



ANALYSIS

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|---|---|
| 1. Title | 6. Remuneration and expenses |
| 2. Short Title and Commencement | 7. New section added |
| 3. Interpretation | 8. Authority deemed to be a Commission of Inquiry |
| 4. Liquor Licensing Authority | 9. Secretary to the Authority |
| 5. Term of office of members of Authority | 10. Meetings of Authority |
| 6. Resignation or removal from office | 11. Proceedings of Authority |
| | 12. Penalties |

1990, No. 2

An Act to amend the Liquor Licensing Act 1988

(24 August 1990)

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled, and by the authority of the same, as follows:

1. Short Title and Commencement - This Act may be cited as the Liquor Licensing Amendment Act 1990 and shall be read together with and deemed part of the Liquor Licensing Act 1988 (hereinafter referred to as "the principal Act").

2. Interpretation - Section 2 of the principal Act is amended by:

- (a) repealing the definition of "Authority" and "Liquor Licensing Authority" and substituting the following definition:

"Authority" and "General Licensing Authority" - means the General Licensing Authority established by the General Licensing Authority Act 1989.

(b) adding the following definitions:

"Chief Executive Officer" - means the Chief Executive Officer of the General Licensing Authority;

"House of Arikis" means the House of Arikis established under Article 8 of the Constitution.

3. Liquor Licensing Authority - Section 4 of the principal Act is repealed.

4. Term of office of Members of Authority - Section 5 of the principal Act is repealed.

5. Resignation or removal from office - Section 6 of the principal Act is repealed.

6. Remuneration and expenses - Section 7 of the principal Act is repealed.

7. New Section added - Section 8 of the principal Act is amended by adding the following new section:

"8A Notwithstanding any other provision of the principal Act and the General Licensing Authority Act 1989 the Authority shall, when exercising its functions under Section 8 of the principal Act, have the following additional members appointed to the Authority:

- (1) one member appointed by the Minister upon the recommendation of the Religious Advisory Council;
- (2) one member appointed by the Minister upon the recommendation of the House of Ariki".

8. Authority deemed to be Commission of Inquiry - Section 9 of the principal Act is amended by adding to subsection 1 after the words "within the scope of its jurisdiction" the words "under this Act".

9. Secretary to the Authority - Section 10 of the principal Act is amended by repealing subsection (1) and substituting the following new subsection -

"(1) The Chief Executive Officer shall be the Secretary of the Authority".

10. Meetings of Authority - Section 11 of the principal Act is repealed.

11. Proceedings of Authority - Section 12 of the principal Act is amended by repealing subsection 9.

12. Penalties - (1) Section 27 (1)(a) of the principal Act is amended by inserting after the words "not exceeding \$1,000", the words "and of not less than \$200".

(2) Section 27 (2)(c) is amended by omitting therefrom the words "not exceeding \$200 for a first offence, or \$500 for a second or subsequent offence" and substituting the words "not exceeding \$500 and of not less than \$100".

This Act is administered by the General Licensing Authority.