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**RACING, GAMING AND LIQUOR**

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RA301\*

Liquor Control Act 1988

**Liquor Control Amendment Regulations  
(No. 2) 2015**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Liquor Control Amendment Regulations (No. 2) 2015*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 7 December 2015.

**3. Regulations amended**

These regulations amend the *Liquor Control Regulations 1989*.

**4. Regulation 4AE inserted**

After regulation 4AD insert:

**4AE. Substance prescribed (liqueur chocolate) (Act s. 3(1) liquor)**

(1) In this regulation —

*liqueur chocolate* means chocolate-based confection of which each separate piece —

- (a) has a mass of more than 15.6 g; and
- (b) contains more than 5.1 g of liquid with a concentration of ethanol exceeding 5% or more ethanol by volume.

- (2) For the purposes of paragraph (b) of the definition of *liquor* in section 3(1), liqueur chocolate is prescribed as being liquor.

#### 5. Schedule 1 amended

(1) In Schedule 1 Form 21:

- (a) delete “Family name” and insert:

Surname

- (b) delete “Male / Female”;

- (c) delete “Signature” and insert:

Registered No.

- (d) delete “Station No.” and insert:

Station/Unit

- (e) delete the words that begin with “Notice to alleged offender” and continue to the end of the Form and insert:

<p><b>Notice to alleged offender</b></p>	<p>It is alleged that you have committed the above offence.</p> <p><b>If you do not want to be prosecuted in court for the alleged offence</b>, pay the modified penalty above within 28 days after the date of issue of this notice. See below for how and where to pay the modified penalty.</p> <p><b>If you do not pay the modified penalty within 28 days</b>, you may be prosecuted in court for the alleged offence or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> to recover the modified penalty. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended; your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed; and your property may be seized and sold.</p> <p><b>If you want this matter to be dealt with by prosecution in court</b>, sign and date here:</p> <p>_____ / /20</p> <p>and post this notice to the address below within 28 days after the date of issue of this notice.</p> <p>If you are prosecuted in a court for the alleged offence, and convicted, you will be liable to a penalty and costs.</p>	
<p><b>How to pay the modified penalty</b></p>	<p>In person</p>	<p><i>[Details for paying in person]</i></p>

	By post	Post this notice, with a cheque or money order made payable to [ <i>payee</i> ], to:  <i>[Address]</i>  Do not send cash in the mail.
	Online	<i>[Details for online payments]</i>
	By telephone	<i>[Details for telephone payments]</i>

## (2) In Schedule 1 Form 22:

- (a) delete “Withdrawal No.”;
- (b) delete “Family name” and insert:

Surname

- (c) delete the words that begin with “**Officer withdrawing notice**” and continue to the end of the Form and insert:

<b>Officer withdrawing notice</b>	Director of Liquor Licensing
	Registered No.
	Station/Unit
<b>Withdrawal of infringement notice</b>	The above infringement notice, which was issued for the above alleged offence, has been withdrawn.  If you have already paid the modified penalty for the alleged offence in accordance with the infringement notice, the amount will be refunded to you.

R. KENNEDY, Clerk of the Executive Council.

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