Licensing Control: The role of liquor licensing in the changing occupation of a New Zealand Hotel
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Abstract: Patterns of occupation can be influenced and controlled by forces outside the needs and desires of building owners and users. In order to manage and control the behaviour of the populace, some Government acts and regulations are aimed to directly or indirectly modify the environment. This dynamic is investigated via a case study of the effect of 82 liquor licensing acts and amendments over the 125-year life of the Family Hotel, Otaki on the Kapiti Coast. Established in 1882, the hotel opened as a ‘fine hostelry’ for European settlers. With pressure from the temperance movement, bars converted to ‘men only’ barns where large quantities of beer were consumed in a ‘6 o’clock swill’, deliberately hidden from public view. As regulations eased, Brewery duopolies modernised to woo the woman drinker and sell alcohol for consumption at home. In 2009, private owners no longer have a monopoly to sell liquor, but in regulated spaces they host poker machines and smokers. The hotel building fabric is now imbued with layers of cladding, awkward redundant additions as well as the stigma of past drinking customs. One of hundreds of such hotels in New Zealand, the Family Hotel in Otaki still functions as a hotel but is burdened with the physical legacy of licensing control.

Introduction
Patterns of occupation can be influenced and controlled by forces outside the needs and desires of building owners and users. In order to manage and control the behaviour of the populace, some Government acts and regulations are aimed to directly and indirectly modify building design. Liquor licensing sought to control societal drinking patterns and used restrictions and specification of place to do this. Successive changes in regulation forced change on the interior environments of drinking establishments. In order to understand the complexities of this dynamic, this research is a case study of a typical late 19th century New Zealand hotel in a small town, the Family Hotel, Otaki on the Kapiti Coast. Firstly, the effect of 82 liquor licensing acts and amendments are tracked and placed alongside alterations and additions to the hotel over its 125 year life, using historical records and a photographic building survey. The findings are presented in a chronological sequence and analysed to reveal patterns and issues resulting from the state exerting control over the hotel environment. The issues are discussed and implications for the Family Hotel.

Family Hotel
The Family Hotel is positioned on Main Street in Otaki, 80 kilometres north of Wellington. In 2009, this township (population 5,600) services the surrounding horticultural sector and hosts Te Wananga-o-Raukawa, a tertiary level centre of learning devoted to the world of Māori knowledge (Mātauranga Māori). Māori, long settled in the area, comprise over a quarter of the population. The beach settlement and warm climate attract retirees, Wellington commuters and weekenders. A variety of drinking establishments cater to combined social groupings. Built in 1882, the Family is the oldest of several drinking establishments in Otaki; the Telegraph (1895), the Railway (1891), the Hogs Head (1970) and the Traffic café and bar (2007). Various clubs provide bar facilities, food and entertainment: Returned Services Association (RSA), Otaki Golf Club and Surf Lifesaving Club on the Esplanade.
The Family hotel had fine beginnings. In 1882, a local newspaper reported ‘Mr Bright intends applying for a licence and is building a large hotel which I have no doubt will be a credit to the neighbourhood as well as a convenience’. The hotel opened as Bright’s Hotel and Fredrick Bright and his wife Mary Ann Bills ‘conducted’ it for the following six years. By the 1880s, liquor licensing legislation was well established in the colony. There were said to be ‘49 Acts or Provincial Ordinances already on the statute books dealing with the sale of liquor, testifying to the early and remarkable propensity of New Zealanders to legislate about liquor’. The first, the Licensing Ordinance 1842, required a licence to sell ‘less than two gallons of spirits, wine, ale or beer’ to any person. The hours of sale were 6am to 10pm on working days and 1pm to 7pm on Sunday. Newspaper records from 1860s reveal that a ‘house’ on the present site of the Family Hotel had a liquor licence; firstly, operating as Langley’s Accommodation House, then the Working Men’s Club. In 1879, the proprietor, William Langley, appeared in court for charges of sly-grog selling, theft and perjury. Langley’s sort of establishment was a target of New Zealand’s Prohibition and Temperance movement. In 1881, the lobby had their first big victory. Under the new Act, hotel licences required approval by the majority of each districts’ ratepayers. New licensing committees were established to approve licence renewal on the basis of the condition of the premises and could cancel licences on grounds of disorderly behaviour. Also Sunday opening was abolished. Paradoxically, it is probable that these regulations ushered in a new era of respectability to New Zealand hotels. The Brights took advantage of this opportunity in burgeoning Otaki. In 1886, the Wellington and Manawatu Railway Company had opened their service and the area to development. An influx of workers followed: bushmen, sawmill and flaxmill workers, road builders and commercial travellers. The railway also bought holiday makers from Wellington and punters to the Otaki Māori Racing Club meetings. In 1897, the Cyclopedia of New Zealand, a subscriber publication, describes the Family Hotel as:

‘a fine hostelry’ …‘The house contains twenty eight rooms, all told, including 19 bedrooms, which are completely furnished, five sitting rooms, two of which are set apart for the use of ladies and families. There are two dining rooms, which together afford seating accommodation for fifty guests. The building constructed of wood, is a handsome two-storey structure, finished in excellent style.’

The hotel provided ‘large stables, comprising of ten stalls and nine loose boxes’ ‘specially constructed for the racing fraternity’. For the commercial travellers there was ‘a commercial room and large sample room’. For families, entertainment was provided with ‘a fine piano in one of the sitting rooms upstairs, and another placed in one of the parlours below’. These facilities were largely prescribed by ‘The Licensing Act 1881’.

‘No publican’s license shall be granted in respect of any house in any borough unless such house shall have a front or principal entrance separate from and in addition to the entrance to the bar or to the where liquors not to be drunk on the premises are sold, and shall contain for public accommodation, not less than six rooms, besides the billiard-room (if any) and the rooms occupied by the family of the applicant; …and such house be provided with a place of convenience on the premises for the use of the public…’
An early postcard\textsuperscript{12} shows the public bar doorway opening directly on to the corner of Main and Matene Streets. The lower windows of the public bar are screened from public view. As the colony was short of travellers’ accommodation, the 1881 Act, included incentives for publicans to provide hotel beds. While the Act restricted public bar opening hours from 6am to 10pm, Monday to Saturday, with extended closing to 12 midnight for an extra fee, an innkeeper was entitled ‘to sell liquor to be consumed on the premises... any time to \textit{bonâ fide} travellers and to persons lodging in his house’\textsuperscript{13}. This legislation led to the phenomena in every New Zealand town of ‘two-storey’ turn of the 20\textsuperscript{th} century hotel buildings, with accommodation on the upper floor. They are significant landmarks in a predominately single-storey townscape.

The positive view of the Family Hotel, as described in the Cyclopedia of New Zealand, was at odds with the growing prohibition movement in New Zealand at the time. In the 1894 referendum, while other districts went ‘dry’, only 11-20\% of the European electors, in the Otaki licensing district voted for no publicans’ licences.\textsuperscript{14} The 1893 Licensing Amendment introduced Licensing Districts and on 7 June 1894 the first annual meeting of the Otaki Licensing Committee was held.\textsuperscript{15} Police inspectors reported on the state of the hotel buildings, fire escapes, furnishings and conduct of the publicans. The Family hotel was approved, but the state of repair of the 19-year old neighbouring Telegraph was debated, indicating that exterior maintenance of the timber clad buildings was an on-going concern.
The analysis of early photographs identifies early exterior additions to the Family. A 1900 photograph of a street procession shows the addition of a parapet, stepped to display a sign. After 1900 and before 1922, a balcony over the pavement was added. This followed a trend set by the Jubilee Hotel when it opened in 1891: later followed by the all the other hotels in town. The first floor balcony formed a verandah over the pavement and presumably was a welcome improvement of fire egress from the upper floor. Previously, each bedroom at the Family Hotel was ‘supplied with a strong rope as a means of escape in the event of fire’; and ‘in addition to this precaution, a wooden staircase outside the building afforded a means of exit, from the upper floor to the ground’. Perhaps in response to the limited life of untreated timber, the verandah posts were constructed in mild steel, although the balustrade is in timber.

With the turn of the 20th century, the political power of prohibitionists gained strength and restrictions on the liquor trade grew, effectively divorcing liquor facilities from other amenities. In 1904, the exemption for supplying liquor to bonâ fide travellers on Sundays was abolished. A 1910 Act denied any extensions to 10pm closing. This Act also prohibited the supply of liquor to an ‘intoxicated male Native and to any female Native, not being the wife of a person other than a Native’. By 1912, the minimum drinking was raised from 18 to 21 years and barmaids were banned. It became illegal to employ barmaids other than members of the licensee’s family or those barmaids employed before the act was passed. Hotels were set to become a male domain. With increased pressure from the temperance movement, in 1918, just after the end of First World War, a move for national prohibition was lost by only 3,263 votes. The Liquor Restriction Act 1917 had already restricted opening hours to 9am to 6pm, Monday to Saturday. In his book, Tavern in the Town, James McNeish proposes that from 1919 to 1967, 6 o’clock closing ‘destroyed the image of pub as a meeting ground and leveller for both sexes’. In this era, Jock Phillips describes bars with ‘no chairs, few tables and if there was a carpet it served less as decoration than to soak up the dregs.’ Furthermore, no activities were permitted in bars: no food to eat, no dancing girls to watch and no music to listen to.

When the current council records begin, in 1953, the Family Hotel appears to be original in plan, with a single toilet and one bathroom upstairs serving over twelve bedrooms. Downstairs toilets do not appear, so presumably were outbuildings. The poor economic
climate during the 1930s depression and two world wars did not support maintenance and improvement of the nation’s hotels. Also, proprietors lived with the possibility of confiscation of their license or prohibition, and could hardly be blamed for not improving bars and drinking facilities. Licensing committees apparently possessed neither the effective power nor the will to improve standards. As a response, The Licensing Amendment Act 1948, set up a Licensing Commission whose functions included prescribing 'standards to be compiled with in the provision of accommodation, services, and other facilities for the public and for lodgers, guests, or employees in licensed premises'. The Commission’s powers were wide; including ordering hot water services, sanitary accommodation, additions and alterations as well as upgrading furnishings and equipment and even the rebuilding of the premises.

The ‘6 o’clock swill’ required large quantities of cold beer to be dispensed quickly. Council building consent documents chronicle a series of additions and additions to achieve this. Under the private ownership of the Cooksley Brothers, from early 1950’s to 1975, two bars and counters were enlarged in size. In 1953, the entry hall from the Main Street and the two neighbouring rooms were opened into a large bar. An enclosed barrel room, with pressure unit, was partitioned along the Main Street frontage and a double door entry to the bar from the street was introduced. The life of the bar was further removed and concealed from public eye. The proposed bar counter filled most of the space leaving standing room only. The Licensing Commission came to consider such basic bars unacceptable and in 1961, legislated that ‘any bar shall include facilities for sit-down drinking’ and for the provision of ‘light refreshments’. In order to curb drunkenness; the alcohol content of beer was legislated low, requiring large quantities to be drunk in order to achieve the desired effect. Additional toilet facilities, exterior to hotel, were added. The first of new, low maintenance, concrete-block out-buildings, a storeroom, was added. The 1962 Act made wholesale licences available. Subsequently, in 1964, the Cooksley’s built a new bottle store ‘off-licence’ in the car-park at the back of the hotel. This venture was presumably successful as it expanded in 1971.

The 1961 Act also introduced competition, with the provision to grant ‘tavern licences’ (without the obligation to provide meals and accommodation). Barmaids, over 21 years, were permitted and 10pm closing returned. The era of the ‘6’oclock swill’ was over and women...
were welcomed back. In 1971, a small back-bar was extended to become a large internal ‘public’ bar, allowing the bar on the Main Street frontage to become a ‘lounge’ bar suitable for women drinkers. (A single women’s toilet had been built into the corridor of the original building by this time). Every alteration and refurbishment was subject to approval by licensing inspectors.

As evidenced by a photographic survey, the interior of the upstairs accommodation had a 1950s to 1970’s ‘make-over’ too. To comply with the 1948 Act for improved amenities, two internal bedrooms were converted to bathrooms and toilets in 1953. Bedroom ceilings and walls were lined in plasterboard. Cornices are pinex and skirtings and architraves in basic profiles. Solid timber-panelled doors were replaced by ‘modern’ flush hollow core doors. The only remnant of an original lining is a piece of patterned wallpaper on scrim in a wardrobe and match-lining to an internal linen room. This renovation is likely to have been ordered as a condition of licence renewal. At the time, new plaster board linings were advised ‘to improve the finish and insulation value of walls and ceilings,… to help cut down draughts, … improve the fire safety of the building considerably and … add to the bracing strength of walls against lateral loads’.

Figure 4. Ground floor plans indicating the pattern of alterations and additions to Family Hotel (1953 – 2005). The original building is marked in black with successive changes in lighter shades of grey. Plans are based on Kapiti Coast District Council building permit records. Author.

The Sale of Liquor Act 1962 permitted company ownership of hotels and introduced a manager’s licence thus permitting NZ Breweries Ltd to take ownership in 1974. Their in-house architects’ division designed renovations which included upstairs manager’s and staff accommodation, upgrading the lounge bar and bottle store, enclosing the stair for fire safety and adding a tank-room. In the late 1980’s, Lion Breweries succeeded in a ‘take-over’. After erecting an under-verandah advertising ‘Lion Brown on tap’, the hotel was ‘divested’ just
before the introduction of the Sale of Liquor Act 1989. This Act introduced ‘on-licences’ available to almost anyone, anywhere. Licensees were encouraged to supply non-alcohol drinks, food and assist in transport at closing time. Unlike previous acts, amendments of this Act did not legislate on drinking environments, but rather referred to general building acts.

Under private ownership since 1989, the only building consent granted an ‘accessible’ toilet in 2003. In 2009, apart from surface furnishings, the bar design by the New Zealand Brewery architects is intact. The old ‘lounge’ bar displays no hint of its 19th century origins save an uneven floor, window openings and historic photographs of the hotel framed above the bar counter. This bar and the dining room are occupied on Friday and Saturday nights only.

In the back or ‘public bar, the locals, mainly an older set, sit around refurbished high tables on high stools from a previous era. They enjoy friendly service, sunshine via the clerestory windows as well as privacy from the side street. A large screen displays horse-racing or sports. Patrons may smoke in an adjacent timber-framed ‘out-door’ enclosure clad in transparent roofing, erected following the Smoke-free Environments Amendment Act 2003, or sit outside in a pleasant garden. Punters can bet on the races or gamble on poker machines, legalised by the Gaming & Lotteries Act 1977. The internal store of the now disused off-licence outlet is used as a poker-machine den. By law, poker machines require to be
concealed from view to persons under 18, and the entry to the area must be under the supervision of bar-staff.

Figure 7. The public bar, Family Hotel, Otaki (2008), Photography. Author

Discussion
The chronological tracking of changes in liquor legislation alongside building alterations displays a strong correlation. Successive liquor legislation influenced the design of the original hotel and led to alterations and changing patterns of occupation. Regulations had both direct and indirect influence. Directives included the provision of a range of facilities, the number and layout of rooms, their relationship to the street as well as quality of sanitation, and fire safety requirements. Indirect influence occurred when regulations affected the social or business environments, which in turn affected the physical environment and its occupation. To further understand these dynamics, in the first instance, the nature of licensing legislation is considered. The discussion includes outcomes of key directives on hotel design, effects of restrictions on Maori and women and the influence of changing hospitality business environments. Finally, the legacy of licensing legislation on the Family Hotel building is described.

Liquor Legislation
While moderate consumption of alcohol is associated with conviviality and recreation, excessive consumption is associated with alcohol abuse, addiction, family neglect, violence and poverty. In the mid 19th century, the temperance movement identified three prime factors of the drink problem; ‘the essential tendency of drink, the associations of company, rendered often more attractive by contrast with neglected homes, and the arts of the Publican pecuniarily [sic] interested as a rival to the family in his claims on the purse of the customer’. Liquor licensing attempted to address these issues by regulation. In the late 19th century, building regulations and control were emerging ‘designed to correct deviations and to secure compliance and conformity’. Whereas building regulations were, and remain, primarily concerned with the health and safety of people in and around buildings, liquor licensing went further by attempting to design environments to influence social interaction and behaviour. The following 1882 newspaper report on the neighbouring Telegraph Hotel in Otaki illustrates the popular
belief that this was possible. ‘That it has not been conducted on principles conducive to the
comfort of more respectable settlers is a recognised fact, but the architecture of the building is
against it’.32 The standards expected by the respectable settlers were assumed to be the
idealised norm.

Hotel Design
Liquor legislation did not state the raison d'être for hotel design requirements. However, by
relating regulations to the concerns of the temperance movement its intent can be surmised.
The 1881 Act required a public house to provide no less than six rooms for public
accommodation. The Family Hotel (1882) provided two dining rooms, three sitting rooms as
well as a taproom and a parlour bar. A legacy from the English class system, the ‘tap-room’
was the ordinary public bar with a counter. More genteel customers would be shown to the
well furnished ‘parlour’.33 This arrangement successfully facilitated parallel occupation of the
hotel by different social groups. As drink was identified, by temperance supporters, as a
cause and symptom of moral sickness34, respectable patrons could avoid being contaminated
by immoral company.

Under the 1883 Act, the tap-room was called the ‘public bar’. By definition, it opened directly
onto the street. In practice, the doors of the Family Hotel’s public bar exited directly onto the
corner of two streets giving maximum exposure to passersby. Under prescribed lighting,
public surveillance of an inebriated patron’s exit was ensured. Conversely, this relationship
confirmed the traditional understanding of the ‘public’ bar as an extension of the public realm.
Kneale states that the public bar was so named because it was democratic and popular,35
democratic as a place for the people and popular as egalitarian and open. However, at the
Family Hotel, this relationship changed over time. In 1953, the public bar was enlarged, but
separated from the main street by a lobby and a tank room. After hours, an upstairs internal
room, between the sleeping quarters of the publicans’ families, became a secret venue for
illegal drinking.36 In 1971 alterations, the public bar was relocated to an internal space which
continued to conceal male drinking culture. Conversely, the parlour bar, originally accessed
from within the hotel was reinvented as a women-friendly lounge bar replacing the public bar
on the Main Street facade. In 2009, the internal public bar, further enlarged, is patronised by
both sexes. Entry is via a single door off the side street. The experience is similar to one of
Charles Booth in 1902; ‘I took a seat but felt as though I had entered uninvited a private
room’.37 The public bar might be renamed a ‘local community’ bar. The original six rooms are
interconnected, some are combined and patrons mingle freely.

Social Restrictions
In a predominately Māori settlement, the opening of Bright’s hotel was a significant milestone
in the town’s evolution. In 1882, a local newspaper reported that ‘The new hotel will place
Otaki out of the class of towns called ‘native villages’ in which it has hitherto always ranked.’
The two-storey building (a frontage of about 90 feet, its height...20 feet) was similar in scale to
the Māori Rangiātea Church (1851).38 While Rangiātea was richly decorated in Māori
tradition, the Brights furnished their hotel interior in fine European style. Significantly, both
public buildings celebrated and shared cultural design traditions. While Māori were denied
access to liquor in other regions, no evidence has been found that Otaki Māori were not
welcomed into the hotel (until the 1910 Act excluded some Māori women). Soon after, non-
Māori women were also subject to restriction, with the barmaids (other than from the
publican’s family) being banned in 1917. In both cases, it is not clear whether this ban sought
to protect women from men or vice versa, although prohibitionist activists created the image of an evil, loose barmaid who lured men into pubs to drink and squander their money. Wives of publican’s were considered an essential civilising influence. The wives of the Cooksley brothers (1950–1971) reportedly managed the dining room and hotel guests and remained distant from the public bar. The 1948 Licensing Commission had sought to prescribe ‘accommodation standards’ as a means of improving behaviour in public bars. Licensing inspectors had powers to rule on the provision of ‘tables and chairs’ and the quality of ‘furnishings’. However, it is unlikely that these men understood interior design. Indirectly, the banning of women barmaids, denied the public bars a soft and moderating ‘women’s touch’ in design as well as presence.

**Business Incentives**

Successive licensing legislation manipulated the liquor business, which in turn affected the building form, fabric and patterns of occupation. Most significantly, the liquor licence was tied to the site and the building for over 140 years. Until 1961, the ‘hotel’ building type was necessary to maintain a publican’s licence. Licences were strictly limited, linked with the obligation to provide travellers’ accommodation and at times not transferable. In early 20th century, uncertainty of licence renewal discouraged investment in facilities but renewal was dependent on a well kept hotel. High maintenance Victorian decorative features were removed or covered. With the sale of beer to men only as the major source of income, drunkenness and after-hours drinking boosted profits. The opportunity to develop off-licence sales spawned building additions. Company ownership of pubs gave brewery architects the job of remodelling and modernising interiors to attract women drinkers. Since 1989, liquor licences have been freely available and no longer tied to the hotel brief. In 2009, the upstairs of the Family Hotel is partly redundant; used for the publicans’ accommodation and the other simple rooms let out to occasional travellers (hopefully made aware of late-night karaoke sessions). With liberal closing hours, the uses of entertainment and sleeping accommodation are not compatible. The building is now free to accept other use. Old pubs around New Zealand are being recognised as places of interest for low-budget travellers. In the 1990s, the Jubilee Hotel, Otaki found a well matched alternative use as a community house for those in need. The floor plan of communal and private rooms is well-suited for this use. The purpose, of sheltering those with histories of addiction or its consequences, in a place complicit in the acquisition of the addiction is redeeming.

**Legacy**

In the present, the Family Hotel is such a building, as identified by Brooker and Stone, that ‘has a memory of its previous purpose engrained with its every structure’. Many of its present clientele remember stories of its passage over the last 70 years. It is one of the oldest buildings in the township. Its future lies in preservation, restoration, renovation and remodelling (or demolition) or perhaps a mixture of these approaches. Preservation would allow the messy story to remain visible in building form and fabric, perhaps to be read as a local colloquial history by backpackers. Restoration would restore the Family Hotel to its short ‘heyday’ of the 1880s. This approach could ‘commemorate lost social and political aspirations’ of European settlers. Rangiātea Church, reconstructed after a 1995 fire, is an ancestral link for local Māori. Renovation could select the best from the past and allow it to mingle in a continuum with the future. Remodelling would remove past alterations, additions and renovations which came from legislation and quality standards set by a licensors and their inspectors. The cacophony of concrete block additions create a ‘mongrel’ building and
‘usurp the building’s initial integrity’. These could be stripped away. Whatever the outcome, in the meantime, the original exterior weatherboards are likely to be well protected by stucco and low maintenance shingles. The traditional corrugated steel roof is keeping the interior dry and safe.

**Conclusion**

Compliance with liquor licensing has had a profound effect on the Family Hotel, and the hundreds of similar hotel buildings in New Zealand. Legislation directed the brief and design of the original building and affected virtually all subsequent alterations and additions. In the early 20th century, the uncertainty of licence renewal contributed to 50 years of neglect. Ironically, the gradual exclusion of women, teenagers and children transformed the Family Hotel into a place unsuitable for families. In the mid 20th century, the government sought to remedy this situation by tighter legislation and control. Hotel inspectors ordered renovation, remodelling and even refurbishing. In the 21st century, liquor is sold more freely, but gambling is the hidden vice. The hotel lives on by tradition but is weighed down by its past. For the captive, the release from outside control has its own challenges; learning to live with choice of occupation, when before it was denied. The possible futures of the hundreds of century-old hotels in New Zealand are yet to be determined.

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**Endnotes**

1 Building permit records for 30 Main Street, Otaki - Kapiti Coast District Council. Records were available from 1953 to 2003 only.
4 As reported in The Yeoman, Wanganui, April 3 1882.
7 As reported in Evening Post, 15 February 1879.
8 As reported in Wanganui Herald, 21 February 1879.
10 “Otaki”. (1897) p 1097.
11 The Licensing Act (1881) p137.
12 Postcard photograph of Main Street, Otaki (circa 1883) Otaki Historical Society Collection.
13 The Licensing Act (1881) p160.
17 “Otaki”. (1897) p1097.
18 Pascoe, J. (1945) Main Street, Otaki
21 McNeish, Tavern in the Town, p8.
23 Licensing Amendment Act (1948) clause 13(b).
24 Building permit (1953) KCDC.
25 Licensing Amendment Act (1961) 29: (2) & (3).
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26 Licensing Amendment Act (1961) 89.
32 As reported in Wanganui Herald, 23 June 1882.
40 As reported in Evening Post, 4 January 1911, Matter of a Hotel License.

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Building permit applications for 30 Main Street, Otaki, (1953 – 2003) Kapiti Coast District Council, Paraparaumu, New Zealand.
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Pascoe, John. (1945) Main Street, Otaki, Alexander Turnbull Library Collection, Wellington Ref: ¼-002055-F.