

C.S.

LEGAL (Licences)

MISCELLANEOUS
(General)

WAR/W2H/7#4

19 42.

No. 141/42.

O.C., F.Is. Force.

SUBJECT.

19 42.

28th September.

Previous Paper.

APPLICATIONS FOR THE GRANT OF "OCCASIONAL
LICENCES" TO SELL LIQUOR AT MILITARY DANCES
HELD IN TOWN HALL OR GYMNASIUM.

MINUTES.

Letter from Colonel W. H. Hynes of 28th September, 1942.

E.C. (2)
For your observations on red ①, pl.
H.A.C.S.
30/9/42.

(3)
Honourable Colonial Secretary.

The proposal is virtually the same as
that being considered just before Imp. Troops
arrived. As I consider it would almost
eliminate drunkenness in the Town Hall I am
decidedly in favour. The L.A. & Rev. have
been both also at that time in agreement with
the idea for the same reason.

W.S. E
30. IX. 42.

(4)
Magistrate
H.C.S. would be glad to have your
views on red ①, please.

H.A.C.S.
2/10/42

Subsequent Paper.

H.C.S.

(5)

I agree with the Executive Engineer and the Rev. Lowe but it will necessitate an amendment to the Licensing Ordinance. Section 17 of the Ordinance says that it shall be lawful for the Magistrate to grant an occasional licence if he considers it "conducive to public convenience". A licence granted to the promoters of a private dance, even though an admission fee is charged, could not be said to be granted for the public convenience. Also if the military are to be granted the privilege it will be unfair to deny it to private promoters who may not conduct a bar as carefully as the military would. But I think this could be overcome in the drafting of an amendment to Section 17 whereby the Magistrate only grants "at his discretion". Consequently if a private promoter has once abused his privilege he would not be granted another occasional licence.

L.A.
L.A.

(6).

Rev. C.C. Sec.

The E.E. L.A. & Rev. Lowe discussed this matter unofficially before the arrival of Imp. Troops and no record appears in Secretariat files.

W.B.
7/10/42.

(7).

A.C.S.

I wd like to talk this over with Mr. Lowe.

KB
7/10

(8).

W.B. 4.E.

Mr. Lowe entirely agrees that licensed bars within the building are desirable, and so do I. If 4.E. approves in principle we shall require a Bill for Council & the draft agreement on this M.P. (not yet printed) will have to be amended. No bars can be operated until after Council, but that cannot be helped.

KB
8/10

(9)
How would this affect the insurance policy?

AD 8/x/42

(10)

Ed. Requier.

Can you answer (9) please?

KB
(11) 9/10

Honourable Colonial Secretary

There is no clause in the fire policy which affects this question. Even the prohibition of smoking in the Town Hall is a local regulation. I believe Fort. Norman of 4 Nov. 1929 & 19 May 1930 refer.

AD F. 9.x.42.

(12)

G.E. The insurance is not affected. As in (8)?

KB
10/10

(13)

Yes, pl.

AD 10/x/42

14.

Number W.D.C. Force.

(14) (15)

12.10.43

L.A.

I should be grateful if you would draft the Bill amend the Agreement accordingly.

KB
12/10/43

H.P.S.

(16)

17.

Draft Bill (x copy) for printer here with.

I have amended the draft "Agreement for hire" (Ref 13 in C.S. 54/41.).

14/10/42.

KB
L.A.

Copy of Red 17 filed in New M.P. 149/42 and is being dealt with in that file.

Subject: As /

TO: The Honourable,
The Colonial Secretary.

It is often the custom where Military dances are held to have a bar open for the sale of liquor within the dance premises. This is particularly the case when invitation dances are run by Serjeants' or Officers' Messes.

Section 17 of The Licensing Ordinance 1898 permits the granting of occasional Licenses, but I understand that no licenses under this section have been granted for dances held in either the Town Hall or the Gymnasium.

As, in the near future, dances will be held by the Military in the Town Hall and Gymnasium, I would be glad if you would state whether there would be any objection from the Colonial Government's point of view to Units of this Force applying for occasional licenses. The Military authorities would, of course, be responsible for policing the bar and ensuring good behaviour.

Stanley,
28/9/42.
HNB.

W. H. H. H.
Colonel,
Commanding,
Falkland Is. Force.

No. 141/42.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

MINUTE.

12th October, 19 42.

From The Colonial Secretary,

Stanley, Falkland Islands.

To The Officer Commanding,

Falkland Islands Force,

STANLEY.

Red! With reference to your 122/CR/17 of the 28th September, I am directed to inform you that His Excellency is entirely in favour of allowing bars in the Town Hall and Gymnasium for all dances, Military and Civilian. This will, however, necessitate an amendment to the Licensing Ordinance which cannot be effected before the next Session of the Legislative Council in November. Until then, I am afraid, it will not be possible to grant Occasional Licences.

K. G. BRADLEY
Colonial Secretary.

A Bill

To amend the Licensing Ordinance, 1882.

BE IT ENACTED by the Governor of the Colony of the Falkland Islands with the advice and consent of the Legislative Council thereof as follows :- Enacting Clause.

1. This Ordinance may be cited as the Licensing (Amendment) Ordinance, 1942, and shall be read and construed with the Licensing Ordinance, 1882, (hereafter referred to as the Principal Ordinance). Short Title.

2. Section 17 of the Principal Ordinance is hereby amended by the deletion of the words "It shall be lawful for the Police Magistrate if he shall consider it conducive to public convenience, to" and the substitution therefor of the words "The Magistrate may, at his discretion". Amendment of Section 17 of Ordinance No. 11 of 1882.

Passed by the Legislative Council
this day of 1942.

Clerk of the Legislative Council.

Assented to by the Governor and
given under the Public Seal of the Colony
this day of 1942.

Colonial Secretary.