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EXTRAORDINARY



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HOUSE OF ASSEMBLY

The following Bill having been introduced into the House of Assembly, is published in accordance with Standing Order No. 160.

J. M. HUGO,
Clerk of the House of Assembly.

A.B. 8—'51: Liquor Law Amendment Bill

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VOLKSRAAD

Die volgende Wetsontwerp, ingedien in die Volksraad, word gepubliseer ingevolge artikel 160 van die Reglement van Orde.

J. M. HUGO,
Klerk van die Volksraad.

VW. 8—'51: Wysigingswetsontwerp op die Drank-
wet

BLADSY

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BILL

To amend the Liquor Act, 1928, and to provide for matters incidental thereto.

(Introduced by the MINISTER OF JUSTICE.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Insertion of new section 174bis in Act 30 of 1928.

1. The Liquor Act, 1928 (Act No. 30 of 1928), hereinafter called the principal Act, is hereby amended by the insertion of the following new section after section *one hundred and seventy-four*:

“Declaration of races” 174bis. The Minister may by notice in the *Gazette* declare that any restrictions imposed by to whom this Act, which do not apply to Europeans, shall racial discriminations not apply to the members of any race mentioned shall not in such notice.” apply.

Amendment of section 175 of Act 30 of 1928, as amended by section 36 of Act 41 of 1934.

2. Section *one hundred and seventy-five* of the principal Act is hereby amended by the substitution for the definition of “urban local authority” of the following new definition:

“‘urban local authority’ means any municipal council, borough council, town council, village council, town board, village management board, local board, health board or health committee, or any local area committee established under the provisions of the Peri-Urban Areas Health Board Ordinance, 1943 (Ordinance No. 20 of 1943 of Transvaal)”.

Validation of licences granted in respect of local committee areas under control of Peri-Urban Areas Health Board in Transvaal, and authority for reconsideration of applications refused in respect of such areas.

3. (1) Notwithstanding anything to the contrary contained in section *fifty-four* of the principal Act, any licence heretofore granted or renewed by any licensing board constituted under the provisions of the principal Act, in respect of any area under the control of a local committee established under the provisions of the Peri-Urban Areas Health Board Ordinance, 1943 (Transvaal), shall be deemed to have been validly so granted or renewed, as if such area were under the jurisdiction of an urban local authority for the purposes of the principal Act.

(2) (a) Where the grant or renewal of a liquor licence was refused at the annual meeting of any licensing board constituted as aforesaid, held in the month of December, 1950, or at any adjournment of such meeting, on the ground that such licence fell or would fall within an area described in sub-section (1), the application for such grant or renewal shall be reconsidered by the licensing board after the date of commencement of this Act, as if such board had been compelled to adjourn without having come to a decision on such application.

(b) For the purposes of reconsideration as aforesaid, the provisions of section *two* shall be deemed to have been in force at the date of application; and in regard to applications for the renewal of a licence, such licence shall be deemed to have continued to be in force until the board shall have decided upon the application.

Short title.

4. This Act shall be called the Liquor Law Amendment Act, 1951.

WETSONTWERP

Tot wysiging van die Drankwet, 1928, en om voorsiening te maak vir sake wat daarmee in verband staan.

(Ingedien deur die MINISTER VAN JUSTISIE.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Die Drankwet, 1928 (Wet No. 30 van 1928), hieronder Invoeging van
5 die Hoofwet genoem, word hiermee gewysig deur die volgende nuwe artikel *honderd vier-en-sewentig* in te voeg: nuwe artikel 174bis in Wet 30 van 1928.
„Verkla- 174bis. Die Minister kan by kennisgewing in die rings omtrent *Staatskoerant* verklaar dat beperkings deur hierdie rasse waar- Wet opgelê, wat nie op blanke persone van toe- op beper- kings nie van passing is nie, nie van toepassing sal wees op die 10 toepassing lede van 'n ras in so 'n kennisgewing vermeld nie”. is nie.
2. Artikel *honderd vyf-en-sewentig* van die Hoofwet word Wysiging van
hiermee gewysig deur die omskrywing van „stedelike plaaslike artikel 175 van
bestuur” deur die volgende nuwe omskrywing te vervang: Wet 30 van 1928,
15 „„stedelike plaaslike bestuur” beteken 'n munisipale raad, soos gewysig deur
stadsraad, dorpsraad, dorpsbestuursraad, plaaslike artikel 36 van
raad, gesondheidsraad of gesondheidskomitee of 'n Wet 41 van 1934.
plaaslike gebiedskomitee ingestel kragtens die bepalings van die Ordonnansie tot Instelling van 'n Gesondheids- 20 raad vir Buite-Stedelike Gebiede, 1943 (Ordonnansie No. 20 van 1943 van Transvaal)”.
3. (1) Ondanks andersluidende bepalings in artikel *vier-en-vyftig* van die Hoofwet vervat, word dit geag dat 'n lisensie 25 in die verlede verleen of vernuwe deur 'n lisensieraad kragtens die bepalings van die Hoofwet ingestel, ten opsigte van 'n gebied onder die beheer van 'n plaaslike komitee ingestel kragtens die bepalings van die Ordonnansie tot Instelling van 'n Gesondheidsraad vir Buite-Stedelike Gebiede 1943 (Transvaal), geldiglik aldus verleen of vernuwe is, asof so 'n gebied vir die 30 doeleindes van die Hoofwet onder die beheer van 'n stedelike plaaslike bestuur was.
(2) (a) Ingeval die verlening of vernuwing van 'n drank- lisensie geweier is by die jaarlikse vergadering van 'n lisensieraad soos voormeld ingestel, wat in die maand 35 Desember 1950 gehou is, of by die verdagting van so 'n vergadering, op grond daarvan dat so 'n lisensie binne 'n in sub-artikel (1) omskrewe gebied val of sou val, moet die aansoek om so 'n verlening of vernuwing na die datum van inwerkingtreding van hierdie Wet herooreweg word, asof so 'n raad verplig was om te 40 verdaag sonder om in verband met so 'n aansoek tot 'n beslissing te kom.
(b) Vir die doeleindes van herooreweging soos voormeld, 45 word dit geag dat die bepalings van artikel *twee* ten tye van die datum van aansoek van krag was, en in verband met 'n aansoek om die vernuwing van 'n lisensie word dit geag dat so 'n lisensie aangehou het om van krag te wees totdat die raad tot 'n beslissing omtrent die aansoek gekom het.
- 50 4. Hierdie Wet heet die Wysigingswet op die Drankwet, 1951. Kort titel.