

1922.
NEW ZEALAND.

PARLIAMENTARY LICENSING COMMITTEE

(REPORT OF THE).

(MR. HOCKLY, CHAIRMAN.)

Presented to the House of Representatives, and ordered to be printed.

ORDER OF REFERENCE.

Extract from the Journals of the House of Representatives.

TUESDAY, THE 13TH DAY OF DECEMBER, 1921.

Ordered, "That Standing Order No. 219 be suspended, and that a Select Committee be appointed consisting of twelve members, to consider in the interests of the public, and generally for its more satisfactory working, what amendments are required in the present Licensing Act; the Committee to have power to call for persons and papers; three to be a quorum; the Committee to consist of Mr. Harris, Mr. Hockly, Mr. Isitt, Hon. Mr. Lee, Sir J. P. Luke, Mr. Lysnar, Mr. McCallum, Mr. Savage, Mr. Statham, Mr. Witty, Mr. Wright, and the mover."—(Right Hon. Mr. MASSEY.)

REPORT ON THE MEETINGS HELD BY THE COMMITTEE, ITS OPERATIONS AND RECOMMENDATIONS.

THE Committee met three times during last session and seven times during the recess, the majority of the recess sittings extending from 10 a.m. to 10 p.m.

The Committee at the commencement of its meetings made an announcement through the Press that any person wishing to tender evidence before the Committee would be heard. As a consequence the Committee received requests from forty-two persons to be permitted to tender evidence, and the opinions of various persons by correspondence. The Committee heard these witnesses, who represented the following interests: The New Zealand Alliance; the brewers; the National Council of Liquor Trade in New Zealand; the New Zealand Licensed Victuallers' Association; the Associated Clubs of New Zealand; the New Zealand Moderate League; the Commercial Travellers and Warehousemen's Association of New Zealand; the representatives from the King-country; the Auckland Licensed Victuallers' Association; the Midland Hotel, Wellington; the Midland Hotel Company, Masterton; the Nelson hop-growers; the advocates of State control; the hotels which lost licenses through change of boundaries; the Chief Deputy Electoral Officer; counsel for the various parties, and certain private citizens.

The Committee took twenty-five divisions.

The Committee resolved that, in the event of national prohibition not being carried at the coming licensing poll in December, the Government be recommended to make the following amendments in the licensing law:—

1. That no more licenses are required in the Dominion. It is, however, necessary that there should be a redistribution of licenses more in accordance with the needs of the population in the various districts. Before a Licensing Committee consents to any redistribution the consent of a substantial portion of the inhabitants in the vicinity should be obtained.

2. That the system of a flat-rate licensing fee should be abolished, and that licensing fees should be based on the percentage of liquor sold in the licensed premises. That local authorities should receive the amount of license fees as at present, but that all increased fees should be paid into the Consolidated Fund.

3. That provision should be made as follows: No premium, money, or other valuable consideration shall be paid or given for goodwill on the granting, transfer, or renewal of a lease of licensed premises. Any person receiving any such consideration shall be liable to a fine of £500, and on the second offence the license for the house shall be cancelled. Any person paying such premium or purchase-money, or giving any valuable consideration for such goodwill, shall have the right to recover the same, or the value thereof, by action at law. The Court shall have full power to decide whether the payment, premium, or consideration was, either directly or indirectly, in the nature of a provision or payment for goodwill.

4. That all leases or licenses to occupy licensed premises shall, before becoming operative, have the consent of a Chairman of a Licensing Committee. That in considering the granting or refusal of such consent the Chairman of the Licensing Committee shall take into consideration the general terms of the lease, and decide if the terms are reasonable or unduly oppressive. That the Chairman shall refuse consent to any lease which in his opinion makes provision constituting the premises a tied house under the provisions of the Licensing Act, 1908. If the lease is not strictly within the meaning of the Act, but is obviously in avoidance of the system against which the Act is directed, the Chairman shall have power to refuse consent.