

RA301\*

Liquor Control Act 1988

## **Liquor Control (Cheeditha Restricted Area) Regulations 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Liquor Control (Cheeditha Restricted Area) Regulations 2012*.

**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 the day after that day.

**3. Term used: Cheeditha Aboriginal Community**

In these regulations —

***Cheeditha Aboriginal Community*** means the area of land, being part of Lot 48 on Deposited Plan 248914 (Certificate of Title Volume 2191 Folio 716), that is within a 500 metre radius of the centre of the basketball court located at Latitude -20.751152 and Longitude 117.119838.

**4. Note is not part of regulation**

The note after regulation 9 does not form part of these regulations.

**5. Declaration of restricted area**

The Cheeditha Aboriginal Community is declared to be a restricted area for the purposes of section 175(1a) of the Act.

**6. Notice of restricted area**

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Cheeditha Aboriginal Community continues to be a restricted area by operation of regulation 5 to be kept posted, at each place where a customary access route enters the Cheeditha Aboriginal Community a notice —
  - (a) describing the offences set out in regulation 7; and
  - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 5.

**7. Prohibitions as to liquor in the Cheeditha Aboriginal Community**

- (1) A person who —
  - (a) brings liquor into, or causes liquor to be brought into, the Cheeditha Aboriginal Community; or
  - (b) has liquor in his or her possession in the Cheeditha Aboriginal Community,

commits an offence.

Penalty:

- (a) if subregulation (2) applies — a fine of \$5 000;
  - (b) in any other case — a fine of \$2 000.
- (2) This subregulation applies to an offence under subregulation (1) committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence.

**8. Seizure and disposal of containers of liquor**

Despite section 155(4) and (5) of the Act, a member of the Police Force may seize and, as soon as is practicable, dispose of any opened or unopened container of liquor suspected on reasonable grounds to be the subject of an offence under regulation 7.

**9. Period during which these regulations have effect**

Unless sooner repealed, these regulations have effect for a period of 3 years beginning on the day on which these regulations, other than regulations 1 and 2, come into operation.

Note: Under the *Liquor Control Act 1988* section 175(1d), these regulations expire at the end of the period referred to in regulation 9.

Recommended by the Minister for Racing and Gaming,

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

  

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