



Western Australia

Liquor Control Act 1988

**Liquor Control (Ngalinkadji Restricted Area)
Regulations 2016**

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Liquor Control (Ngalinkadji Restricted Area) Regulations 2016

Contents

1.	Citation	1
2.	Commencement	1
3.	Term used: Ngalinkadji Aboriginal Community	1
4.	Note is not part of regulation	1
5.	Declaration of restricted area	1
6.	Notice of restricted area	2
7.	Prohibitions as to liquor in the Ngalinkadji Aboriginal Community	2
8.	Seizure and disposal of containers of liquor	2
9.	Period during which these regulations have effect	3

Notes

	Compilation table	4
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Defined terms

Liquor Control (Ngalingkadji Restricted Area) Regulations 2016

1. Citation

These regulations are the *Liquor Control (Ngalingkadji Restricted Area) Regulations 2016*.

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. Term used: Ngalingkadji Aboriginal Community

In these regulations —

Ngalingkadji Aboriginal Community means the area of land described as Lot 40 on Deposited Plan 188547 being the whole of the land in Record of Qualified Certificate of Crown Land Title Volume LR3028 Folio 233.

4. Note is not part of regulation

The note for regulation 9 does not form part of these regulations.

5. Declaration of restricted area

The Ngalingkadji 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 Ngalingkadji 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 Ngalingkadji 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 Ngalingkadji Aboriginal Community

- (1) A person must not —
 - (a) bring liquor into, or cause liquor to be brought into, the Ngalingkadji Aboriginal Community; or
 - (b) be in possession of liquor in the Ngalingkadji 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 1 April 2022.

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.

[Regulation 9 amended: Gazette 22 Mar 2019 p. 859.]

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Notes

- ¹ This is a compilation of the *Liquor Control (Ngalingkadji Restricted Area) Regulations 2016* and includes the amendments made by the other written laws referred to in the following table ².

Compilation table

Citation	Gazettal	Commencement
<i>Liquor Control (Ngalingkadji Restricted Area) Regulations 2016</i>	8 Apr 2016 p. 1099-1100	r. 1 and 2: 8 Apr 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Apr 2016 (see r. 2(b))
<i>Racing and Gaming Regulations Amendment (Liquor Control) Regulations 2019 Pt. 2</i>	22 Mar 2019 p. 859-60	23 Mar 2019 (see r. 2(b))

- ² These regulations expire at the close of 1 Apr 2022 (see r. 9).

Defined terms

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

The list is not part of the law.]

Defined term	Provision(s)
Ngalingkadji Aboriginal Community	3