed and such holder or any other person not licensed in respect thereof.

Penalty on obstructing inspectors.  
S.A. 17.  
s. 173.

97. Any person who refuses to permit any inspector to make any search or who hinders or delays any such search or who obstructs or hinders any inspector in the performance of any of his duties under this Ordinance or in the execution of any of the

powers by this Ordinance vested in or conferred on him shall for every such offence be liable to a penalty of not exceeding Fifty pounds or to be imprisoned for any period not exceeding three months.

98. Any inspector without further or other authority than this Ordinance may execute the duties of his office in any and every licensing district of the Territory; and it shall not be necessary for any inspector in any proceedings to prove his appointment as such inspector.

Authority of inspectors and proof of appointment. S.A. 970 of 1908, s. 174.

PART VI.—REDUCTION OF NUMBER OF LICENCES.

99.—(1.) The Lieutenant-Governor in Council<sup>(2)</sup> may order a poll to be taken in the whole Territory or in any Division of the Territory for the purpose of obtaining the vote of the people on the question whether the number of licences for the sale of liquor shall be reduced by any and what number.

Lieutenant-Governor may order a poll on question of reduction of number of licences.

(2.) A poll shall not be taken more often than once in any year.

100.—(1.) Subject to the last preceding section one-fourth of the people of the Territory or of any Division thereof may by a petition to the Lieutenant-Governor<sup>(2)</sup> signed by them request that a poll be taken in the Territory or in any Division thereof as the case may be for the purpose of obtaining the vote of the people on the question whether the number of licences for the sale of liquor shall be reduced by any and what number.

Petition may be presented requesting poll.

(2.) For the purposes of this Part of this Ordinance the adult inhabitants of European descent of both sexes shall be deemed to be the people of the Territory or Division as the case may be.

101. As soon as conveniently may be after the making of the order or receipt of the petition referred to in the two last preceding sections respectively the Lieutenant-Governor<sup>(2)</sup> shall cause voting-papers to be distributed among the people of each Division comprised or referred to in such order or petition.

Vote for reduction of licences. Pap. No. 6 of 1906, s. 3.

The voting-papers shall be in such form as may be prescribed by regulation and shall be such as to enable the voter to state whether he is in favour of a reduction of the number of licences in the Division and if he is in favour of a reduction how many licences he thinks there ought to be.

The voting-paper shall state the number of licences in force in the Division.

(2) See Section 19(2) of the Ordinance Interpretation Ordinance, 1911-1940.

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Count of vote.  
Pap. No. 6 of  
1906, s. 4.

102. The voting-papers shall be returned to the resident magistrate of the Division by a date to be specified by the Lieutenant-Governor<sup>(2)</sup> in the *Gazette*.

The votes in each Division shall then be counted by such officers as the Lieutenant-Governor<sup>(2)</sup> may direct and the details of the result as regards each Division shall be published in the *Gazette*.

How effect is  
to be given to  
the vote.  
Pap. *Ib.* s. 5.

103. If in a Division there is not a majority in favour of reduction the number of licences shall in that Division remain as before.

If the majority is in favour of reduction the officer counting the votes shall proceed to ascertain what number appears most frequently on the voting-papers of those who voted for a reduction and the number of licences shall be reduced to that number. If two or more numbers appear an equal number of times the largest number shall be taken.

How reduction  
is to be carried  
out.  
Pap. *Ib.* s. 6.

104. The reduction shall be effected within one year of the publication in the *Gazette* of the result of the voting and shall be carried out by refusal at the discretion of the licensing court at the renewal of licences.

Regulations.  
Pap. *Ib.* s. 7,  
altered.

105. All details not dealt with in this Part of this Ordinance regarding the times and manner of taking the poll and the manner of giving effect to the decision arrived at by the poll may be provided for by Regulations under this Ordinance.

### PART VII.—LEGAL PROCEEDINGS EVIDENCE REGULATIONS AND FORMS.

Payment  
ordered by  
court how  
enforced.  
S.A. 970 of  
1908, s. 208,  
altered.

106. The payment of any money ordered by a licensing court to be paid under the authority of this Ordinance may be enforced upon the order of the court in like manner as an order of a justice made under the provision of "*The Justices Act of 1886*"<sup>(9)</sup> (Queensland adopted) or any Ordinance amending the same or any other Ordinance for the time being in force in that behalf; or at the discretion of the court by the committal of the offender to prison for a period not exceeding three calendar months unless payment thereof be sooner made.

Form of order.  
S.A. *Ib.* s. 209.  
Twelfth  
Schedule.

107. In all cases where costs or any other moneys are ordered to be paid by any licensing court the form of order may be in the form in the Twelfth Schedule hereto or to the like effect.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(9) Repealed and replaced in the Territory of Papua by the *Justices Ordinance*, 1912-1940.

108.—(1.) Whenever any licensed person is charged with any offence under this Ordinance he shall produce his licence; and if such licensed person is convicted of any offence on such hearing the magistrate or justices shall endorse a memorandum of such conviction on such licence.

Licence to be produced on hearing of charges.  
S.A. 970 of 1908, s. 212.

(2.) Any licensed person who upon the hearing of such charge refuses or neglects to produce his licence shall be liable to a penalty not exceeding Twenty pounds.

109. Every proceeding under this Ordinance or the Regulations thereunder for omissions defaults neglects acts or offences to which forfeitures fines imprisonments or other penalties attach shall except where otherwise provided be commenced prosecuted and heard and determined in a summary way under the provisions of "The Justices Act of 1886"<sup>(9)</sup> (Queensland adopted) or any Ordinance in force for the time being relating to duties of justices of the peace with respect to summary convictions and orders; and all convictions and orders may be enforced as in the said Act or Ordinances is or may be provided and in every case of the adjudication of a pecuniary penalty under this Ordinance and the non-payment thereof together with costs if costs have been awarded it shall be lawful for the convicting magistrate or justices in the absence of any other provision to commit the offender to prison for a term not exceeding three calendar months with or without hard labour such imprisonment to cease on the payment of the sum due.

Proceedings for offences to be had under "The Justices Act of 1886."

110.—(1.) All informations and complaints under this Ordinance against any licensed person for any offence shall be laid and the summons thereon shall be served within two months after the commission of the offence alleged in such information or complaint.

When informations to be laid.  
S.A. *Ib.* s. 215, altered.

(2.) All such informations against any unlicensed person shall be laid against and the summons thereon shall be served upon such person within six months after the commission of such offence.

111. In all proceedings against any person for selling or permitting to be sold any liquor without a licence such person shall for all purposes connected with those proceedings be deemed unlicensed unless he at the hearing of the case produces his licence or furnishes other satisfactory proof of his being licensed.

In proceedings for selling illegally defendant deemed unlicensed till contrary proved.  
S.A. *Ib.* s. 219.

112. Any person alleged in any information or complaint under this Ordinance to be a licensed person shall for all purposes connected with and in all proceedings under and upon such information or complaint be deemed to be a licensed person and to be

In proceedings persons alleged to be licensed deemed to be so till contrary proved.  
S.A. *Ib.* s. 220.

(9) Repealed and replaced in the Territory of Papua by the *Justices Ordinance*, 1912-1940.

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licensed in respect of the premises (if any) in respect of which he is in such information or complaint alleged to be licensed unless he at the hearing of such information or complaint satisfies the magistrate or justices to the contrary.

Appropriation  
of penalties &c.

113. All moneys received for licences certificates fees or penalties under or by virtue of this Ordinance shall be paid to the Treasurer and placed to the credit of the revenue of the said Territory.

Appeals.

114. Subject as in this Ordinance expressly provided there shall be an appeal from any resident magistrate or justices against any conviction for any offence against this Ordinance or any order declaring the forfeiture of any licence or any order dismissing any information or complaint or any order of forfeiture or confiscation or any order for payment of costs or other order which appeal shall be to the Central Court.<sup>(2)</sup>

Protection to  
officers.  
S.A. 970 of  
1908, s. 230.

115. All actions prosecutions and other proceedings against any person for anything done in pursuance of this Ordinance shall be commenced within three months after the act complained of was committed and not otherwise; and notice in writing of such action prosecution or other proceeding and the cause thereof shall be given to the defendant or person prosecuted or proceeded against one calendar month at least before the commencement of the action prosecution or proceeding; and the defendant or person so prosecuted or proceeded against may plead the general issue and give this Ordinance and the special matter in evidence at any trial; and the plaintiff shall not recover in such action if tender of sufficient amends is made before action brought or if after action brought the defendant pays into court sufficient amends; but in such last-mentioned case the plaintiff shall if the court so order recover his costs of suit up to the time of payment into court; and if a verdict passes for the defendant or the plaintiff becomes nonsuit or discontinues the defendant shall recover full costs as between attorney and client and have his remedy for the same in the usual way.

### PART VIII.—REGULATIONS AND FORMS.

Regulations.  
S.A. *Id.* s. 231.

116.—(1.) The Lieutenant-Governor in Council<sup>(2)</sup> may from time to time make Regulations<sup>(14)</sup> not inconsistent with this Ordinance prescribing all matters which by this Ordinance are permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to this Ordinance and for providing for all details not dealt with therein.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(14) No regulations have been made.

Liquor Ordinance, 1911-1940.

(2.) It shall be lawful in such Regulations or any of them to provide for the due enforcement of such Regulations or of any of them under a penalty not to exceed in any case the sum of Twenty pounds.

(3.) In any proceedings in any court or before any licensing court magistrate justices or justice or any tribunal or person the production of the *Gazette* containing any Regulations purporting to be made under the provisions of this Ordinance shall be *prima facie* evidence that the same as therein printed have been duly made and published under this Ordinance and are in force.

117.—(1.) It shall be sufficient in all cases to use such of the forms provided in the Schedules to this Ordinance or by Regulation as in this section mentioned as are applicable. Forms.

(2.) Any form may be varied to suit the circumstances of the case and no variation in any form used shall invalidate such form provided that the substance and effect thereof is not altered.

(3.) By Regulations under this Ordinance any forms provided in such Schedules may be altered and new forms may be provided in substitution for or in addition to or for other purposes than those for which any of the forms provided in such Schedule are provided.

FIRST SCHEDULE.

(Form 1.)

Form 1.

PUBLICAN'S LICENCE.

Sections 13, 54.

(*Liquor Ordinance, 1911.*)

I the Resident Magistrate of the Licensing Court of the Licensing District in the Territory of Papua do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, a publican's licence was granted by the said Licensing Court at the meeting held at \_\_\_\_\_ to \_\_\_\_\_ of \_\_\_\_\_ and that the said \_\_\_\_\_ is hereby licensed to sell liquor in any quantity in the house called or known as \_\_\_\_\_ situated [or which he intends to erect] at \_\_\_\_\_ in the said Territory and the appurtenances to the said house belonging but not elsewhere. This licence shall commence upon the day of the issue hereof by the Treasurer and continue in force until the thirty-first day of March in the year next ensuing\* inclusive provided it be not forfeited or affected by the provisions for the reduction of licences in the meantime.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Resident Magistrate of the said Licensing Court.

Issued the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Treasurer.

\* In case of a first renewal under this Ordinance of a licence existing at the time this Ordinance was passed strike out the words "next ensuing" and insert the number of the year of the 31st March next following the date of the termination of such existing licence. (*Vide* Section 25.)

## LIQUOR—

Form 2.  
Section 13.  
Amended by  
No. 29 of 1911,  
s. 14.

(Form 2.)

### STOREKEEPER'S LICENCE. (Liquor Ordinance, 1911.)

I the Resident Magistrate of the Licensing Court of the Licensing District in the Territory of Papua do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, a storekeeper's licence was granted by the said Licensing Court at the meeting held at \_\_\_\_\_ to \_\_\_\_\_ of \_\_\_\_\_ and that the said \_\_\_\_\_ is hereby licensed to sell and dispose of liquor in the shop store or room of the said \_\_\_\_\_ situated at \_\_\_\_\_ in quantities of not less than one reputed quart bottle of spirits or wine or one dozen reputed quart bottles or two dozen reputed pint bottles of other fermented liquor to be taken away at one time by one person and so that no portion of such liquor shall be drunk in or about the house or on the premises above described. This licence shall commence on the day of the issue hereof by the Treasurer and continue in force until the thirty-first day of March in the year now next ensuing\* inclusive provided it be not forfeited or affected by the provisions for the reduction of licences in the meantime.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Resident Magistrate of the said Licensing Court.  
Issued the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Treasurer.

\* In case of a first renewal under this Ordinance of a licence existing at the time this Ordinance was passed strike out the words "next ensuing" and insert the number of the year of the 31st March next following the date of the termination of such existing licence. (Vide Section 25.)

Form 3.  
Section 13.

(Form 3.)

### BILLIARD-TABLE LICENCE. (Liquor Ordinance, 1911.)

I the Resident Magistrate of the Licensing Court of the Licensing District in the Territory of Papua do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, a billiard-table licence was granted by the said Licensing Court at the meeting held at \_\_\_\_\_ to \_\_\_\_\_ of \_\_\_\_\_ and that the said \_\_\_\_\_ is hereby licensed to keep set up and maintain billiard bagatelle and billiard-bagatelle tables or any of them on \_\_\_\_\_ but not elsewhere. This licence shall commence upon the day of the issue hereof by the Treasurer and continue in force until the thirty-first day of March in the year now next ensuing inclusive provided it be not forfeited in the meantime.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Resident Magistrate of the said Licensing Court.  
Issued the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Treasurer.

## SECOND SCHEDULE.

Section 23.

### NOTICE OF APPLICATION FOR A PUBLICAN'S LICENCE. (Liquor Ordinance, 1911.)

To the Licensing Court of the Central Licensing District Territory of Papua.  
I \_\_\_\_\_ of \_\_\_\_\_ hereby give notice that it is my intention to apply at the next meeting of the above-named Licensing Court to be held at Port Moresby for a publican's licence to sell liquor in any quantity

*Liquor Ordinance, 1911-1940.*

in the house and premises situate [or which I intend to erect] in \_\_\_\_\_ at  
and which I intend to keep as an inn or public-house to be  
called the \_\_\_\_\_  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Applicant.

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NOTICE OF APPLICATION FOR A STOREKEEPER'S LICENCE.

(*Liquor Ordinance, 1911.*)

To the Licensing Court of the Central Licensing District Territory of Papua.  
I \_\_\_\_\_ of \_\_\_\_\_ hereby give notice that it is my  
intention to apply at the next meeting of the above-named court to be held at  
Port Moresby for a storekeeper's licence to sell liquor in the house and premises  
situate at \_\_\_\_\_ and which I intend to keep as a store.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Applicant.

---

NOTICE OF APPLICATION FOR A BILLIARD-TABLE LICENCE.

(*Liquor Ordinance, 1911.*)

To the Licensing Court of the \_\_\_\_\_ Licensing District Territory of Papua.  
I \_\_\_\_\_ of \_\_\_\_\_ hereby give notice that it is my  
intention to apply at the next meeting of the above-named Licensing Court to  
be held at \_\_\_\_\_ for a billiard-table licence for premises situate  
at \_\_\_\_\_  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Applicant.

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THIRD SCHEDULE.

NOTICE OF APPLICATION FOR A RENEWAL OF LICENCE.

Sections 25,  
26, 27, 28.

(*Liquor Ordinance, 1911.*)

To the Licensing Court of the \_\_\_\_\_ Licensing District Territory of Papua.  
I \_\_\_\_\_ being the holder of a \_\_\_\_\_ licence for  
the premises \_\_\_\_\_ and situate at \_\_\_\_\_ hereby give  
notice that it is my intention to apply at the next meeting of the above-named  
Licensing Court to be held at \_\_\_\_\_ for a renewal of the said  
licence as a \_\_\_\_\_ licence.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Applicant.

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FOURTH SCHEDULE.

(Form 1.)

NOTICE OF INTENTION TO APPLY FOR TRANSFER OF A LICENCE.

Section 29.

(*Liquor Ordinance, 1911.*)

To the Licensing Court for the \_\_\_\_\_ Licensing District Territory of Papua.  
I \_\_\_\_\_ being the holder of a \_\_\_\_\_ licence for the  
house and premises known as [or the shop store or rooms as the case may be]  
situate at \_\_\_\_\_ hereby give notice that it is my intention to apply  
to the said Licensing Court at the quarterly meeting to be held at \_\_\_\_\_

LIQUOR—

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to have the licence for the said premises transferred to \_\_\_\_\_ of \_\_\_\_\_.

And I the said \_\_\_\_\_ hereby give notice that it is my intention to apply at the same time that the said \_\_\_\_\_ licence may be transferred to me.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
A. B. Transferor.  
C. D. Transferee.

(Form 2.)

ENDORSEMENT OF TRANSFER OF LICENCE.

(Liquor Ordinance, 1911.)

I \_\_\_\_\_ the Resident Magistrate of the Licensing Court for the \_\_\_\_\_ Licensing District sitting at the quarterly meeting of the said Licensing Court at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, do hereby certify that upon the application of \_\_\_\_\_ the said court has transferred the rights and privileges of the licence granted to the said \_\_\_\_\_ in respect of the premises known as \_\_\_\_\_ and situate at \_\_\_\_\_ to \_\_\_\_\_ for the residue of the term which the same has now to run.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Resident Magistrate of the said Licensing Court.

FIFTH SCHEDULE.

(Form 1.)

Section 30.

NOTICE OF APPLICATION FOR REMOVAL OF LICENCE.

(Liquor Ordinance, 1911.)

To the Licensing Court of the \_\_\_\_\_ Licensing District Territory of Papua.

I \_\_\_\_\_ the holder of a \_\_\_\_\_ licence for the houses and premises [or shop store or rooms as the case may be] situated \_\_\_\_\_ do hereby give notice that it is my intention to apply to the Licensing Court for the \_\_\_\_\_ Licensing District sitting at the quarterly meeting to be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to remove the licence to [describe the premises to which it is proposed to remove the business].

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Form 2.)

Section 30 (3).

AUTHORITY FOR REMOVAL TO OTHER PREMISES.

(Liquor Ordinance, 1911.)

I \_\_\_\_\_ the Resident Magistrate of the Licensing Court for the \_\_\_\_\_ Licensing District sitting at the quarterly meeting thereof held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, do hereby declare that the \_\_\_\_\_ licence granted to \_\_\_\_\_ in respect of the licensed premises situated at \_\_\_\_\_ and known as \_\_\_\_\_ shall henceforth cease to apply to the house and premises therein described and shall henceforth apply to the house and premises known as \_\_\_\_\_ and situate at \_\_\_\_\_

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Resident Magistrate of the said Licensing Court.

Liquor Ordinance, 1911-1940.

SIXTH SCHEDULE.

CERTIFICATE FOR TEMPORARY REMOVAL OF LICENCE.

Section 31.

(Liquor Ordinance, 1911.)

I the Resident Magistrate constituting the Licensing Court of the Licensing District hereby certify that it having been proved to me that the house and premises known as situated at and for which a licence dated the day of , 19 , was held by have been destroyed by fire [or as the case may be] I have authorized the said to sell liquor under the said licence at the house and premises to be known as and situated at for a term not exceeding month from the date hereto.

Given under my hand this day of , 19 .  
Resident Magistrate of the said Licensing Court.

SEVENTH SCHEDULE.

APPOINTMENT OF A MANAGER TO REPRESENT LICENSEE.

Section 33.

(Liquor Ordinance, 1911.)

I being the holder of a licence to in respect of premises known as and situated at hereby appoint of my manager to represent me as licensee under the said licence.  
Dated this day of , 19 .

I accept the position of manager.  
Dated this day of , 19 .  
Licensee.  
Manager.

EIGHTH SCHEDULE.

TRANSMISSION OF LICENCE.

Sections 43, 44.

(Liquor Ordinance, 1911.)

I the Resident Magistrate of the Licensing Court for the Licensing District in the Territory of Papua do hereby certify that I have considered the application of of the executor [or administrator next-of-kin Curator of Intestate Estates trustee wife Curator in Insanity as the case may be] to carry on [or by his agent to carry on] the business lately conducted by under a licence for the premises known as and situate at

And I am satisfied that the said the applicant [or the said agent] is a desirable person to carry on the business of a ; and I hereby authorize the said to carry on the business of the said until the expiration of the term for which the said licence was granted [or as the case may be].

Given under my hand this day of , 19 .  
Resident Magistrate of the said Licensing Court.

NINTH SCHEDULE.

CERTIFICATE IN LIEU OF LOST LICENCE.

Section 46.

(Liquor Ordinance, 1911.)

I being the Resident Magistrate of the Licensing Court of the Licensing District hereby certify that to whom a licence was granted on the day of , 19 , at the meeting of the said Licensing Court held

## LIQUOR—

at \_\_\_\_\_ for premises situated at \_\_\_\_\_ has shown to me  
that he has accidentally lost the said licence [or that the said licence has been  
accidentally destroyed *as the case may be*].

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_  
Resident Magistrate of the said Licensing Court.

### TENTH SCHEDULE.

Section 63.

#### PROHIBITION ORDER.

(*Liquor Ordinance, 1911.*)

Under the powers conferred upon me [or us] by the *Liquor Ordinance, 1911*, I [or we] order that no liquor as defined by the said Ordinance shall at any time before the expiration of the \_\_\_\_\_ day of \_\_\_\_\_ One thousand nine hundred and \_\_\_\_\_ be given or supplied to for or on account of \_\_\_\_\_ of \_\_\_\_\_ [occupation].

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_

### ELEVENTH SCHEDULE.

Section 85.

#### ORDER FORFEITING LICENCE.

(*Liquor Ordinance, 1911.*)

Territory of Papua }  
to wit. }

Be it remembered that \_\_\_\_\_ of \_\_\_\_\_ being the holder of a \_\_\_\_\_ licence is this day convicted before me [or us] the undersigned a resident magistrate [or assistant resident magistrate or two of His Majesty's justices of the peace] in and for the said Territory for that the said \_\_\_\_\_ [here set out the offence of which he is convicted and if the offence is not one to which forfeiture is specially attached add] and it having been proved to me [or us] that the said \_\_\_\_\_ has been twice before within a period of twelve months convicted of offences against the *Liquor Ordinance, 1911*: Now I [or we] do hereby order and adjudge that the said licence of the said \_\_\_\_\_ shall be and the same is hereby forfeited.

R.M. or A.R.M.

or

J.P.

J.P.

### TWELFTH SCHEDULE.

Section 107.

#### ORDER FOR PAYMENT OF MONEY BY LICENSING COURT.

(*Liquor Ordinance, 1911.*)

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_ in the year of Our Lord One thousand nine hundred and \_\_\_\_\_ of \_\_\_\_\_ is ordered by the Licensing Court of the \_\_\_\_\_ Licensing District under the *Liquor Ordinance, 1911*, to pay to \_\_\_\_\_ the sum of \_\_\_\_\_ for his cost of \_\_\_\_\_ [as the case may be] or to be committed to the \_\_\_\_\_ gaol for the space of \_\_\_\_\_

Resident Magistrate of the said Licensing Court.

### THIRTEENTH SCHEDULE.

(*Liquor Ordinance, 1911-1940.*)

#### USUAL MEAL HOURS.

Breakfast	..	..	..	7.30 a.m. to 9 a.m.
Lunch	..	..	..	1 p.m. to 2 p.m.
Dinner	..	..	..	6.30 p.m. to 8 p.m.

Section 55C.

Added by  
No. 10 of 1940,  
s. 6.