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## RACING, GAMING AND LIQUOR

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RA301\*

Liquor Control Act 1988

### Liquor Control (Warralong Restricted Area) Regulations 2013

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 (Warralong Restricted Area) Regulations 2013*.

#### 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. Terms used

In these regulations —

*Warralong Aboriginal Community* means —

- (a) the land lying within a circle of 20 kilometres radius measured from the centre of the Warralong basketball court located at 20.6484722° S, 119.590333° E; and
- (b) the land lying within 15 metres of the centreline of that part of Goldsworthy Road which runs between Marble Bar Road and the circle described in paragraph (a).

#### 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 Warralong 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 is to take all reasonable steps to cause to be posted and, while the Warralong 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 Warralong 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 Warralong Aboriginal Community**

- (1) A person, other than an exempt person, who —
- (a) brings liquor into, or causes liquor to be brought into, the Warralong Aboriginal Community; or
  - (b) has liquor in his or her possession in the Warralong Aboriginal Community

commits an offence.

Penalty:

- (a) if committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence — a fine of \$5 000;
  - (b) in any other case — a fine of \$2 000.
- (2) In this regulation —
- exempt person* means the driver of, or a passenger in, a transiting vehicle;
- transiting vehicle* means a vehicle that transits the Warralong Aboriginal Community on a public road without —
- (a) stopping; or
  - (b) discharging any person or item.

**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 for Racing and Gaming.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.