
RACING, GAMING AND LIQUOR

RG301*

Liquor Control Act 1988

**Liquor Control Amendment Regulations
(No. 2) 2007**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Liquor Control Amendment Regulations (No. 2) 2007*.

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. The regulations amended

The amendments in these regulations are to the *Liquor Control Regulations 1989*.

4. Regulation 9 amended

Regulation 9 is amended as follows:

- (a) by deleting paragraph (a) and inserting instead —

“

- (a) the chairperson or deputy chairperson; and

”;

- (b) in paragraph (d), by deleting “clerk of courts” and inserting instead —

“ court registrar ”.

5. Regulation 12 repealed

Regulation 12 is repealed.

6. Regulation 14 repealed

Regulation 14 is repealed.

7. Regulation 14AG amended

After regulation 14AG(1) the following subregulation is inserted —

“

- (1a) A licensee who fails to maintain a register in accordance with subregulation (1) commits an offence.
Penalty: \$5 000.

”.

8. Regulation 15 repealed

Regulation 15 is repealed.

9. Regulation 18B amended

- (1) Regulation 18B(2) is repealed and the following subregulations are inserted instead —

“

- (2) An application for a proof of age card is to be made in a form approved by the Director and be accompanied by —

- (a) such proof of the applicant’s identity and residential address in this State as the Director may require; and
(b) the appropriate fee set out in Schedule 3.

- (2a) Without limiting subregulation (2)(a), the Director may require an applicant for a proof of age card to provide 2 identical colour photographs (of the size required for a passport) of the applicant, taken within the 6 months immediately preceding the date of the application, with each photograph bearing the endorsement set out in subregulation (4) and the signature of the approved person who makes that endorsement.

”.

- (2) Regulation 18B(3) is amended after “include” by inserting —

“

, for use on the proof of age card, a photograph of the applicant and

”.

- (3) After regulation 18B(3) the following subregulations are inserted —

“

- (3a) In subregulation (3) —
“**photograph**” includes a negative or an image stored electronically.
- (3b) The Director is to ensure that any photograph or signature provided under subregulation (3) (including any image or reproduction stored electronically) is destroyed if the photograph or signature, or an image

or reproduction of it, has not been used on a proof of age card issued within the period of 5 years after the photograph or signature was provided.

- (3c) If a photograph of an applicant provided under subregulation (3) is required to be destroyed under subregulation (3b), any photograph of the applicant provided under subregulation (2) is also required to be destroyed.

”.

- (4) Regulation 18B(4) is amended by deleting “subregulation (2)(b)” and inserting instead —

“ subregulation (2a) ”.

- (5) Regulation 18B(5) is amended as follows:

- (a) by deleting paragraph (c) of the definition of “approved person” and inserting instead —

“

- (c) who, under the *Oaths, Affidavits and Statutory Declarations Act 2005*, is an authorised witness for a statutory declaration.

”;

- (b) by deleting the definition of “sufficient documentary evidence of the applicant’s identity and age”.

10. Regulation 18EB amended

After regulation 18EB(2)(d) the following paragraph is inserted —

“

- (da) the full name of any approved manager who was on duty when the incident took place;

”.

11. Regulation 27 amended

Regulation 27(3) is amended in the Table after “r. 14AE(3)” by inserting —

“ r. 14AG(1a) ”.

12. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) in Forms 19, 19A and 20 by deleting “*Liquor Licensing Act 1988*” in each place where it occurs and inserting instead —

“ *Liquor Control Act 1988* ”;

- (b) in Form 20 —

- (i) by deleting “complaint” and inserting instead —
“ application ”;

(ii) by deleting “complainant” and inserting instead —

“ applicant ”;

(c) by deleting Forms 21 and 22 and inserting instead —

“

Form 21

Liquor Control Act 1988		Notice No.	
Infringement notice		Date of notice	
Alleged offender	Name: Family name _____		
	Given names _____		
	Address _____		Postcode _____
	Date of birth _____		Male / Female _____
	Driver's licence No. (if available) _____		
Alleged offence	Description of offence _____		
	<i>Liquor Control Act 1988</i> s. _____		
	<i>Liquor Control Regulations 1989</i> r. _____		
	Location where offence committed Name of premises (if applicable) _____		
	Address _____		Postcode _____
	Date _____ / _____ /20		Time _____ a.m./p.m.
Modified penalty \$ _____			
Officer issuing notice	Name _____		
	Signature _____		
	Station No. _____		
Notice to alleged offender	<p>It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p>How to pay</p> <p>By post: Send a cheque, money order or postal note and the ‘Cashier’s Copy’ of this notice to: Director of Liquor Licensing PO Box 6119 East Perth WA 6892</p> <p>In person: Take the ‘Cashier’s Copy’ of this notice and pay the cashier at: Department of Racing, Gaming and Liquor 1st floor, Hyatt Centre 87 Adelaide Terrace, East Perth WA or at any Magistrates Court.</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver’s licence and/or vehicle licence may be suspended.</p> <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Director of Liquor Licensing at the above postal address.</p> <p>If you want this matter to be dealt with by prosecution in court, sign the ‘Cashier’s Copy’ of this notice here</p> <p>_____</p> <p>and post it to the Director of Liquor Licensing at the above postal address within 28 days after the date of this notice.</p>		

Form 22

Liquor Control Act 1988		Withdrawal No.
Withdrawal of infringement notice		Date of withdrawal
Alleged offender	Name: Family name _____	
	Given names _____	
	Address _____ Postcode _____	
Infringement notice	Infringement notice No. _____	
	Date of issue / /20	
Alleged offence	Description of offence _____	
	<i>Liquor Control Act 1988 s.</i> _____	
	<i>Liquor Control Regulations 1989 r.</i> _____	
	Location where offence committed Name of premises (if applicable) _____	
	Address _____ Postcode _____	
		Date / /20 Time a.m./p.m.
Officer withdrawing notice	Director of Liquor Licensing	
	Signature _____	
Withdrawal of infringement notice [*delete whichever is not applicable]	The above infringement notice issued against you has been withdrawn. If you have already paid the modified penalty for the alleged offence you are entitled to a refund. * Your refund is enclosed. <i>or</i> * If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to: Director of Liquor Licensing PO Box 6119 East Perth WA 6892	
	Signature _____ / /20	

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.