

RG301*

Liquor Control Act 1988

Liquor Control (Oombulgurri Restricted Area) Regulations 2008

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 (Oombulgurri Restricted Area) Regulations 2008*.

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. Meaning of “Oombulgurri Aboriginal Community” in these regulations

In these regulations —

Oombulgurri Aboriginal Community means the area of the land the subject of —

- (a) Lot 1 on Deposited Plan 92237 being Crown Reserve 3960; and
- (b) Lot 2 on Deposited Plan 202400 being the whole of the land in Certificate of Title Volume 1019 Folio 701; and
- (c) Lot 3 on Deposited Plan 144097 being the whole of the land on Certificate of Title Volume 1019 Folio 700.

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 Oombulgurri 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 Oombulgurri 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 Oombulgurri 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 Oombulgurri Aboriginal Community

- (1) A person who —
 - (a) brings liquor into, or causes liquor to be brought into, the Oombulgurri Aboriginal Community; or
 - (b) has liquor in his or her possession in the Oombulgurri 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 12 months 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,

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