



**LIQUOR CONTROL ACT 1988**

**LIQUOR CONTROL (SECTION 31) (KIMBERLEY) NOTICE 2020**

Issued under the *Liquor Control Act 1988* (‘the Act’) sections 31(6) and (7) by the Director of Liquor Licensing.

**1. Citation**

This notice is the *Liquor Control (Section 31) (Kimberley) Notice 2020*.

**2. Commencement**

This notice comes into operation on the day on which it is published in the *Gazette*.

**3. Term used in this notice**

“**customer**” means a person other than a liquor merchant as defined by section 3 of the Act but does not include—

- (a) a person outside of Western Australia; or
- (b) a station owner, a pastoralist or a person operating or employed at a remote work site.

“**relevant licence**” means any hotel licence, hotel restricted licence, tavern licence, liquor store licence, club licence, producers, wholesalers licence or special facility licence granted before or after this notice comes into operation.

“**station owner**” means the owner of an agricultural station or farm in the Kimberley or Pilbara region where the liquor is to be consumed at the station or farm.

“**pastoralist**” means the lease holder of an agricultural farm or station in the Kimberley or Pilbara region where the liquor is to be consumed at the station or farm.

“**person operating or employed at a remote work site**” means an operator, employee or contractor of a remote work site where the liquor is to be consumed at a remote work or camp site.

“**Kimberley region**” is the area as described in Item 4 of Schedule 4—Other regions of the *Planning and Development Act 2005*.

“**Pilbara region**” is the area as described in Item 7 of Schedule 4—Other regions of the *Planning and Development Act 2005*.

**4. Affected area**

This notice applies to relevant licences in the Kimberley region.

**5. Interaction of this notice and other conditions on licences**

- (a) A condition imposed by this notice on a relevant licence is in addition to any other condition to which the licence is subject.
- (b) If there is a conflict or inconsistency between a condition imposed by this notice on a relevant licence and any other condition to which the licence is subject, the more onerous condition prevails.

**6. Additional conditions applicable to licences**

- (a) Each relevant licence is subject to a condition that the licence does not authorise the sale of packaged liquor in excess of the following quantities per customer per day—
  - (i) 11.25 litres of beer, cider or pre-mixed spirits (eg. one carton or a combination of each kind of liquor up to 11.25 litres); or
  - (ii) 2.25 litres of wine (eg. 3 bottles); or
  - (iii) 1 litre of spirits; or
  - (iv) 1 litre of fortified wine; or
  - (v) a combination of any two of (i), (ii), (iii) or (iv) above but not a combination of two of the same products.

**7. Register of sales to exempt persons**

- (a) Licensees must maintain on the licensed premises, a register of purchases made by a station owner, a pastoralist or a person operating or employed at a remote work site.
- (b) The register must be made available for inspection at the request of an authorised officer and must contain—
  - (i) Name and address of purchaser; and
  - (ii) Address of which the liquor is being delivered/taken; and
  - (iii) Description and quantity of liquor purchased.

**8. Term of notice**

This notice will remain in force while the State of Emergency declaration made by the Minister for Emergency Services under section 56 or extended under section 58 of the *Emergency Management Act 2005* is in effect or until the notice is revoked by the Director of Liquor Licensing.

DUNCAN ORD, Director of Liquor Licensing.

---