Liquor Licensing Amendment Regulations  
(No. 2) 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the Liquor Licensing Amendment Regulations (No. 2) 2001.

2. Regulation 9A amended and transitional

(1) Regulation 9A(1)(h) of the Liquor Licensing Regulations 1989 is amended by deleting subparagraph (i) and “or” after it and inserting instead —

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(i) an attraction for tourists; or
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(2) Regulation 9A(2) of the Liquor Licensing Regulations 1989 is amended as follows:

(a) by deleting the full stop at the end of the subregulation and substituting a semicolon;

(b) by inserting after the definition of “specified” the following definition —

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“tourist” means a person who is —

(a) staying at a place that is at least 40 kilometres from his or her usual place of residence for a period of at least one night;

(b) intending to stay away from his or her usual place of residence for a period of less than 12 months;

(c) not in the course of travelling on a regular journey between his or her usual place of residence and his or her place of work or education; and

(d) travelling in the course of a holiday or for leisure, business, to visit friends or relatives or for any other reason.
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(3) Subject to subregulation (4), the Liquor Licensing Regulations 1989 as amended by this regulation apply to and in respect of any application for a special facility licence —

(a) made, but not finally determined, before the coming into operation of this regulation; or

(b) made on or after the coming into operation of this regulation.

(4) Nothing in these regulations affects —

(a) an application for review under section 25 of a decision in respect of a special facility licence; or

(b) an appeal under section 28 in respect of a special facility licence,

instituted but not finally determined before the coming into operation of this regulation.

[* Reprinted 7 January 2000. For amendments to 26 April 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 199.]*

By Command of the Lieutenant-Governor and deputy of the Governor,

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