



Western Australia

Liquor Control Act 1988

**Liquor Control (Looma Restricted Area)
Regulations 2011**

As at 13 May 2017

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Liquor Control (Looma Restricted Area) Regulations 2011

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Defined terms

Liquor Control (Looma Restricted Area) Regulations 2011

1. Citation

These regulations are the *Liquor Control (Looma Restricted Area) Regulations 2011*.

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: Looma Aboriginal Community

In these regulations —

Looma Aboriginal Community means the area of land described as Lot 75 on Deposited Plan 213140 referred to in Certificate of Title Vol 1417 Folio 796 excluding —

- (a) the portion south of Crown Reserve 23226; and
- (b) the portion subject to Lease No. J509083L

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 Looma 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 Looma Aboriginal Community continues to be a restricted area by operation of regulation 4 to be kept posted, at each place where a customary access route enters the Looma 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 Looma Aboriginal Community

- (1) In this regulation —

exempt person means the driver of or a passenger in a transiting vehicle;

transiting vehicle means a vehicle that transits the Looma Aboriginal Community on a public road without —

 - (a) stopping; or
 - (b) discharging any person or item.
- (2) A person, other than an exempt person, who —
 - (a) brings liquor into, or causes liquor to be brought into, the Looma Aboriginal Community; or
 - (b) has liquor in his or her possession liquor in the Looma Aboriginal Community,

commits an offence.

Penalty:

- (a) if subregulation (3) applies — a fine of \$5 000;
 - (b) in any other case — a fine of \$2 000.
- (3) This subregulation applies to an offence under subregulation (2) 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 the period that ends at the close of 28 May 2020.

Note:

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

*[Regulation 9 amended: Gazette 23 May 2014 p. 1636;
12 May 2017 p. 2470.]*

Notes

- ¹ This is a compilation of the *Liquor Control (Looma Restricted Area) Regulations 2011* and includes the amendments made by the other written laws referred to in the following table ².

Compilation table

Citation	Gazettal	Commencement
<i>Liquor Control (Looma Restricted Area) Regulations 2011</i>	27 May 2011 p. 1929-31	r. 1 and 2: 27 May 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 28 May 2011 (see r. 2(b))
<i>Liquor Control (Looma Restricted Area) Amendment Regulations 2014</i>	23 May 2014 p. 1635-6	r. 1 and 2: 23 May 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 24 May 2014 (see r. 2(b))
<i>Liquor Control (Looma Restricted Area) Amendment Regulations 2017</i>	12 May 2017 p. 2470	r. 1 and 2: 12 May 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 13 May 2017 (see r. 2(b))

- ² These regulations expire on 28 May 2020 (see r. 9).

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
exempt person	7(1)
Looma Aboriginal Community	3
transiting vehicle	7(1)