

RG305*

Liquor Control Act 1988

Liquor Control (Kundat Djaru 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 (Kundat Djaru 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: Kundat Djaru Aboriginal Community

In these regulations —

Kundat Djaru Aboriginal Community means the area of land described as Lot 62 on Deposited Plan 216499 being the whole of the land in the Record of Qualified Certificate of Crown Land Title Volume LR3055 Folio 194.

4. Note is not part of regulations

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

5. Declaration of restricted area

The Kundat Djaru 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 Kundat Djaru 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 Kundat Djaru 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 Kundat Djaru Aboriginal Community

- (1) A person who —
- (a) brings liquor into, or causes liquor to be brought into, the Kundat Djaru Aboriginal Community; or
 - (b) has liquor in his or her possession in the Kundat Djaru 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 on which these regulations, other than regulations 1 and 2, come into operation under 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.
