
RACING, GAMING AND LIQUOR

RA401

Liquor Control Act 1988

Liquor Control (Wakathuni Restricted Area) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Liquor Control (Wakathuni Restricted Area) Regulations 2019*.

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 —

exempt person means the driver of or a passenger in a transiting vehicle;

transiting vehicle means a vehicle that transits the Wakathuni Aboriginal Community on a public road without —

- (a) stopping; or
- (b) discharging any person or item;

Wakathuni Aboriginal Community means the land lying within a radius of 5 km measured from the centre of the Wakathuni basketball court located at latitude 22.866784° S, longitude 117.832828° E.

4. Note is not part of regulations

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

Part 2 — Restricted area

5. Declaration of restricted area

The Wakathuni 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 Wakathuni 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 Wakathuni 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.

Part 3 — Prohibitions and related provisions**7. Prohibitions as to liquor in the Wakathuni Aboriginal Community**

- (1) A person, other than an exempt person, commits an offence if the person —
 - (a) brings liquor into, or causes liquor to be brought into, the Wakathuni Aboriginal Community; or
 - (b) possesses liquor in the Wakathuni 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.

Part 4 — Period of effect**9. Period during which these regulations have effect**

Unless sooner repealed, these regulations have effect for the period that ends at the close of 30 June 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.

Part 5 — *Liquor Control Regulations 1989* amended**10. Regulations amended**

This Part amends the *Liquor Control Regulations 1989*.

11. Regulation 27 amended

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

<p><i>Liquor Control (Wakathuni Restricted Area) Regulations 2018</i> regulation 7(1)</p>

R. NEILSON, Clerk of the Executive Council.