



VICTORIA  
GOVERNMENT GAZETTE.

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COMMONWEALTH NATIONAL SECURITY  
(SUPPLEMENTARY) REGULATIONS.

STATE OF VICTORIA.

LIQUOR CONTROL ORDER.

**WHEREAS** by Regulation 45 of the Commonwealth National Security (Supplementary) Regulations it is provided that notwithstanding anything contained in the law of any State, where the Premier of the State is of opinion that it is in the interests of the defence of the Commonwealth or the effectual prosecution of the war that limitations or restrictions on the sale, supply, disposal, possession or use of intoxicating liquor in the State, additional to, or different from, the limitations and restrictions prescribed by the laws of the State, should be imposed, he may, by Order published in the *Government Gazette* of the State, prohibit, restrict, control or regulate the sale, supply, disposal, possession or use of intoxicating liquor in the State:

Now therefore I, Albert Arthur Dunstan, Premier of the State of Victoria, do hereby make the following Order:—

1. (1) This Order may be cited as the Liquor Control Order Citation.  
(Victoria) No. 7.

(2) The Liquor Control Order (Victoria) and the Liquor Control Revocation of  
Orders (Victoria) Nos. 2, 3, 4, 5 and 6 are hereby revoked. Orders.

2. In this Order unless inconsistent with the context or subject- Interpretation.  
matter words and expressions have the same meanings as are assigned to them in the Licensing Acts of the State of Victoria:

Provided that where liquor is sold or disposed of on or from any premises under a temporary victualler's licence granted under the said Acts those premises shall for the purposes of this Order be deemed to be licensed premises.

3. (1) No person shall sell or dispose of liquor in a bottle Liquor in  
barrel keg or other like vessel on or from any licensed premises or the bottles, &c.,  
premises of any registered club after five-thirty p.m. on any day from not to be sold  
Monday to Friday inclusive or after two-thirty p.m. on any Saturday. or disposed of  
from licensed  
premises after  
certain hours.

(2) No person shall take or carry away liquor in any vessel or container of any kind from any licensed premises or the premises of any registered club after the hours mentioned in the last preceding sub-clause.

As to means of public exit or entry from or to bottle department of hotels.

4. Where in any licensed premises in respect of which there is in force a victualler's licence there is set apart part of the licensed premises for the sale of liquor not to be drunk on the premises the licensed victualler shall ensure that there are no means of public entry to such part from any other part of the licensed premises or of public exit from such part to any other part of the licensed premises.

Power to authorize inspector of police to make closure orders in respect of non-licensed premises used for sale or disposal of liquor.

5. (1) Any officer of police of or above the rank of sub-inspector authorized in that behalf by the Chief Commissioner of Police of Victoria may by writing under his hand make an order (hereinafter referred to as a "closure order") in respect of any premises (not being licensed premises within the meaning of section three of the *Licensing Act 1928* or the premises of any registered club) if he has reasonable cause to believe that such premises are used for the sale or disposal of liquor.

(2) A notice of intention to make such order shall be served, in such manner as the said Chief Commissioner directs, upon the owner and occupier of the premises, or be advertised in some newspaper generally circulating in the locality where such premises are situate.

(3) No such order shall come into operation until the expiration of five days after the service of such notice or the publication thereof in such newspaper or if the said Chief Commissioner, upon application by any person aggrieved, by writing under his hand revokes such notice.

(4) Subject to the next succeeding sub-clause every closure order shall remain in operation for such period (not being shorter than one month or longer than six months) as is specified therein and may at any time during its operation be revoked in writing by the said Chief Commissioner or the officer of police making the same.

(5) (a) Any person aggrieved by the failure or refusal of the said Chief Commissioner to revoke any notice of intention as aforesaid may within seven days after the coming into operation of the closure order apply upon summons to a judge of the Supreme Court of Victoria for the revocation of the closure order and upon such application such judge may revoke such closure order or may amend the time (within the limits specified in the last preceding sub-clause) for which such closure order is to remain in operation in which case such closure order shall take effect accordingly.

(b) Every decision of any judge of the Supreme Court of Victoria under this clause shall be final and conclusive.

(c) The judges of the Supreme Court of Victoria may make rules<sup>(a)</sup> for or with respect to the service of summonses and the practice and procedure generally upon applications to a judge thereof under this clause.

(6) During the operation of the closure order no person shall except in ignorance of the making of the closure order or for some lawful purpose (proof of which in either event shall lie upon him) be in or on or enter or leave such premises.

No permits to be granted to supply or drink liquor on special occasions in licensed or unlicensed premises.

6. (1) The Licensing Court shall not—

(a) extend any permit under sub-section (3) of section forty-three of the *Licensing Act 1928*; or

(b) grant any permit referred to in sub-section (6) of section forty-four of the *Licensing Act 1928*.

Modification of bona fide traveller provision.

7. Section one hundred and seventy-nine of the *Licensing Act 1928* shall be read and construed as if for the words "twenty miles" there were substituted the words "fifty miles".

Liquor in or in vicinity of public halls.

8. (1) No person shall—

(a) bring into;

(b) supply to any person in; or

(c) have in his possession or under his control in or in the vicinity of—

any public hall any liquor while any dance or other entertainment is being or is about to be held in such hall or within one hour after the conclusion of such dance or entertainment.

(2) For the purposes of this clause—

(a) liquor shall be deemed to be in the vicinity of a public hall if it is shown that such liquor was in the possession or control of any person attending or proceeding to attend or who had attended any such dance or entertainment as aforesaid or was consumed or intended for consumption by any person so attending.

(b) "Public hall" means any public building registered or required to be registered under Division One of Part IX. of the *Health Act* 1928 as amended by any Act and includes any public building vested in or the property of any municipality or public body and any building where any dance or entertainment is held to which admission is obtained upon payment of subscriptions either in money or by way of supplying refreshments and whether upon general or individual invitation or otherwise.

(3) The sale disposal possession or control in accordance with the Licensing Acts of liquor on any licensed premises within the meaning of section three of the *Licensing Act* 1928 or the premises of any registered club shall not be deemed to be a contravention of this clause.

9. (1) (a) A person shall not on a Sunday or on Good Friday or on Anzac Day or during prohibited hours on or from any licensed premises or the premises of any registered club sell dispose of or supply any liquor to a lodger at such premises.

Prohibition of sale disposal or supply of liquor to, and purchase obtaining or consumption by, lodgers at licensed premises or registered clubs on certain days or during prohibited hours.

(b) A lodger at any licensed premises shall not on a Sunday or on Good Friday or on Anzac Day or during prohibited hours purchase obtain or consume liquor on such licensed premises.

(2) Nothing in the last preceding sub-clause shall prevent the sale or disposal or supply of liquor on any licensed premises or the premises of any registered club (with respect to which a permit under sub-section (1) of section forty-three of the *Licensing Act* 1928 has been granted and is in force) to, or the purchasing or obtaining by, a lodger at such premises for consumption, or the consumption of liquor at such premises by a lodger, with a *bona fide* meal from the hour of six o'clock in the evening until such time not being later than eight o'clock in the evening as is specified in the permit:

Provided that the meal is being served and the liquor is sold disposed of supplied purchased obtained or consumed in the dining room in which meals are usually served and not in the bar room or other part of the licensed premises or club premises.

10. (1) A person shall not sell dispose of or supply, and a licensed person shall not allow to be sold disposed of or supplied, on or from any licensed premises liquor to any male person under the age of eighteen years or any female person under the age of twenty-one years.

Prohibition of sale disposal or supply of liquor to, and purchase obtaining or consumption by young persons at licensed premises.

(2) A male person under the age of eighteen years or a female person under the age of twenty-one years shall not consume liquor on, or purchase or obtain or attempt to purchase or obtain liquor on or from, any licensed premises.

(3) A person shall not send any male person under the age of eighteen years or any female person under the age of twenty-one years to any place where liquor is sold disposed of or supplied for the purpose of obtaining any liquor.

(4) It shall be a defence in any proceedings taken in pursuance of sub-clause (1) of this clause if the defendant proves that having inspected an identity card apparently issued under the National Security (Manpower) Regulations produced by the person to whom the liquor was sold disposed of or supplied he had reasonable grounds for believing that such person was in the case of a male person over the age of eighteen years and in the case of a female person over the age of twenty-one years.

11. (1) The provisions of this clause shall apply within the metropolitan electoral districts the names and boundaries of which are set forth in the Seventeenth Schedule to *The Constitution Act Amendment Act* 1928 of the State of Victoria.

Application to metropolitan electoral districts.

(2) A person shall not—

- (a) sell dispose of or supply liquor on or from any licensed premises or the premises of any registered club;
- (b) consume liquor on, or purchase or obtain or attempt to purchase or obtain liquor on or from, any licensed premises or the premises of any registered club—

Prohibition of sale and consumption, &c. of liquor on licensed premises between nine and ten o'clock in the morning.

between the hours of nine o'clock and ten o'clock in the morning.

(3) (a) A person shall not sell dispose of or supply liquor to any female person in the bar room of any licensed premises.

Prohibition of serving to and consumption by females of liquor in bar rooms.

(b) A female person shall not consume or purchase or obtain or attempt to purchase or obtain liquor in the bar room of any licensed premises.

Prohibition on  
consumption  
of liquor in  
public places

- (4) (a) A person shall not consume liquor in any public place.
- (b) For the purposes of this sub-clause "public place" means any public gardens public park or public recreation reserve, any racecourse football or cricket ground and any street road or public thoroughfare and includes any railway carriage or tramcar and any vehicle licensed as a hackney carriage or an omnibus or used for the carriage of passengers for hire, but does not include any licensed premises or the premises of any registered club.

Construction of  
Order.

12. This Order shall be read as in aid of and not in derogation from any of the provisions of the Licensing Acts.

(Sgd:) A. A. DUNSTAN,

Premier of the State of Victoria.

Dated the 8th day of December, 1942.

No. 134.