

RA303

Liquor Control Act 1988

Liquor Control (Parnngurr Restricted Area) Regulations 2018

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Liquor Control (Parnngurr Restricted Area) Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — 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 —

exempt person has the meaning given in regulation 4;

Parnngurr Aboriginal Community means the area of land within a radius of 30 km of the telecommunications aerial located at the point with the following Geocentric Datum of Australia 1994 (GDA94) coordinates —

- (a) 122.597657°E;
- (b) 22.817111°S.

4. Exempt person

For the purposes of these regulations, a person is an *exempt person* if the person is —

- (a) staying at a place that is at least 50 km from their usual place of residence for a period of at least 1 night; and
- (b) intending to stay away from their usual place of residence for a period of less than 12 months; and
- (c) not in the course of travelling on a regular journey between their usual place of residence or their place of work or education; and
- (d) travelling in the course of a holiday, or to visit friends or relatives, or for leisure, business or any other reason; and
- (e) not usually a resident in a restricted area declared under section 175(1a) of the Act.

5. Note is not part of regulations

The note after regulation 11 does not form part of these regulations.

Part 2 — Restricted area

6. Declaration of restricted area

The Parnngurr Aboriginal Community is declared to be a restricted area for the purposes of section 175(1a) of the Act.

7. Notice of restricted area

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Parnngurr Aboriginal Community continues to be a restricted area by operation of regulation 6 to be kept posted, at each place where a customary access route enters the Parnngurr Aboriginal Community a notice —
 - (a) describing the offences set out in regulation 8; and
 - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 6.

Part 3 — Prohibitions and related provisions

8. Prohibitions as to liquor in the Parnngurr Aboriginal Community

- (1) Subject to regulation 9, a person commits an offence if the person —
 - (a) brings liquor into, or causes liquor to be brought into, the Parnngurr Aboriginal Community; or
 - (b) possesses liquor in the Parnngurr 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.

9. Exception to r. 8

A person who is an exempt person does not commit an offence under regulation 8(1) if the person continuously maintains possession of, but does not consume, the liquor.

10. 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 8.

Part 4 — Period of effect**11. Period during which these regulations have effect**

Unless sooner repealed, these regulations have effect for the period that ends at the close of 7 July 2021.

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 11.

Part 5 — *Liquor Control Regulations 1989* amended**12. Regulations amended**

This Part amends the *Liquor Control Regulations 1989*.

13. Regulation 27 amended

In regulation 27(4) in the Table insert in alphabetical order:

<p><i>Liquor Control (Parnngurr Restricted Area) Regulations 2018</i> regulation 8(1)</p>

N. HAGLEY, Clerk of the Executive Council.
