



Western Australia

Liquor Control Act 1988

**Liquor Control (Kunawarritji Restricted Area)  
Regulations 2011**

---

As at 14 Apr 2018

Version 00-d0-03  
Published on [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au)



Western Australia

# **Liquor Control (Kunawarritji Restricted Area) Regulations 2011**

## **Contents**

1.	Citation	1
2.	Commencement	1
3.	Terms used	1
4.	Note is not part of regulations	2
5.	Declaration of restricted area	2
6.	Notice of restricted area	2
7.	Prohibitions as to liquor in the Kunawarritji Aboriginal Community	3
8.	Exception for tourists using Well 33 camping grounds	3
9.	Seizure and disposal of containers of liquor	3
10.	Period during which these regulations have effect	4

### **Notes**

	Compilation table	5
--	-------------------	---

### **Defined terms**



## **Liquor Control (Kunawarritji Restricted Area) Regulations 2011**

### **1. Citation**

These regulations are the *Liquor Control (Kunawarritji Restricted Area) Regulations 2011*.

### **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 —

***Kunawarritji Aboriginal Community*** means the area of land up to a 50 kilometre radius measured from the telecommunications aerial located on Lot 333 on Deposited Plan 55302 at Latitude -22.329226 and Longitude 124.725562;

***tourist*** means a person who is —

- (a) staying at a place that is at least 50 kilometres from his or her usual place of residence for a period of at least one night; and
- (b) intending to stay away from his or her usual place of residence for a period of less than 12 months; and

**r. 4**

---

- (c) not in the course of travelling on a regular journey between his or her usual place of residence or 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; and
- (e) not usually a resident in a community declared a restricted area under section 175(1a) of the Act;

**Well 33 camping grounds** means the Kunawarritji Camp at Well 33 on the Canning Stock Route located at Latitude -22.34189 and Longitude 124.77519.

**4. Note is not part of regulations**

The note after regulation 10 does not form part of these regulations.

**5. Declaration of restricted area**

The Kunawarritji 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 Kunawarritji 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 Kunawarritji 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 Kunawarritji Aboriginal Community**

- (1) Subject to subregulation (3) and regulation 8, a person who —
- (a) brings liquor into, or causes liquor to be brought into, the Kunawarritji Aboriginal Community; or
  - (b) has liquor in his or her possession in the Kunawarritji 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.
- (3) A person does not commit an offence under subregulation (1) if the person —
- (a) is a tourist; and
  - (b) does not consume the liquor in his or her possession; and
  - (c) continuously maintains possession of the liquor until such time as he or she has left the Kunawarritji Aboriginal Community.

**8. Exception for tourists using Well 33 camping grounds**

Despite regulation 7, a tourist using the Well 33 camping grounds may possess and consume alcohol while on the grounds.

**9. 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

**r. 10**

---

reasonable grounds to be the subject of an offence under regulation 7.

**10. Period during which these regulations have effect**

Unless sooner repealed, these regulations have effect for the period that ends at the close of 3 May 2021.

Note

Under the *Liquor Control Act 1988* section 175(1d), these regulations expire at the end of the period referred to in regulation 10.

*[Regulation 10 amended: Gazette 2 May 2014 p. 1365; 10 Apr 2015 p. 1262; 13 Apr 2018 p. 1289.]*



### Notes

- <sup>1</sup> This is a compilation of the *Liquor Control (Kunawarritji Restricted Area) Regulations 2011* and includes the amendments made by the other written laws referred to in the following table <sup>2</sup>.

#### Compilation table

Citation	Gazettal	Commencement
<i>Liquor Control (Kunawarritji Restricted Area) Regulations 2011</i>	3 May 2011 p. 1597-9	r. 1 and 2: 3 May 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 4 May 2011 (see r. 2(b))
<i>Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2014</i>	2 May 2014 p. 1365	r. 1 and 2: 2 May 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 3 May 2014 (see r. 2(b))
<i>Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2015</i>	10 Apr 2015 p. 1262	r. 1 and 2: 10 Apr 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 11 Apr 2015 (see r. 2(b))
<i>Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2018</i>	13 Apr 2018 p. 1288-9	r. 1 and 2: 13 Apr 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Apr 2018 (see r. 2(b))

- <sup>2</sup> These regulations expire at the close of 3 May 2021 (see r. 10 and *Gazette* 13 Apr 2018 p. 1289).

## **Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
Kunawarritji Aboriginal Community .....	3
tourist .....	3
Well 33 camping grounds .....	3