

RG303*

Liquor Control Act 1988

Liquor Control (Koongie Park Restricted Area) Regulations 2010

Made by the Governor in Executive Council on the recommendation of the Minister under section 175(1a) of the Act.

1. Citation

These regulations are the *Liquor Control (Koongie Park Restricted Area) Regulations 2010*.

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: Koongie Park Aboriginal Community

In these regulations —

Koongie Park Aboriginal Community means the area of land described as Lot 132 on Deposited Plan 191020 being the whole of the land in Record of Qualified Certificate of Crown Land Title Volume LR3005 Folio 264.

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 Koongie Park 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 Koongie Park 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 Koongie Park 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 Koongie Park Aboriginal Community

- (1) A person who —
- (a) brings liquor into, or causes liquor to be brought into, the Koongie Park Aboriginal Community; or
 - (b) has liquor in his or her possession in the Koongie Park 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 the period that ends on the day 3 years after the day referred to in regulation 2(b).

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,

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.
