
RACING, GAMING AND LIQUOR

RA302

Liquor Control Act 1988

**Liquor Control (Bungardi Restricted Area)
Regulations 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Liquor Control (Bungardi Restricted Area) Regulations 2017*.

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 19 August 2017.

3. Term used: Bungardi Aboriginal Community

In these regulations —

Bungardi Aboriginal Community means the area of land —

- (a) bounded by —
 - (i) the east side of Marrala Creek; and
 - (ii) the south side of Geikie Gorge Road; and
 - (iii) the east side of Bungardi Road; and
 - (iv) the north side of Fitzroy River;and
- (b) being part of Lot 289 Crown Reserve 45608, part of Lot 277 Crown Reserve 45046 and part of Lot 290 Crown Reserve 45609.

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 Bungardi 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 Bungardi 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 Bungardi 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 Bungardi Aboriginal Community

- (1) A person commits an offence if the person —
 - (a) brings liquor into, or causes liquor to be brought into, the Bungardi Aboriginal Community; or

- (b) has liquor in their possession in the Bungardi Aboriginal Community.

Penalty for this subregulation:

- (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 at the close of 19 August 2020.

Note for this regulation:

Under the *Liquor Control Act 1988* section 175(1d), these regulations expire at the end of the period referred to in regulation 9.

R. NEILSON, Clerk of the Executive Council.
