

The New Liquor Act - 1913

LAW NOW IN OPERATION

THE new liquor law came into operation on 1st April. The following are the clauses dealing with the restrictions on the sale of liquor so far as hotels are concerned:-

Drink must not be supplied to any intoxicated person or to an habitual drunkard or to anyone apparently under 21 years of age; or to an insane person.

No female is allowed to be supplied with liquor in a bar, or in any drinking room adjoining a bar.

Penalties for each of the above offences are from £10 to £20 for the first offence, and from £10 to £50 for the second offence. For a third offence the license may be forfeited.

A person who falsely represents himself to be 21 years of age and obtains drink is liable to a fine of £10.

A policeman who thinks that a person who is having a drink is under 21 years of age may examine the bottle and seize the liquor, which will be forfeited if the case is proved. A person who sends or allows anyone under 21 to go for liquor is liable to a £10 fine.

Kanakas and aboriginals are not to be supplied with drink except as medicine. The hotelkeeper must prove that it was supplied as medicine if he supplies drink to such persons.

Convictions under the previous four paragraphs are to be recorded and endorsed on the licenses.

Anyone other than the licensee who in an hotel serves or shouts for a person under 21 a prohibited person or a female in a bar, or any drinking room adjoining a bar is also liable to a £10 fine as is also anyone serving, shouting for or giving a drink to another in an hotel during prohibited hours.

The licensee must remove anyone under 21 from the bar or a drunken man, or a habitual drunkard, or a female, who is in the bar or any drinking room adjoining. Penalty £5.

A licensee must not keep two bars or two places where liquor is sold over the counter, nor more than one such bar or place unless he has a license to do so, and then the bars or place must be approved of by the Court.

A licensee must not give free liquor to his friends or boarders out of the bar or in the adjoining-rooms during prohibited hours.

No license will be granted to an hotel in which there is any screen that prevents a full and uninterrupted view of the whole bar to be had. The only screen allowed in a bar will be a street screen. This will only apply to new licenses after the Act. comes in force.

No hotel must be kept open and no liquor sold before 6a.m., or after 11 p.m. on week days.

Hotels must be closed and no- liquor sold on Sundays, Good Fridays, and Christmas Days, and during polling hours on polling days for State and Federal elections, or bye-elections, or local option polls.

A lodger may, however, obtain liquor with a meal between 12.30 p.m. and 2 p.m. on these days.

“A lodger” is defined as a regular boarder, or a person who has slept at the hotel the night previous.

A person found drinking in a hotel after hours may be fined from one pound to ten pounds for the first offence, and from five pounds to twenty pounds for the second offence.

The licensee is also liable to the same fines.

The fact that any door of the bar is open, or even unlocked is sufficient to prove that the bar is open for trade during prohibited hours.

The whole of the above offences tell against a publican’s license.

It will be of no avail for a licensee to attempt to show that any of his employees with or without his consent took liquor out of the bar, which was afterwards drunk in any part of the building or even in the street, during prohibited hours.

A policeman can seize and take away all liquor drawn or poured out for sale during prohibited hours, as well as the vessel containing it.

A person caught taking away liquor from an hotel during prohibited hours is liable to a ten pound fine. Also he or she may be searched and questioned by a policeman and the liquor seized.

But a child under 16 years of age so caught if it can prove that he or she has been sent by someone for the liquor isn't liable.

Anyone found on licensed premises outside of opening hours unless he or she can prove that- they are servants, lodgers or inmates, or have business there, is liable for a first offence to a five pound fine, and for a second to ten pounds. _

What is meant by "licensed premises?" It means any room whatsoever of the hotel, and any outhouses at all inside the hotel fence.

The policeman can take the name of anyone found on the premises after hours and if a person refuses, or gives a false name, he or she may be arrested without a warrant. Penalty five pounds

A licensee may if he likes close up at 9 p.m. and not open till 7 a.m.

Billiard and bagatelle rooms if licensed are to open at 8a.m. and close at 11 p.m. and keep closed on Sundays, Good Fridays, and Christmas Days. Penalty for the first offence up to ten pounds, for a second offence up to twenty pounds.