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Title:
Radio Broadcast - Licensing bill

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Following upon the passing of the Second Reading of the Licensing Bill, and numerous comments of discontent concerning certain aspects of the Bill by Liquor Trade Interests and those in other ways interested in the Bill, the Government invited these bodies to submit comments. Numerous submissions were received for consideration by the Government. Some of the submissions expressed concern that the smooth and uninterrupted continuance of the business of liquor merchants, for example the S.A. Brewing Co., would be seriously hampered if the Bill became law as it was at the second reading stage. Careful consideration was given to the submissions, and the Government decided that it was necessary to re-instate the present types of licences, e.g. Brewer's Australian Ale, Distiller's Storekeeper's and Storekeepers, in lieu of the wholesale licence as formerly proposed. This has been done. The wholesale licence, as formerly proposed, prohibited the sales to liquor to unlicensed persons, or private sales as these are commonly termed, and this aspect also caused concern among liquor merchants. A new class of licence is the Vigneron's licence, and this has been instituted to enable Vigneron's to trade virtually as they now do under an exemption in the present Licensing Act. The exemption will continue for 12 months to allow Vigneron's to apply for a licence. The amendments will ensure smooth continuance of the liquor industry, and will permit "private sales" in prescribed minimum quantities.

In the Bill at the second reading stage, Storekeeper's Australian Wine licences and Restaurant permits would have expired at the time they would have expired under the repealed Act. These will now be allowed to continue for 3 years to enable the holders to apply for a Retail Storekeeper's licence, or a Restaurant licence as the case may be.

The amendments will ensure, that all licensed persons will enjoy uninterrupted trading conditions during the transitional period which must necessarily occur after the passing of the Act. No present licensed person will be prejudiced, by the expected increased work which will be required to be dealt with by the Licensing Court.

Cont/d.

Under the former proposals, it is conceivable that a person's licence may have expired before he would be able to get a hearing before the Licensing tribunal.

The wine licence, at the second reading Stage, would have been allowed to continue on for 5 years only, and no longer. However, this class of licence may continue on beyond that period providing substantial food is served on the premises, and the Court is satisfied with the suitability of the premises. Further provision is made for the holder of a wine licence to have extended hours beyond 6 p.m. but not later than 9 p.m. if the Court is satisfied that substantial food will be available on the premises for persons resorting thereto, and that the premises, and the service provided, are of a high standard.

The publican's licence has been divided into a Full publican's licence and a Limited Publican's licence. The former will enable the full and normal facilities of a hotel, but may be restricted as to the obligation to provide meals and accommodation, and in some instances, for special reasons, hours of trading. The limited publican's licence will apply to say "motels", and will permit the supply of liquor only with meals, or a supper permit, or to lodgers. No public bars, or off-sales will be allowed under this class of licence.

Clubs will be permitted to apply for a full club licence, or where the club operates only on periodic occasions, a conditional licence. A permit system will apply also to clubs, whether licensed or not. Every type of club is adequately catered for in the new provisions and amendments of this Bill.

The permit section has been amended to allow only licensed persons to apply for a permit for the "sale" of liquor. Apart from unlicensed clubs, for which special provisions apply, any other unlicensed persons may apply for a permit for the consumption only of liquor. The Government felt that generally the "sale" of liquor should be confined to those licensed persons who would be experienced in the provision of liquor facilities.

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The former provisions prohibiting off-sales from licensed clubs after 3 years from the passing of the Act has been amended to allow existing licensed clubs to retain this right, but in a container of a capacity of not more than half a gallon. Any club licensed after the passing of the Act may apply to the Court for permission to sell bottles for consumption off the premises, if the Court is satisfied special circumstances, e.g. remoteness, exist. The club licence has been further amended to allow where the club provides accommodation, the sale of liquor to a bona fide lodger at any time.

The dining room hours in hotels, clubs, and restaurants on Sundays, Good Friday and Christmas Day has been extended from 9.30 p.m. until 10.45 p.m. as is the case with hotels and clubs at the present time.

Another amendment will allow Hahndorf Liedertafel to hold a function on such one day of the year other than a Sunday, under the same terms and conditions as the licence granted to Barossa Valley Vintage Festival.

Another amendment will allow for the granting of a permit by the Court to an Auctioneer authorizing him in the bona fide exercise of his business to sell or offer liquor ~~for~~ sale by auction in accordance with the terms of the Permit.

A special request was made by the National Trust of South Australia that provisions be inserted in the new Licensing Bill to allow for the preservation of Historic Inns. After consideration the Government decided to also include a Section in the Bill to cover this.