

liquor (though taken by a traveller or forwarded by an agency established at a distance) has been accepted at the specified place, applies also to the business carried on under publican's license. It appears that, if delivery is then made direct from the hotel through a carrier, the liquor is regarded as being disposed of on the licensed premises: *Petersen v. Paape*, [1929] N.Z.L.R. 780. In this way the hotelkeeper is able to make sales of liquor which are, in fact, delivered to persons at a distance and not actually on the licensed premises. As noted above, the publican can compete with the wholesaler if he can sell at wholesale prices.

40. *An Accommodation License*.—This license is like a publican's license, save that it may be issued subject to special conditions, such as the repair of any road or bridge in the vicinity of the accommodation house. The same legal interpretation as to the acceptance of orders from a distance and delivery of the goods applies here also.

41. *A Packet License*.—This license authorizes the owner of a steam packet, or other vessel of a class approved under the regulations, to sell and dispose of any liquor during her passage to any passenger.

42. *A Conditional License*.—This license authorizes the licensee, being also the holder, of a publican's license, to sell and dispose of liquor at any fair, military encampment races, regatta, rowing match, cricket-ground, or other place of public amusement, or at any cattle saleyards, for a period not exceeding seven days, subject to such restrictions and conditions as the persons granting the license think fit. Conditional licenses are granted from time to time as required.

43. *The Charter of a Chartered Club*.—A chartered club under Part IX of the Licensing Act, 1908, must consist of not less than fifty members. So far as the sale, supply, or consumption of liquor is concerned, the club must be closed during the same hours as a licensed house and as if the aforesaid charter were a publican's license and the secretary of the club the licensee.

44. *A Brewer's License*.—Though 2 gallons is treated by the legislation as the minimum wholesale quantity, the sales of bottled beer by breweries direct to the public in 2 gallon lots are extensive (see the statistics in para. 342, *infra*, and the comments of the Marsden, Kaipara, and Bay of Islands Licensing Committee, R. 76). These sales of bottled beer compete with the sales of beer under publican's licenses.

45. *A License to sell New Zealand Wine, Cider, or Perry of a Strength not exceeding 20 per cent. Proof Spirit*.—Pursuant to section 77 of the Licensing Act, 1908, a Licensing Committee may issue a license to sell and dispose of, on the premises specified (provided they are in a borough and not elsewhere), any wine, cider, or perry, the produce of fruit grown in New Zealand, of a strength not exceeding 20 per cent. of proof spirit in any quantity not exceeding 2 gallons at any one time to any one person.

46. *A License or Permit to sell New Zealand Wine, Cider, or Perry, whether exceeding 20 per cent. Proof Spirit or not*.—Prior to the enactment of the Licensing Act Emergency Regulations 1942 (No. 2), Amendment No. 2 (1943/122), the Licensing Act, 1908, did not apply to any person selling wine, cider, or perry, in quantities of not less than 2 gallons at any one time, the produce of grapes, apples, pears, or other fruits respectively grown in New Zealand and not to be consumed on the premises: *Crawford v. Nuttall*, [1918] N.Z.L.R. 385. By virtue of the regulations (1943/122) no person may sell this wine otherwise than pursuant to a publican's license, accommodation license, wholesale license, conditional license, club charter, or winemaker's license in force under the Licensing Act or pursuant to a permit issued under the Regulations of 1943/122, which confer authority upon a Magistrate to issue the permit after reference of the application to a senior officer of police in the district.

47. We do not add winemakers' licenses to those which are for practical purposes retail licenses. Winemakers can sell only in 2-gallon lots or more. In normal times most of them sell substantially the whole of their product direct to the public. They have not, for the most part, competed with hotelkeepers because the latter have in the