Western Australia

Liquor Control Regulations 1989

Compare between:

[11 Jan 2017, 13-n0-00] and [04 Feb 2017, 13-o0-00]

Western Australia

Liquor Control Act 1988

Liquor Control Regulations 1989

1. Citation

These regulations may be cited as the *Liquor Control Regulations 1989* [1].

[Regulation 1 amended in Gazette 1 May 2007 p. 1864.]

2. Commencement

These regulations shall come into operation on the day on which the *Liquor Control Act 1988* [2] comes into operation [1].

3. Forms prescribed etc. (Sch. 1)

(1) For the purposes respectively specified in the heading to those forms, a form set out in the manner specified in Schedule 1 shall be deemed to be in the prescribed form.

(2) Where particulars or matters are referred to in a form to be used under these regulations information as to those particulars and matters is required to be supplied, in accordance with the directions, if any, on that form, in so far as may be applicable to the particular case.

(3) All applications and accompanying documents, other than plans, shall be on paper of A4 size.

(4) Subregulation (3) does not apply to applications and accompanying documents that are lodged by an electronic means acceptable to the Director.

[Regulation 3 amended in Gazette 3 Jun 2011 p. 1999.]

3A. Terms used

(1) In these regulations, unless the contrary intention appears —

anticipated number of patrons, in relation to an application for an occasional licence, means the sum of the maximum number of patrons for each day of the period to which the application relates;

approved manager has the meaning given in section 102A;

crowd controller has the meaning given in section 126C(1);

higher education course has the meaning given in the *Higher Education Act 2004* section 3;

higher education institution means an education institution as defined in the *Higher Education Act 2004* section 3 that provides a higher education course;

manager's approval has the meaning given in section 102A;

maximum number of patrons, in relation to a day of the period to which an application for an occasional licence relates, means the maximum number of patrons that the person making the application reasonably expects to be in the licensed area at any one time on that day;

notional wholesale selling price, in relation to wine that is low alcohol liquor sold by a wholesaler or producer, means the price for which the wholesaler or producer could reasonably have been expected to sell the wine by wholesale under an arm's length transaction and without the benefit of a subsidy under section 130;

prescribed incident means an incident that is prescribed by regulation 18EB(1) for the purposes of section 116A(1);

producer has the meaning given in section 129;

standard drink means a drink containing not more than 10 g of ethanol measured at 20°C;

tax period has the meaning given by section 195-1 of the Commonwealth *A New Tax System (Goods and Services Tax) Act 1999*;

vocational education and training institution means a college or other vocational education and training institution established under the *Vocational Education and Training Act 1996*;

WET has the meaning given to ***wine tax*** in section 33-1 of the Commonwealth *A New Tax System (Wine Equalisation Tax) Act 1999*;

wholesaler has the meaning given in section 129.

(2) In these regulations, unless the contrary intention appears, a reference to a section is to be taken to be a reference to a section of the Act.

[Regulation 3A inserted in Gazette 30 Jan 1998 p. 561; amended in Gazette 22 May 1998 p. 2940; 28 Jul 2000 p. 4029; 28 Jun 2002 p. 3105-6; 10 Aug 2004 p. 3186; 1 May 2007 p. 1864 and 1888; 15 Jan 2010 p. 70-1; 22 Oct 2010 p. 5225; 3 Jun 2011 p. 1994; 6 Sep 2016 p. 3828; 10 Jan 2017 p. 140.]

3AB. Kind of liquor prescribed (mist containing ethanol) (Act s. 3(1) *kind*)

For the purposes of paragraph (e) of the definition of a ***kind*** in section 3(1), a substance that regulation 4AB prescribes as being liquor is prescribed as being a kind of liquor.

[Regulation 3AB inserted in Gazette 11 Jan 2005 p. 98; amended in Gazette 1 May 2007 p. 1888.]

3AC. Kind of liquor prescribed (aerosol containing ethanol) (Act s. 3(1) *kind*)

For the purposes of paragraph (e) of the definition of a ***kind*** in section 3(1), a substance that regulation 4AC prescribes as being liquor is prescribed as being a kind of liquor.

[Regulation 3AC inserted in Gazette 11 Jan 2005 p. 98; amended in Gazette 1 May 2007 p. 1888.]

3AD. Kind of liquor prescribed (powdered alcohol) (Act s. 3(1) *kind*)

For the purposes of paragraph (e) of the definition of a ***kind*** in section 3(1), powdered alcohol that regulation 4AD(2) prescribes as being liquor is prescribed as being a kind of liquor.

[Regulation 3AD inserted in Gazette 7 Aug 2015 p. 3206.]

4. Level prescribed (Act s. 3(1) *low alcohol liquor*)

For the purposes of the definition of ***low alcohol liquor*** in section 3(1), the prescribed concentration of ethanol in liquor is 3.5% at 20°C.

[Regulation 4 inserted in Gazette 22 May 1998 p. 2940; amended in Gazette 28 Jul 2000 p. 4029; 1 May 2007 p. 1888.]

4AA. Proportion of ethanol prescribed (Act s. 3(1) *liquor*)

For the purposes of paragraph (a) of the definition of ***liquor*** in section 3(1), 0.5% ethanol by volume is prescribed as the proportion of a beverage which at 20°C is liquor.

[Regulation 4AA inserted in Gazette 22 May 1998 p. 2940; amended in Gazette 6 Oct 1998 p. 5564; 1 May 2007 p. 1888.]

4A. Substances prescribed (food items) (Act s. 3(1) *liquor*)

(1) The following substances are prescribed under paragraph (b) of the definition of ***liquor*** in section 3(1) as being liquor for the purposes of the Act —

(a) an alcohol based food essence that is sold by way of retail sale;

(b) an alcohol based novelty food item that is sold by way of retail sale.

(2) In subregulation (1) —

alcohol based food essence means a preparation of flavouring substance in liquid form with a concentration of ethanol exceeding 1.15% by volume in a container that has a volume exceeding —

(a) 100 ml, in the case of natural vanilla essence; or

(b) 50 ml, in any other case;

alcohol based novelty food item means a food item or ice confection which contains more than 0.5% ethanol by volume and is modelled on children's food stuff, including but not limited to, lollipops, ice-creams, or jellies;

retail sale has the meaning given in the *Retail Trading Hours Act 1987*.

[Regulation 4A inserted in Gazette 23 Sep 1994 p. 4901; amended in Gazette 30 Dec 1994 p. 7329; 26 Nov 1996 p. 6629; 30 Apr 1999 p. 1820-1.]

4AB. Substance prescribed (mist containing ethanol) (Act s. 3(1) *liquor*)

For the purposes of paragraph (b) of the definition of ***liquor*** in section 3(1), a substance that is a mist made up of —

(a) a gas; and

(b) droplets of a liquid that at 20°C contains more than 0.5% ethanol by volume,

is prescribed as being liquor.

[Regulation 4AB inserted in Gazette 11 Jan 2005 p. 98-9; amended in Gazette 1 May 2007 p. 1888-9.]

4AC. Substance prescribed (aerosol containing ethanol) (Act s. 3(1) *liquor*)

For the purposes of paragraph (b) of the definition of ***liquor*** in section 3(1), a substance that —

(a) is sold in an aerosol container; and

(b) is intended to be inhaled by humans; and

(c) at 20°C contains more than 0.5% ethanol by volume,

is prescribed as being liquor.

[Regulation 4AC inserted in Gazette 11 Jan 2005 p. 99; amended in Gazette 1 May 2007 p. 1888-9.]

4AD. Substance prescribed (powdered alcohol) (Act s. 3(1) *liquor*)

(1) In this regulation —

powdered alcohol means a substance that —

(a) appears to be of a powdered or crystalline nature; and

(b) contains ethanol; and

(c) is intended for human consumption.

(2) For the purposes of paragraph (b) of the definition of ***liquor*** in section 3(1), powdered alcohol is prescribed as being liquor.

[Regulation 4AD inserted in Gazette 7 Aug 2015 p. 3206-7.]

4AE. Substance prescribed (liqueur chocolate) (Act s. 3(1) *liquor*)

(1) In this regulation —

liqueur chocolate means chocolate-based confection of which each separate piece —

(a) has a mass of more than 15.6 g; and

(b) contains more than 5.1 g of liquid with a concentration of ethanol exceeding 5% or more ethanol by volume.

(2) For the purposes of paragraph (b) of the definition of ***liquor*** in section 3(1), liqueur chocolate is prescribed as being liquor.

[Regulation 4AE inserted in Gazette 1 Dec 2015 p. 4821-2.]

5. Sources of information prescribed (Act s. 3(1) *record*)

(1) For the purposes of the interpretation of the expression ***record*** in section 3(1) the following sources of information are prescribed —

(a) in respect of any transaction involving the sale or purchase of liquor, the original, or a true copy, of any order form, invoice, delivery docket or advice, or other record or document which evidences the sale or purchase and which is supplied, or to be supplied, to or by the licensee;

(b) in respect of any transaction involving the sale or purchase of liquor, the original or a true copy of —

(i) any deposit slip or statement, lodged with or issued by a bank or other financial institution by or to the licensee, which records the deposit or withdrawal of moneys received or paid by the licensee in respect of the transaction;

(ii) any cheque butt or counterfoil of the licensee, indicating the name of the payee, a cheque number or other reference number, the amount paid by the cheque, and the date of the payment;

(iii) any document supplied to the licensee in relation to the movement of liquor to or from, or the storage of liquor in, premises which are —

(A) the subject of a warehouse licence under the *Customs Act 1901*; or

(B) an approved place under the *Excise Act 1901*,

of the Commonwealth;

(iv) any return or other document which the licensee is required to complete or submit pursuant to —

(A) the *Sales Tax Assessment Act (No. 1) 1930* [3]; or

(B) the *Customs Act 1901*; or

(C) the *Excise Act 1901*,

of the Commonwealth;

(v) any other journal, document or other record which evidences —

(A) the sale or purchase of liquor by the licensee; or

(B) any other transaction involving liquor to which the licensee is a party; or

(C) the delivery, transport or other movement of liquor.

(2) For the purposes of this regulation, a reference —

(a) to a ***sale***, shall be construed having regard to the interpretation of the expression ***sell*** in section 3(1) and to the requirement of section 145(1) that the record include transactions involving any other disposal of liquor; and

(b) to a ***purchase***, shall be construed having regard to the interpretation of the expression ***sell*** in section 3(1) and to the requirement of section 145(1) that the record include transactions involving any other acquisition of liquor.

[Regulation 5 amended in Gazette 30 Jan 1998 p. 562.]

5A. Quantities prescribed (Act s. 3(1) *sample*)

For the purposes of the definition of ***sample*** in section 3(1) —

(a) the prescribed quantity of beer is 100 ml; and

(b) the prescribed quantity of wine is 50 ml; and

(c) the prescribed quantity of spirits is 15 ml.

[Regulation 5A inserted in Gazette 1 May 2007 p. 1865.]

5B. Positions of authority in body corporate prescribed (Act s. 3(4)(d))

(1) This regulation has effect for the purposes of section 3(4)(d).

(2) A person occupies a position of authority in a body corporate that is a proprietary company (the ***relevant body corporate***) if the person is —

(a) an ultimate holding company (as defined in the Commonwealth *Corporations Act 2001* section 9) in relation to the relevant body corporate; or

(b) a director of the ultimate holding company; or

(c) if the ultimate holding company is a proprietary company, a director of or shareholder in the ultimate holding company.

(3) A person occupies a position of authority in a body corporate that is a proprietary company (the ***relevant body corporate***) if —

(a) the person is —

(i) a director of a body corporate; or

(ii) a director of or shareholder in a body corporate that is a proprietary company;

and

(b) the body corporate referred to in paragraph (a)(i) or (ii) is a shareholder in the relevant body corporate.

(4) If —

(a) a person occupies a position of authority in a body corporate that is a proprietary company (the ***relevant body corporate***) —

(i) by the operation of this regulation (including by the operation of this subregulation); and

(ii) because the person is a shareholder in another body corporate;

and

(b) the person is a body corporate,

a person who is —

(c) a director of the body corporate referred to in paragraph (b); or

(d) if that body corporate is a proprietary company, a director of or shareholder in that body corporate,

occupies a position of authority in the relevant body corporate.

[Regulation 5B inserted in Gazette 1 May 2007 p. 1865-6.]

*[**6.** Deleted in Gazette 1 May 2007 p. 1867.]*

7. Approved courses (Act s. 6(1)(c))

An educational course of instruction or training that includes as a required element the tasting, sampling or use of liquor is an approved course for the purposes of section 6(1)(c) if it is conducted —

(a) by a vocational education and training institution; or

(ba) by a higher education institution; or

(b) by a person approved in writing by the Director.

[Regulation 7 inserted in Gazette 16 May 1995 p. 1859; amended in Gazette 1 May 2007 p. 1867 and 1888-9; 15 Jan 2010 p. 71.]

8. Exemption from Act, certain sales etc.

(1) The following sales are exempted from the application of the Act —

(a) the sale of liquor in bond by the proprietor of premises which are the subject of a warehouse licence under the *Customs Act 1901* of the Commonwealth, to a person who proposes personally to take the liquor outside Australia;

(b) the sale of liquor on a train in the course of an interstate rail passenger service to or from Perth;

(c) the sale or supply of liquor together with flowers, a food parcel or a gift hamper, to be delivered by the vendor or supplier as a gift, where —

(i) the gift is delivered no earlier than 7 a.m. and no later than 7 p.m.; and

(ii) the person to whom the gift is delivered has reached 18 years of age and is not the vendor, supplier or purchaser; and

(iii) the quantity of liquor sold or supplied does not exceed 2 L; and

(iv) the liquor was purchased by the vendor or supplier from the holder of a hotel licence or a liquor store licence; and

(v) the value of the liquor and its container is not more than half of the purchase price of the gift; and

(vi) the business of the vendor or supplier is genuinely marketed as a service for the sale and delivery of gifts; and

(vii) the gift is packaged so that a person to whom it is delivered would be likely to know that it was intended to be a gift;

(d) the sale or supply of liquor as a prize in a lottery conducted in accordance with the *Gaming and Wagering Commission Act 1987*;

(e) the sale of liquor to the master of a ship as ships' stores for consumption on that ship outside the WA territorial seas;

[(f) deleted]

(g) the sale by a person, authorised in writing by the Director, of an alcohol based food essence, as defined in regulation 4A(2);

(h) the sale or supply of liquor —

(i) by a person who conducts or manages a nursing home as defined in the *Private Hospitals and Health Services Act 1927* section 2(1), to a person who is a patient and resident of the nursing home; or

(ia) by a person who conducts or manages a hospital, within the meaning of the *Health Services Act 2016*, to a patient of that hospital; or

(ii) by a person who conducts or manages a private psychiatric hostel, as defined in the *Private Hospitals and Health Services Act 1927* section 2(1), to a person who is a resident of the private psychiatric hostel; or

(iii) by a person who is an approved provider providing residential care, to a person who is accommodated in the residential facility where that residential care is provided;

(i) the sale of liquor on an aircraft in the course of a flight of the aircraft;

(ja) the sale of liquor on a commercial vessel in the course of an inter-State voyage or overseas voyage of the vessel;

(jb) the sale of liquor on a cruise ship in the course of a qualifying intra-State voyage to a qualifying person for consumption on board the cruise ship;

(j) the supply of liquor by a person who conducts, supervises or manages a bed and breakfast facility (being an accommodation facility that offers bed and breakfast) if —

(i) that supply of the liquor is to an adult recipient staying at the facility; and

(ii) that supply of the liquor is at the facility; and

(iii) that supply of the liquor is gratuitous; and

(iv) that supply of the liquor does not exceed 1.5 L in quantity, either by itself or in aggregate with any other liquor supplied gratuitously by that person to that recipient during the period for which that recipient stays at the facility; and

(v) the liquor was purchased by that person from the holder of a licence to sell packaged liquor, except if the licence was a wholesaler's licence or a club licence; and

(vi) no more than 8 persons can stay at the facility at any one time.

(1a) In subregulation (1)(e) —

WA territorial seas means 12 nautical miles of sea off the coast of the State, measured from baselines determined in accordance with Part II Section 2 of the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982.

(2) In subregulation (1)(h)(iii) —

approved provider has the meaning given in the *Aged Care Act 1997* (Commonwealth) Schedule 1 clause 1;

residential care has the meaning given in the *Aged Care Act 1997* (Commonwealth) section 41-3.

(3) In subregulation (1)(ja) and (jb) —

commercial vessel has the meaning given in the *Western Australian Marine Act 1982* section 3(1);

cruise ship means a vessel that —

(a) is suitable for deep water cruising; and

(b) has a minimum capacity of 100 passenger berths;

inter-State voyage means a voyage between a port in the State and a port in another State or Territory, whether or not the vessel travels between 2 or more ports in the State in the course of the voyage;

overseas voyage has the meaning given in the *Navigation Act 2012* (Commonwealth) section 16;

qualifying intra-State voyage means a scheduled deep water voyage —

(a) that is not an inter-State voyage or an overseas voyage; and

(b) that continues over at least 1 night;

qualifying person means a fare-paying passenger or a crew member on a cruise ship who —

(a) has attained 18 years of age; and

(b) is not drunk.

[Regulation 8 amended in Gazette 21 Feb 1992 p. 933-4; 30 Dec 1994 p. 7330; 26 Nov 1996 p. 6629-30; 30 Jan 1998 p. 562; 28 Apr 1998 p. 2198; 22 May 1998 p. 2941; 30 Apr 1999 p. 1821; 6 Jul 2001 p. 3415; 28 Mar 2003 p. 983-4; 28 Oct 2003 p. 4528-9; 30 Jan 2004 p. 417; 9 Jul 2004 p. 2773; 19 Aug 2005 p. 3873-4; 1 May 2007 p. 1867-8; 15 Jul 2011 p. 2955; 6 Dec 2013 p. 5739; 24 Jun 2016 p. 2340-1; 10 Jan 2017 p. 140-1.]

8A. Exemption from Act, consumption at live entertainment venues

(1) In this regulation —

entertainment —

(a) means musical, theatrical, dance or comic entertainment; but

(b) does not include a sporting contest;

live entertainment —

(a) means continuous entertainment provided by one or more persons present in person; but

(b) does not include any of the following —

(i) entertainment provided by way of recorded music (including music videos), whether or not

by a disk jockey, unless merely incidental to the continuous entertainment to which paragraph (a) applies;

(ii) the presentation, visually or acoustically (or both), of entertainment taking place at another venue, where what is presented is received from a broadcast or any other transmission (including Internet streaming) in real time or with a delay;

negative determination, in relation to a person, means —

(a) a refusal of an application under the Act for the grant of a licence, or for approval to the transfer of a licence, if the ground, or one of the grounds, for the refusal of the application was that the person —

(i) was not a fit and proper person to be a licensee of the premises to which the application related; or

(ii) was not a fit and proper person to occupy a position of authority in a body corporate that is a licensee of the premises to which the application related; or

(iii) was not a fit and proper person to be directly or indirectly interested in the application or in the business, or the profits or proceeds of the business, to be carried on under the licence;

or

(b) a refusal of an application under the Act for the approval of a person to occupy a position of authority in a body corporate that holds a licence, if the ground, or one of the grounds, for the refusal of the application was that the person was not a fit and proper person to occupy that position in the body corporate; or

(c) a refusal of an application under the Act for the approval of the person as a trustee to hold a licence, if the ground, or one of the grounds, for the refusal of the application

was that the person was not a fit and proper person for the position; or

(d) a refusal of an application under the Act for the approval of the person as an approved unrestricted manager or an approved restricted manager or (in the case of an application made before the day on which the *Liquor Control Amendment Act 2010* [1] Part 2 came into operation) as a manager of licensed premises, if the ground, or one of the grounds, for the refusal of the application was that the person was not a fit and proper person to be a manager of licensed premises; or

(e) a refusal of an application under section 86 for the approval of the person to carry on the business of a licensee, if the ground, or one of the grounds, for the refusal of the application was that the person was not a fit and proper person to carry on the business of a licensee; or

(f) a refusal of an application under section 87 for the grant of a protection order, if the ground, or one of the grounds, for the refusal of the application was that the person was not a fit and proper person to carry on the business of a licensee; or

(g) a refusal of an application under section 104 for the approval of an agreement or arrangement, if the ground, or one of the grounds, for the refusal of the application was that the person was not a fit and proper person to act as an unlicensed agent; or

(h) a refusal of an application under section 119A for approval to conduct a non-liquor business on licensed premises, if the ground, or one of the grounds, for the refusal of the application was that the person was not a fit and proper person to conduct the non-liquor business on the premises;

responsible adult has the meaning given in section 125(2)(b);

restricted material means —

(a) a publication, within the meaning of the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth), that has been classified or reclassified RC (refused classification), Category 1 restricted or Category 2 restricted under that Act; or

(b) a film, within the meaning of that Act, that has been classified or reclassified RC (refused classification), X 18+ or R 18+ under that Act; or

(c) a computer game, within the meaning of that Act, that has been classified or reclassified RC (refused classification) under that Act.

(2) For the purpose of determining whether or not entertainment is continuous, no account is to be taken of reasonable intervals between acts, or between the performances of persons, as long as substantial compliance with the requirement for continuity is observed.

(3) For the purposes of subregulation (4)(e)(i), a person has a ***current negative determination*** if a negative determination has at any time been made in relation to that person, unless since that negative determination was made —

(a) an application of any of the kinds mentioned in the definition of ***negative determination*** in subregulation (1) has been made to the licensing authority; and

(b) the determination of the application required the licensing authority to determine whether or not the person was a fit and proper person in relation to a matter relevant to the application; and

(c) the application was granted.

(4) The consumption of liquor by a person who is at least 18 years of age is exempted from the application of the Act if —

(a) the liquor is consumed on premises while live entertainment is being provided on the premises; and

(b) the primary purpose of the premises is to facilitate the provision of live entertainment; and

(c) the consumption of liquor on the premises is ancillary to the live entertainment being provided; and

(d) the person in charge of the premises notifies the Director, in the form and manner approved by the Director and at least 14 days before that person first intends to rely on the exemption conferred by this regulation to permit the consumption of liquor on the premises, that liquor is to be consumed on the premises in reliance on the exemption conferred by this regulation; and

(e) neither the person in charge of the premises, nor any person who is an employee, contractor or agent of that person and is providing services on the premises —

(i) has a current negative determination; or

(ii) is the holder of a licence or protection order the operation of which is suspended under section 96(1)(d) or (4); or

(iii) has had a licence or protection order held by the person cancelled under section 96(1)(e) or (4), unless since that cancellation the person has been granted a licence or protection order; or

(iv) is disqualified under section 96(1)(f) from holding a licence; or

(v) is disqualified under section 96(1)(g)(i) from being the holder of a position of authority in a body corporate that holds a licence; or

(vi) is disqualified under section 96(1)(g)(ii) from being interested in, or in the profits or proceeds of, a business carried on under a licence; or

(vii) has had the approval of the person as a manager revoked under section 102F(2)(a) or withdrawn (other than for a specified period) under the former section 35B (as in force immediately before its repeal by the *Liquor Control Amendment Act 2010* section 8), unless since that revocation or withdrawal the person has been approved as a manager; or

(viii) is an approved manager whose approval is suspended under section 102F(2)(b); or

(ix) is the subject of a prohibition order made under section 152E;

and

(f) there are no more than 200 patrons on the premises at any one time; and

(g) the person in charge of the premises is not a juvenile; and

(h) juveniles (other than juveniles mentioned in subregulation (5)) are not allowed to enter or remain on the premises unless accompanied by, and under the supervision of, a responsible adult; and

(i) water suitable for drinking is provided, free of charge, at all times when liquor is being consumed on the premises; and

(j) a drunk person is not allowed to consume liquor on the premises; and

(k) neither the person in charge of the premises, nor any person who is an employee, contractor or agent of that person and is providing services on the premises, nor any person who is providing live entertainment on the premises —

(i) is indecently dressed on the premises; or

(ii) allows any other person to be indecently dressed on the premises; or

(iii) takes part in, or allows any other person to take part in, any activity on the premises in an indecent manner; or

(iv) shows or allows to be shown on the premises any restricted material or any extract from restricted material.

(5) The juveniles to which subregulation (4)(h) does not apply are as follows —

(a) a juvenile who is providing services on the premises (such as serving food or providing security);

(b) a juvenile who is providing live entertainment on the premises, or assisting a person who is providing such entertainment.

[Regulation 8A inserted in Gazette 15 Jul 2011 p. 2956-60.]

8B. Exemption from Act, sales etc. at certain functions

(1) The sale or supply of liquor to a person who is at least 18 years of age is exempted from the application of the Act if —

(a) the liquor is supplied at a function; and

(b) the supply of liquor at the function is ancillary to the function; and

(c) the function starts not earlier than 6 a.m. on any day, and finishes not later than 10 p.m. on the same day; and

(d) either —

(i) the total number of attendees over the course of the function does not exceed 100, and liquor is served during one continuous period not exceeding 2 hours; or

(ii) the total number of attendees over the course of the function does not exceed 75, and liquor is served during one continuous period not exceeding 4 hours;

and

(e) liquor is not supplied at the function to a drunk person; and

(f) a drunk person is not allowed to consume liquor at the function.

(2) For the purposes of subregulation (1)(d), an ***attendee*** does not include a person who is at a function for the sole or principal purpose of —

(a) managing or supervising the function; or

(b) providing services at the function (such as serving food or liquor, or providing security); or

(c) providing entertainment at the function, or assisting a person who is providing such entertainment.

[Regulation 8B inserted in Gazette 15 Jul 2011 p. 2960-1.]

8C. Exemption from Act, complimentary supply by business

[(1) deleted]

(2) The sale or supply of liquor to a person who is at least 18 years of age is exempted from the application of the Act if —

(a) the liquor is supplied by a person who carries on a business, or by an employee, contractor or agent of such a person; and

(b) the liquor is supplied to a customer of the business; and

(c) the supply of the liquor —

(i) is ancillary to the business; and

(ii) is without charge; and

(iii) takes place on the business premises;

and

(d) the quantity of liquor that is supplied to the customer on those business premises on any one day is either —

(i) not more than 2 standard drinks for consumption by the customer on those premises; or

(ii) not more than one litre in aggregate, in one or more sealed containers, for consumption off those premises;

and

(e) the liquor is not supplied to a drunk customer; and

(f) a drunk customer is not allowed to consume the liquor on those business premises.

[Regulation 8C inserted in Gazette 15 Jul 2011 p. 2961-2; amended in Gazette 6 Sep 2016 p. 3828.]

8CA. Exemption for complimentary supply by tourism businesses

(1) In this regulation —

tourism business means a business that is genuinely marketed as a provider of a tourism service.

(2) The supply of liquor to a person who is at least 18 years of age is exempted from the application of the Act if —

(a) the liquor is supplied by a person who carries on a tourism business, or by an employee, contractor or agent of such a person; and

(b) the liquor is supplied to a customer of the tourism business in the course of providing a tourism service to the customer; and

(c) the supply of the liquor —

(i) is ancillary to the tourism business; and

(ii) is without charge;

and

(d) the liquor is not supplied or consumed at a place that is, or on premises that are, any of the following —

(i) licensed premises;

(ii) a road as defined in the *Road Traffic (Administration) Act 2008* section 4;

(iii) an area of the State declared to be a restricted area for the purposes of section 175(1a) of the Act;

and

(e) the liquor is not supplied or consumed at that place, or on those premises, without the consent of the occupier, or of the person or authority having control, of that place or those premises; and

(f) the quantity of liquor that is supplied to the customer at that place, or on those premises, on any one day is either —

(i) not more than 5 standard drinks for consumption by the customer at that place or on those premises; or

(ii) not more than one litre in aggregate, in one or more sealed containers, for consumption away from that place or off those premises;

and

(g) the liquor is not supplied to a drunk person; and

(h) a drunk person is not allowed to consume the liquor at that place or on those premises.

[Regulation 8CA inserted in Gazette 6 Sep 2016 p. 3828-9.]

8D. Exemption from Act, sales etc. at farmers' markets

(1) In this regulation —

farmers' market means a market or fair at which primary producers display and sell their products directly to the public;

liquor producer means a producer of liquor, whether or not a primary producer;

primary producer means a person who carries on a business of agriculture, pastoral pursuits, horticulture, grazing, dairy farming, beekeeping, orcharding, viticulture, silviculture or other similar farming activities;

producers' association means any society, body, organisation or association, whether incorporated or not, the purpose of which, or one of the purposes of which, is to represent or promote, whether generally or within a particular area, the interests of producers of liquor or producers of one or more particular kinds of liquor.

(2) The sale or supply of liquor to a person who is at least 18 years of age is exempted from the application of the Act if —

(a) the liquor is sold or supplied from a stall at a farmers' market; and

(b) the stall is provided by 1 or more liquor producers or by a producers' association for the benefit of 1 or more liquor producers; and

(c) the liquor supplied or sold has been produced by a liquor producer by whom or for whose benefit the stall is provided; and

(d) the liquor is sold or supplied from the stall —

(i) by way of free sample for consumption at the farmers' market; or

(ii) in an aggregate quantity of not more than 9 L to any one person on any one day, in one or more sealed containers, for consumption away from the farmers' market; or

(iii) by way of an order taken for the sale or supply of liquor at a future date;

and

(e) the liquor is not sold or supplied to a drunk person; and

(f) a drunk person is not allowed to consume the liquor in the area immediately surrounding the stall in which customers of the stall congregate to sample or purchase liquor from the stall.

[Regulation 8D inserted in Gazette 15 Jul 2011 p. 2962-3; amended in Gazette 10 Jan 2017 p. 142.]

8E. Exemption from Act, sales etc. at functions on licensed premises

(1) In this regulation —

authorised arrangement means an arrangement —

(a) that is between the organiser of a function and the licensee of the licensed premises on which the function is to be held; and

(b) under which —

(i) the licensee is to provide the venue, food and liquor for the function for a fixed price to the organiser; and

(ii) the organiser is to arrange for the function to be advertised to the public and for the sale of tickets for the function;

and

(c) that is approved under section 104;

organised function means a function —

(a) that is held on licensed premises (other than premises to which a club licence applies); and

(b) that is held under an authorised arrangement; and

(c) the price of a ticket for which includes admission to the function as well as the provision of liquor, food and entertainment during the function; and

(d) all advertising for which includes a reference to the terms of the licence under which the supply of liquor at the function is authorised.

(2) The sale or supply of liquor by the organiser of an organised function to a person who attends the function and is at least 18 years of age is exempted from the application of the Act.

[Regulation 8E inserted in Gazette 15 Jul 2011 p. 2963-4.]

8F. Exemption from Act for consumption in licensed omnibus (Act s. 6(1)(o))

(1) In this regulation —

function means a gathering, occasion or event;

responsible adult has the meaning given in section 125(2)(b);

school has the meaning given in the *School Education Act 1999* section 4.

(2) The consumption of liquor by a person who is at least 18 years of age is exempted from the application of the Act if —

(a) at the time of the consumption the person is a passenger in a vehicle that, under the *Transport Co-ordination Act 1966* Part III Division 2, is licensed as an omnibus; and

(aa) the vehicle is being hired for a continuous period of not less than one hour; and

(ab) the hiring of the vehicle, and the period of hire, was arranged before the journey commenced; and

(ac) the vehicle is equipped to carry not more than 14 adult passengers, excluding the driver; and

(b) any juveniles in the vehicle are accompanied by, and under the supervision of, a responsible adult; and

(c) the driver of the vehicle does not allow a drunk person to consume liquor in the vehicle.

(3) The exemption conferred by subregulation (2) does not apply if the vehicle is being hired for the purposes of, or for purposes that include, taking one or more school students to or from a function organised, by or on behalf of a school, for students who attend the school (for example, a school ball), whether or not the function is held at the school and whether or not other persons also attend the function.

[Regulation 8F inserted in Gazette 15 Jul 2011 p. 2964-5; amended in Gazette 6 Sep 2016 p. 3830-1.]

9. Persons who may take and administer oaths and affirmations (Act s. 18(3)(c))

For the purposes of section 18(3)(c) the following persons are prescribed —

(a) the chairperson or deputy chairperson; and

[(b) deleted]

(c) the Director; and

(d) a court registrar who is a person authorised by the Director under section 15(1)(b) to determine applications for the grant of occasional licences or the issue of extended trading permits.

[Regulation 9 amended in Gazette 22 May 1998 p. 2941; 28 Sep 2007 p. 4928.]

9AA. Distance prescribed (Act s. 36A(2)(b))

For the purpose of section 36A(2)(b) a distance of 25 km is prescribed.

[Regulation 9AA inserted in Gazette 29 Sep 2000 p. 5549; amended in Gazette 1 May 2007 p. 1888-9.]

9A. Special facility licence, purposes for which may be granted

Works canteen

(1) A special facility licence may be granted for the purpose of allowing the sale of liquor at a works canteen, or at other specified premises, to workers and their guests.

(2) A licence granted for this purpose may permit the sale of packaged liquor.

(3) In this regulation —

specified means specified in the licence;

worker means a person —

(a) working on a specified project; or

(b) working for a specified business;

works canteen means a canteen, located at or near the place where a specified project is being undertaken or a specified business is being carried on, catering for the needs of workers.

Theatre or cinema

(4) A special facility licence may be granted for the purpose of allowing the sale of liquor at a theatre or cinema to persons attending a performance or film at the theatre or cinema.

Reception or function centre

(5) A special facility licence may be granted for the purpose of allowing the sale of liquor at a reception or function centre (being premises primarily used as a venue for functions and receptions) to persons attending a reception or function at the centre.

Transport

(6) A special facility licence may be granted for the purpose of allowing the sale of liquor —

(a) at an airport, railway station, bus station or seaport; or

(b) on a train, bus, ship or vehicle,

to passengers and their guests.

(7A) A special facility licence granted for the purpose of allowing the sale of liquor on a train, bus, ship or vehicle may also be granted for the purpose of allowing the sale of liquor at another place of business of the licensee if —

(a) the sale is in connection with a booking for travel on a train, bus, ship or vehicle; and

(b) the liquor is to be supplied on the train, bus, ship or vehicle.

Tourism

(7) A special facility licence may be granted for the purpose of allowing the sale of liquor to persons likely to be attracted to, or present at, a place that, in the opinion of the licensing authority, is or will become —

(a) an attraction for tourists; or

(b) a facility that enhances the State's tourist industry.

(8) A licence granted for this purpose may permit the sale of packaged liquor.

(9) In subregulation (7) —

tourist means a person who is —

(a) staying at a place that is at least 40 km 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

(c) not in the course of travelling on a regular journey between his or her usual place of residence and 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.

Education and training institution

(10) A special facility licence may be granted for the purpose of allowing the sale of liquor at a vocational education and training institution or a higher education institution to students and staff of the institution and their guests.

Education and training course

(10a) A special facility licence may be granted for the purpose of allowing the sale or supply of liquor —

(a) by a vocational education and training institution or higher education institution for tasting by students for the purposes of a course of instruction or training conducted by the institution in which the students are enrolled; or

(b) by students enrolled in a course of instruction or training conducted by a vocational education and training institution or higher education institution, if the liquor is sold or supplied for the purposes of the course.

(10b) A special facility licence may be granted for the purpose referred to in subregulation (10a) only if —

(a) any tasting of liquor by the students is to be supervised at all times and is to be assessed for the purposes of the course of instruction or training in which the students are enrolled; and

(b) the students are aged 16 years or older.

(10c) A special facility licence may be granted for the purpose of allowing the sale or supply by a vocational education and training institution or higher education institution of liquor produced as part of an approved viticulture course conducted by the institution.

(10d) A special facility licence may be granted for the purpose referred to in subregulation (10c) only if the licence is subject to all of the following conditions —

(a) the liquor must be sold or supplied only —

(i) during a special event; and

(ii) in an area approved by the Director;

(b) the liquor must be sold or supplied only by persons who are —

(i) at least 16 years of age; and

(ii) in the case of persons under 18 years of age — under the supervision of a responsible adult;

(c) the sale or supply of liquor to a person other than a liquor merchant must be limited —

(i) for liquor supplied for consumption on the grounds of the institution — to the supply of free 30 ml samples for tasting purposes; or

(ii) for packaged liquor — to the provision of not more than 9 L to any person and in any transaction;

(d) the sale or supply of liquor to a liquor merchant —

(i) must be limited in accordance with paragraph (c); or

(ii) must be approved by the Director.

(10e) In subregulations (10a), (10b), (10c) and (10d) and this subregulation —

approved viticulture course means —

(a) a course that delivers units of competency from the Food Processing Industry Training Package (Wine Sector) leading to a qualification recognised under the Australian Qualifications Framework; or

(b) a higher education course relating to viticulture;

course of instruction or training means a course of instruction or training related to the hospitality industries;

special event means a graduation ceremony, speech night or annual open day that relates to a vocational education and training institution or higher education institution, or any other related event approved in writing by the Director;

vocational education and training institution includes a secondary school if the relevant course of instruction or training conducted by the school is vocational education and training, as defined in the *Vocational Education and Training Act 1996* section 5(1).

Sports arena

(11) A special facility licence may be granted for the purpose of allowing the sale of liquor at a sports arena (being premises primarily used for playing and viewing sport) to persons playing or viewing sports, or attending any other event, at the arena.

Foodhall

(12) A special facility licence may be granted for the purpose of allowing the sale of liquor at a foodhall to customers of the foodhall for consumption ancillary to a meal.

Catering

(13) A special facility licence may be granted for the purpose of allowing at a function the sale, by a caterer, of liquor supplied at premises at which the caterer has agreed with the person organising the function to provide liquor (whether with or without food), for consumption by persons at that premises.

(14A) In subregulation (13) —

caterer means a person who —

(a) carries on a food business as defined in the *Food Act 2008* section 10; and

(b) handles or sells food for consumption at functions.

Bed and breakfast facility

(14) A special facility licence may be granted for the purpose of allowing the sale of liquor at a bed and breakfast facility (being an accommodation facility that offers bed and breakfast) to persons staying at the facility.

Room service restaurant

(15) A special facility licence may be granted for the purpose of allowing the sale, at or from a room service restaurant —

(a) of liquor to customers at the restaurant for consumption ancillary to meals eaten in the restaurant; and

(b) of packaged liquor supplied from the restaurant as room service to the accommodation serviced by the restaurant, whether ancillary to a meal or not.

(16) A special facility licence may also be granted for the purpose of allowing the sale of liquor to customers at the room service restaurant, whether or not ancillary to meals eaten in the restaurant, if —

(a) the liquor is consumed at the restaurant —

(i) during hours that are permitted hours under a hotel licence; and

(ii) by customers while sitting at a table, or at a fixed structure used as a table;

and

(b) the sale and consumption of the liquor are in accordance with any conditions imposed on the special facility licence by the licensing authority.

(17) In subregulations (15) and (16) —

room service restaurant means a restaurant that provides room service to persons residing or staying in residential accommodation on the same premises as the restaurant or adjacent premises (not being accommodation provided by the licensee).

Amusement venue

(18) A special facility licence may be granted for the purpose of allowing the sale of liquor at an amusement venue to persons in the venue.

(19) In subregulation (18) —

amusement venue means premises the primary purpose of which is to allow persons in the premises —

(a) to play or view snooker, bowling, electronic games or other similar amusements; or

(b) to participate in or view karaoke.

[(20), (21) deleted]

Auction

(22) A special facility licence may be granted for the purpose of allowing the sale by auction of packaged liquor at premises specified in the licence.

(23) A licence granted for this purpose may permit the supply of samples of the packaged liquor that is for auction, for tasting.

Online wine sales

(24) A special facility licence may be granted for the purpose of allowing the online sale of wine from premises specified in the special facility licence in sealed containers for consumption off the licensed premises.

(25) A special facility licence may be granted for the purpose referred to in subregulation (24) only if the licence is subject to all of the following conditions —

(a) the licensee may only sell wine produced by a holder of a producer's licence;

(b) the licensee may only sell wine in satisfaction of an order that is —

(i) placed through a website maintained by the licensee for the purpose; and

(ii) accepted by the licensee at the licensed premises;

(c) the licensee must dispatch the wine sold —

(i) from the licensed premises; or

(ii) from premises which are approved for the purposes of section 4(6) and which are not licensed premises in relation to any other licence;

(d) the licensee must dispatch the wine for delivery —

(i) at a delivery address nominated by the purchaser, to a person who is not a juvenile; or

(ii) at a post office, parcel depot or similar facility, to a person who is not a juvenile and who is either the purchaser or a person nominated by the purchaser to accept delivery of the wine;

(e) the licensee must arrange that, if the wine is delivered at a delivery address nominated by the purchaser, it is delivered —

(i) between 7 am and 7 pm on a day which is not ANZAC Day, Good Friday or Christmas day; or

(ii) ~~before~~between 12~~-~~ noon and 7 pm on ANZAC day;

(f) the licensee must not invite or admit a purchaser or prospective purchaser of wine to the licensed premises or to any premises or place where the licensee stores wine intended for sale by the licensee under the special facility licence.

[Regulation 9A inserted in Gazette 4 Jan 2002 p. 8-11; amended in Gazette 28 Mar 2003 p. 984; 10 Oct 2003 p. 4406; 10 Aug 2004 p. 3186; 19 Aug 2005 p. 3874; 1 May 2007 p. 1868-71; 13 Mar 2009 p. 763; 15 Jan 2010 p. 71-2; 22 Oct 2010 p. 5226; 7 Oct 2011 p. 4068-9; 6 Jan 2012 p. 48 (disallowed in Gazette 18 Sep 2012 p. 4411); 16 Nov 2012 p. 5658; 10 Jan 2017 p. 142-3; 3 Feb 2017 p. 1115.]

9AB. Kind of extended trading permit prescribed (Act s. 25(5a))

For the purposes of section 25(5a), an extended trading permit to be issued for the purposes referred to in section 60(4)(g) and for a specified period exceeding 3 weeks is prescribed.

[Regulation 9AB inserted in Gazette 1 May 2007 p. 1871.]

9B. Special facility licence, effect of as to sale of packaged liquor

Unless otherwise provided in regulation 9A, a special facility licence —

(a) permits the sale of liquor for consumption on the licensed premises; and

(b) does not permit the sale of packaged liquor.

[Regulation 9B inserted in Gazette 4 Jan 2002 p. 11.]

9C. Types of special facility licence prescribed (Act s. 46(6))

For the purposes of section 46(6) a special facility licence is a licence of a type prescribed if it is granted for a purpose described in one of the following regulations —

(a) regulation 9A(1) — works canteen;

(b) regulation 9A(6) — transport;

(ca) regulation 9A(10) — education and training institution;

(cb) regulation 9A(10a) — education and training course;

(cc) regulation 9A(10c) — approved viticulture course;

(c) regulation 9A(11) — sports arena;

(d) regulation 9A(12) — foodhall;

(e) regulation 9A(13) — catering;

(f) regulation 9A(14) — bed and breakfast facility;

(g) regulation 9A(15) and (16) — room service restaurant;

[(h) deleted]

(i) regulation 9A(22) — auction.

[Regulation 9C inserted in Gazette 4 Jan 2002 p. 11-12; amended in Gazette 1 May 2007 p. 1871 and 1888-9; 15 Jan 2010 p. 72.]

9D. Act s. 33(6b) modified as to occasional licences

(1) For the purposes of a determination under section 33(6) in respect of an application for an occasional licence where the anticipated number of patrons is greater than 250, section 33(6b) has effect, unless the Director otherwise determines, as if section 33(6b)(c) were deleted.

(2) For the purposes of a determination under section 33(6) in respect of an application for an occasional licence where the anticipated number of patrons is not greater than 250, section 33(6b) does not have effect unless the Director otherwise determines.

[Regulation 9D inserted in Gazette 1 May 2007 p. 1871-2; amended in Gazette 22 Oct 2010 p. 5226.]

9E. Period prescribed (Act s. 33(6D)(b))

For the purposes of section 33(6D)(b) the period of 3 months is prescribed.

[Regulation 9E inserted in Gazette 16 Nov 2012 p. 5658.]

9F. Kinds of permit prescribed (Act s. 38(1)(b))

(1) For the purposes of section 38(1)(b), the following kinds of permits are prescribed —

(a) an extended trading permit to be issued for the purpose referred to in section 60(4)(ca) (other than an extended trading permit to which subregulation (2) applies);

(b) an extended trading permit to be issued for the purpose referred to in section 60(4)(g) and for a specified period exceeding 3 weeks.

(2) This subregulation applies to an extended trading permit to be issued in respect of a restaurant licence if, when the permit is issued, the licence will be the subject of a condition limiting the maximum number of persons who may be on the licensed premises to 120 or fewer, the licensee having declared in the application for the permit —

(a) that the maximum number of persons who may be on the licensed premises when the application is made is 120 or fewer; or

(b) if paragraph (a) does not apply — that the licensee consents to the imposition on the licence of a condition

limiting the maximum number of persons who may be on the licensed premises to 120.

[Regulation 9F inserted in Gazette 31 May 2013 p. 2118-19.]

9G. Reciprocal arrangements for club membership, requirements for (Act s. 49(3)(c)(iv))

For the purposes of section 49(3)(c)(iv), the constitution or rules of a club (the ***host club***) may provide for membership of the host club by reason of reciprocal arrangements relating to the members of —

(a) another club in the State, but only if the principal objects of that other club are the same as, or include, the principal objects of the host club; or

(b) another club in another State or a Territory or New Zealand.

[Regulation 9G inserted in Gazette 1 May 2007 p. 1873.]

10. Requirements prescribed (Act s. 57(2)(d))

For the purposes of section 57(2)(d) the following requirements are prescribed —

(a) where the applicant does not have appropriate liquor producing facilities at the premises specified in the application, the applicant —

(i) has access to such facilities; and

(ii) is the sole occupier of a vineyard, orchard or apiary to which the application relates and which yields sufficient produce to enable the applicant to be regarded as a genuine producer of liquor;

or

(b) where the applicant has appropriate liquor producing facilities at premises specified in the application, and is, or will be, a genuine producer of liquor, then —

(i) those premises; or

(ii) if those premises are not in a convenient location for the sale of the liquor produced, other premises in reasonable proximity to the premises where the liquor is, or is to be, produced,

are suitable premises from which the applicant, as a producer of liquor, may sell the liquor produced.

[Regulation 10 inserted in Gazette 22 May 1998 p. 2942; amended in Gazette 1 May 2007 p. 1873 and 1888-9; 6 Feb 2009 p. 248; 3 Jun 2011 p. 1999.]

10A. Condition prescribed (Act s. 55(2))

If the holder of a producer's licence produces wine by blending, it is a condition of that licence under section 55(2) that at least 50% of the wine produced is fermented by or under the direction of that person, so that the wine is uniquely that person's own produce.

[Regulation 10A inserted in Gazette 22 May 1998 p. 2942; amended in Gazette 1 May 2007 p. 1888-9.]

11. Plans and specifications, requirements for (Act s. 66(4) and (5))

(1) In this regulation —

bar means an area that contains a fixed structure at which liquor is, or is to be, served and consumed;

relevant lot means the area of land on which the relevant premises are, or are to be, situated;

relevant premises means the licensed premises, or proposed licensed premises, to which an application referred to in section 66 relates.

(1a) Subregulations (1b) to (1f) set out the requirements for plans for the purposes of section 66(4).

(1b) Floor plans are to be submitted in duplicate, drawn on paper of at least A3 size and to a scale of 1:100, of each level of each building forming part of the relevant premises, showing —

(a) the uses of each room; and

(b) the location of all doors, windows, servery hatches and toilets; and

(c) fit out details for all toilets; and

(d) the floor layout; and

(e) the location of all bars (but not details of any fittings and fixtures related to the bars); and

(f) any areas of the relevant premises that are not part of a building, identifying how the boundary of such areas is to be defined (for example, by means of fences, large planter boxes, special inlays in paving or copper log rails); and

(g) no details other than those that relate to the relevant premises.

(1c) A site plan is to be submitted, drawn to a suitable scale according to the size of the relevant lot, showing —

(a) an outline of every building on the relevant lot; and

(b) the boundary of the relevant lot; and

(c) features on the relevant lot such as car parks, vehicle access to adjacent streets and swimming pools; and

(d) the name and location of any street forming part of the boundary of the relevant lot.

(1d) A map of the relevant district is to be submitted, showing the locality of the relevant premises.

(1e) A plan is to be submitted, drawn to a scale of 1:100, showing the external elevations of the relevant premises or, if the relevant premises comprise one or more existing buildings, photographs of the exterior of the relevant premises may be submitted instead of a plan of that kind.

(1f) A plan that is submitted for the purposes of an application under section 77(4) for the alteration or redefinition of licensed premises is to show those premises as they would be if the proposed alteration or redefinition had taken place, distinguishing the areas of the current licensed premises from the areas of the proposed alteration or redefinition.

(2) A plan referred to in this regulation shall be drawn —

(a) on good quality paper of at least A3 size, or be xerographic photocopies which are of the same size as the original within a tolerance of 5%; and

(b) so as to comply with Australian Standard 1100, Technical Drawing Part 101 — 1984 General Principles and Part 301 — 1985 Architectural Drawing of Standards Australia,

and shall show the date of preparation, the scale, the direction of north and the name of the person who prepared the plan.

(3) For the purposes of section 66(5), specifications submitted with the plans to which they relate are to provide details of —

(a) the wall and ceiling finishes; and

(b) the fit out equipment in any bar, toilet or kitchen.

(4) Plans and specifications referred to in this regulation may be submitted by email, on a computer disk or by another means acceptable to the Director.

(5) An application under section 62(6), by the holder of a licence conditionally granted under section 62, to vary any plans or specifications the subject of a condition is to be accompanied by the appropriate fee set out in Schedule 3.

[Regulation 11 amended in Gazette 9 Jul 2004 p. 2778-9; 1 May 2007 p. 1874-6 and 1888-9.]

*[**12.** Deleted in Gazette 28 Sep 2007 p. 4928.]*

*[**12A-12D.** Omitted under the Reprints Act 1984 s. 7(4)(e).]*

13. Records as to applicant, requirements for (Act s. 68(1)(b))

(1) The records required to accompany a notice of application for the grant or transfer of a licence, other than an occasional licence, under section 68(1)(b) shall be in the form of a written statement and shall contain, in respect of each applicant, the details set out in the third column of Schedule 2 opposite the relevant category of applicant described in the second column of that Schedule.

(2) If the applicant is a body corporate the records referred to in subregulation (1) shall be verified under the seal of the body corporate.

*[**14.** Deleted in Gazette 28 Sep 2007 p. 4928.]*

14A. Types etc. of premises prescribed (Act s. 77(5a)(b))

Premises to which one of the following licences relates are prescribed for the purposes of section 77(5a)(b) —

(a) a casino liquor licence;

(b) a club licence;

(c) a hotel restricted licence;

(d) a producer's licence.

[Regulation 14A inserted in Gazette 2 May 2008 p. 1704; amended in Gazette 18 Dec 2012 p. 6596-7.]

14AB. Requirement for lodgment of application prescribed (Act s. 75(1)(b))

For the purposes of section 75(1)(b), an application for the grant of an occasional licence is to be lodged with the Director —

(a) if the anticipated number of patrons is greater than 500 but not greater than 5 000 — not later than 30 days before the licence is to take effect; or

(b) if the anticipated number of patrons is greater than 5 000 — not later than 60 days before the licence is to take effect.

[Regulation 14AB inserted in Gazette 1 May 2007 p. 1876-7; amended in Gazette 22 Oct 2010 p. 5227.]

14AC. Requirement for lodgment of application prescribed (Act s. 76(1)(b))

(1) In this regulation —

anticipated number of patrons, in relation to an application for a prescribed permit, means the sum of the maximum number of patrons for each day of the period to which the application relates;

maximum number of patrons, in relation to a day of the period to which an application for a prescribed permit relates, means the maximum number of patrons that the person making the application reasonably expects to be in the permit area at any one time on that day;

permit area means the place or premises in respect of which the application is made;

prescribed permit means an extended trading permit to be issued for a specified period not exceeding 3 weeks and for the purposes referred to in section 60(4)(a), (cb), (f), (g) or (h).

(2) For the purposes of section 76(1)(b), an application for the issue of a prescribed permit is to be lodged with the Director —

(a) if the anticipated number of patrons is greater than 500 but not greater than 5 000 — not later than 30 days before the permit is to take effect; or

(b) if the anticipated number of patrons is greater than 5 000 — not later than 60 days before the permit is to take effect.

[Regulation 14AC inserted in Gazette 1 May 2007 p. 1877; amended in Gazette 22 Oct 2010 p. 5227.]

14ADA. Manager's approval, application for (Act s. 102B)

(1) In this regulation —

approval application means an application for a manager's approval under section 102B.

(2) An approval application must be —

(a) made in the form approved by the Director; and

(b) supported by such other documentation or information as the Director may in a particular case require.

(3) An approval application must be lodged at an Australia Post office or agency unless it is an approval application to which subregulation (4) applies.

(4) An approval application by an approved restricted manager seeking approval as an approved unrestricted manager must be lodged —

(a) at an Australia Post office or agency; or

(b) by an electronic means acceptable to the Director.

[Regulation 14ADA inserted in Gazette 3 Jun 2011 p. 1995.]

14ADB. Manager's approval, conditions on (Act s. 102C)

(1) The Director may impose a condition on a manager's approval —

(a) when the manager's approval is granted or renewed; or

(b) at any other time by giving notice in writing to the approved manager.

(2) The Director may vary or remove a condition on a manager's approval at any time by giving notice in writing to the approved manager.

(3) The Director may impose, vary or remove a condition on —

(a) the Director's own initiative; or

(b) the application of the approved manager.

(4) Before the Director —

(a) imposes a condition under subregulation (1)(b); or

(b) varies a condition,

on the Director's own initiative, the Director must give the approved manager a reasonable opportunity to make submissions concerning the proposed condition or variation.

(5) A notice under subregulation (1)(b) or (2) takes effect on the day specified in it.

[Regulation 14ADB inserted in Gazette 3 Jun 2011 p. 1995-6.]

14ADC. Manager's approval, duration of (Act s. 102D)

(1) A period of 5 years is prescribed for the purposes of section 102D(1)(b).

(2) A duration of 5 years is prescribed for the purposes of section 102D(2).

[Regulation 14ADC inserted in Gazette 3 Jun 2011 p. 1996.]

14ADD. Manager's approval, renewal of (Act s. 102E)

(1) In this regulation —

renewal application means an application for the renewal of a manager's approval under section 102E.

(2) A renewal application must be —

(a) made in the form approved by the Director; and

(b) supported by such other documentation or information as the Director may in a particular case require.

(3) A renewal application must be lodged —

(a) at an Australia Post office or agency; or

(b) by an electronic means acceptable to the Director.

(4) Unless the Director otherwise determines, if —

(a) a renewal application has been made; and

(b) the Director has not, before the day on which the manager's approval is due to expire, determined the renewal application,

the applicant is to be taken to be an approved unrestricted manager or an approved restricted manager, as the case requires, until the Director determines the renewal application.

[Regulation 14ADD inserted in Gazette 3 Jun 2011 p. 1996.]

14ADE. Approved manager, identification card for

(1) The Director may issue an identification card to an approved manager.

(2) An identification card —

(a) must be in the form approved by the Director; and

(b) may contain such information as the Director considers appropriate.

(3) An authorised officer may direct a person to whom an identification card has been issued to produce the identification card —

(a) to the authorised officer immediately if the card is in the person's possession when the direction is given; or

(b) to an authorised officer or the officer in charge of a police station, within 48 hours after the direction is given, if the card is not in the person's possession when the direction is given.

(4) A person who fails to comply with a direction given to the person under subregulation (3) commits an offence.

Penalty: a fine of $2 000.

[Regulation 14ADE inserted in Gazette 3 Jun 2011 p. 1996-7.]

14ADF. Lost etc. identification card, replacement of

(1) If the Director is satisfied, on an application in accordance with subregulation (2), that an identification card has been lost, stolen or destroyed, the Director may issue a replacement identification card.

(2) An application for a replacement identification card must be —

(a) made in a form approved by the Director; and

(b) lodged —

(i) at an Australia Post office or agency; or

(ii) by an electronic means acceptable to the Director;

and

(c) accompanied by the appropriate fee set out in Schedule 3.

[Regulation 14ADF inserted in Gazette 3 Jun 2011 p. 1997.]

14ADG. Transitioned approvals (Act Sch. 1B)

(1) In this regulation —

commencement day has the meaning given in Schedule 1B clause 1 of the Act;

transitioned approval has the meaning given in Schedule 1B clause 3(1) of the Act.

(2) The Director is not required to comply with regulation 14ADB(4) before imposing a condition on a transitioned approval if the condition is imposed within 3 months after the commencement day.

(3) Despite section 102D(1)(b) and regulation 14ADC(1), a transitioned approval remains in force for —

(a) a period of 5 years after the commencement day; or

(b) any longer period determined by the Director and specified in a notice in writing given to the holder of the transitioned approval,

unless before then it is revoked under section 102F.

[(4) deleted]

[Regulation 14ADG inserted in Gazette 3 Jun 2011 p. 1997-8; amended in Gazette 6 Nov 2015 p. 4584.]

14AD. Responsible practices in selling etc. liquor, courses on required (Act s. 103A(1)(a))

(1) This regulation does not apply to a person who is a licensee or a manager.

(2) A person employed or engaged in the performance of supervisory functions at licensed premises (other than licensed premises under an occasional licence) is required to complete successfully, within 4 weeks after being employed or engaged in that capacity, a course of training or an assessment, approved by the Director for the purposes of this subregulation, in responsible practices in the sale, supply and service of liquor.

(3) A person employed or engaged in the service of liquor on or from licensed premises (other than licensed premises under an occasional licence) is required to complete successfully, within 4 weeks after being employed or engaged in that capacity, a course of training or an assessment, approved by the Director for the purposes of this subregulation, in responsible practices in the sale, supply and service of liquor.

(4) A person employed or engaged in the service of liquor on or from licensed premises under an occasional licence, where the anticipated number of patrons is greater than 300, is required to have completed successfully, within 6 months before being employed or engaged in that capacity, a course of training or an assessment, approved by the Director for the purposes of this

subregulation, in responsible practices in the sale, supply and service of liquor.

(4A) A person employed or engaged as a crowd controller in respect of licenced premises (other than licensed premises under an occasional licence) on or after 1 July 2018 is required to complete successfully, within 4 weeks after being employed or engaged in that capacity, a course of training or an assessment, approved by the Director for the purposes of this subregulation, in responsible practices in the sale, supply and service of liquor.

(4B) A person employed or engaged as a crowd controller in respect of licenced premises under an occasional licence, where the anticipated number of patrons is greater than 300, on or after 1 July 2018 is required to have completed successfully, within 6 months before being employed or engaged in that capacity, a course of training or an assessment, approved by the Director for the purposes of this subregulation, in responsible practices in the sale, supply and service of liquor.

(4C) A person who completes a course of training or assessment approved for the purposes of subregulation (2), (3), (4), (4A) or (4B) is thereafter exempt from that subregulation.

(5) If the Director determines that a person to whom subregulation (2), (3), (4), (4A) or (4B) would otherwise apply is exempt from that subregulation, that exemption has effect accordingly.

[Regulation 14AD inserted in Gazette 1 May 2007 p. 1878; amended in Gazette 22 Oct 2010 p. 5227; 3 Jun 2011 p. 1998; 10 Jan 2017 p. 144.]

14AE. Offences for r. 14AD

(1) A person who —

(a) has failed to complete successfully a course of training or assessment as required by regulation 14AD(2), (3) or (4A); and

(b) continues to be employed or engaged in the capacity described in that subregulation after the end of the period referred to in that subregulation,

commits an offence.

Penalty for this subregulation: $2 000.

(2) A person who —

(a) has failed to complete successfully a course of training or an assessment as required by regulation 14AD(4) or (4B); and

(b) is employed or engaged in the service of liquor on or from licensed premises under an occasional licence, where the number of patrons is greater than 300,

commits an offence.

Penalty for this subregulation: $2 000.

(3) If a person is convicted of an offence under subregulation (1) or (2) in relation to licensed premises, the licensee is to be taken to have also committed an offence and is liable to a penalty of $5 000.

(4) It is a defence to a charge of an offence by a licensee under subregulation (3) in relation to an offence by another person under subregulation (1) or (2) to prove that the licensee could not, by the exercise of reasonable diligence, have prevented the commission of the offence under subregulation (1) or (2).

[Regulation 14AE inserted in Gazette 1 May 2007 p. 1879; amended in Gazette 2 Oct 2007 p. 4974; 22 Oct 2010 p. 5228; 10 Jan 2017 p. 144-5.]

[14AF. Deleted in Gazette 10 Jan 2017 p. 145.]

14AG. Licensee to maintain register (Act s. 103A(1)(b))

(1) The licensee of licensed premises is required to maintain a register that records in respect of a person employed or engaged

at those premises in the capacity described in regulation 14AD(2) or (3) who has successfully completed the required course of training or assessment —

(a) the name of the person; and

(b) the date the person began his or her employment or engagement at the licensed premises; and

(c) the name of the provider of the course of training or assessment; and

(d) the State or Territory in which the person completed the course of training or assessment; and

(e) the date of any certificate or other qualification obtained by the person on the completion of the course of training or assessment.

(1a) A licensee who fails to maintain a register in accordance with subregulation (1) commits an offence.

Penalty: $5 000.

(2) The licensee is required to keep a copy of the certificate or other qualification referred to in subregulation (1)(e).

[Regulation 14AG inserted in Gazette 1 May 2007 p. 1880; amended in Gazette 28 Sep 2007 p. 4929.]

*[**15.** Deleted in Gazette 28 Sep 2007 p. 4929.]*

16. Amount of liability prescribed (Act s. 107)

For the purposes of section 107 a licensee is not liable to a lodger beyond the amount of $200 per item of property lost or damaged.

17A. Sports arenas prescribed (Act s. 110(4B) *sports arena*)

For the purposes of the definition of ***sports arena*** in section 110(4B), the sports arenas, grounds or stadiums known by the following names and located at the following addresses are prescribed —

(a) Subiaco Oval, Roberts Road, Subiaco;

(b) Perth Oval, Pier Street, Perth;

(c) Western Australian Cricket Association Ground (also known by the name W.A.C.A. Ground), Hale Street, East Perth;

(d) Ascot Racecourse, Grandstand Road, Ascot;

(e) Belmont Park Racecourse, Victoria Park Drive, Burswood;

(f) Gloucester Park, Nelson Crescent, East Perth;

(g) Challenge Stadium, Stephenson Avenue, Mt Claremont;

(h) Arena Joondalup, Kennedya Drive, Joondalup;

(i) Perth Motorplex, corner of Anketell Road and Rockingham Road, Kwinana Beach;

(j) Greyhounds WA Cannington, Station Street, Cannington.

[Regulation 17A inserted in Gazette 4 Sep 2012 p. 4249-50; amended in Gazette 10 Jan 2017 p. 145.]

17. Out of bounds area, notice for (Act s. 121(6))

A notice for the purposes of section 121(6) shall —

[(a) deleted]

(b) be printed, on paper or durable material of at least A4 size, in bold-faced, upper case letters —

(i) in the heading, at least 20 mm in height; and

(ii) otherwise, at least 10 mm in height.

[Regulation 17 amended in Gazette 1 May 2007 p. 1881.]

18. Premises prescribed to be regulated premises (Act s. 122(1)(f))

For the purposes of section 122, the following premises are regulated premises —

(a) a theatre;

(b) an educational institution, including any grounds surrounding that institution;

(c) premises on which the consumption of liquor by a person who is at least 18 years of age is exempted from the application of the Act by regulation 8A;

(d) premises on which the sale or supply of liquor to a person who is at least 18 years of age is exempted from the application of the Act by regulation 8B or 8C;

(e) premises on which the sale or supply of liquor to a person who is at least 18 years of age is exempted from the application of the Act by regulation 8D, consisting of —

(i) the stall at the farmers' market from which liquor is sold or supplied; and

(ii) the area immediately surrounding the stall in which customers of the stall congregate to sample or purchase liquor from the stall;

(f) premises consisting of a vehicle in which the consumption of liquor by a person who is at least 18 years of age is exempted from the application of the Act by regulation 8F.

[Regulation 18 inserted in Gazette 15 Jul 2011 p. 2965-6.]

18A. Documents prescribed as evidence of age etc. (Act s. 126(1)(b)(i)(III) and s. 160(1))

(1) In this regulation —

Australian learner driver permit means —

(a) a learner's permit as defined in the *Road Traffic (Authorisation to Drive) Act 2008* section 3(1); or

(b) a permit or other authorisation granted to a person under the law of another State or a Territory authorising the person to drive a motor vehicle on a road for the purpose of learning to drive it;

current WA photo card means a current photo card as defined in the *Western Australian Photo Card Regulations 2014* regulation 3.

(2A) For the purposes of section 126(1)(b)(i)(III), the following are prescribed documents —

(a) a proof of age card issued under regulation 18B;

(ba) a current WA photo card;

(b) a current Australian learner driver permit with a photograph;

(c) a current photo card issued under the *Photo Card Act 2005* (New South Wales);

(d) a current card issued under the law of another State or a Territory that is equivalent to a proof of age card or a photo card referred to in this regulation.

(2) A person who is required to produce evidence of his or her age to an authorised officer, because the age of the person is or may be material to a suspected offence within the meaning of section 160(1), may comply with the requirement by producing a proof of age card issued to the person under regulation 18B.

[Regulation 18A inserted in Gazette 22 May 1998 p. 2943; amended in Gazette 1 May 2007 p. 1888-9; 19 Apr 2013 p. 1570-1; 17 Jun 2014 p. 2000; 27 Jun 2014 p. 2355; 8 Jan 2015 p. 147.]

18B. Proof of age card, issue of etc.

(1) The Director may issue a proof of age card to a person if the person is at least 18 years old and applies to the Director in accordance with this regulation.

(2A) Unless subregulation (2B) applies, an application cannot be made under this regulation on or after the day on which the *Western Australian Photo Card Act 2014*, other than sections 1 and 2, comes into operation [7].

(2B) An application to obtain a replacement for a proof of age card, as referred to in regulation 18D, may be made within the period of 6 months beginning on the day referred to in subregulation (2A).

(2) An application for a proof of age card is to be made in a form approved by the Director and be accompanied by —

(a) such proof of the applicant's identity and residential address in this State as the Director may require; and

(b) the appropriate fee set out in Schedule 3.

(3) The applicant shall provide any other information or documents (which may include, for use on the proof of age card, a photograph of the applicant and, unless subregulation (3AA) applies, an example of the applicant's signature in a medium specified by the Director) that the Director may require in relation to the application.

(3AA) This subregulation applies if the applicant is unable to sign because of a permanent disability.

(3a) In subregulation (3) —

photograph includes a negative or an image stored electronically.

(3b) The Director is to ensure that any photograph or signature provided under subregulation (3) (including any image or reproduction stored electronically) is destroyed if the photograph or signature, or an image or reproduction of it, has not been used on a proof of age card issued within the period of 10 years after the photograph or signature was provided.

(3c) If a photograph of an applicant provided under subregulation (3) is required to be destroyed under subregulation (3b), any photograph of the applicant provided under subregulation (2) is also required to be destroyed.

[Regulation 18B inserted in Gazette 3 Dec 1996 p. 6690; amended in Gazette 14 Nov 1997 p. 6446; 30 Jun 2003 p. 2612;

28 Sep 2007 p. 4929-30; 13 Mar 2009 p. 763-4; 22 Oct 2010 p. 5228; 17 Jun 2014 p. 2001.]

18C. Proof of age card, form etc. of (r. 18B)

(1) A proof of age card issued to a person under regulation 18B —

(a) shall be in a form approved by the Director; and

(b) shall display —

(i) a photograph of the person; and

(ii) the person's date of birth; and

(iii) unless regulation 18B(3AA) applies, the person's signature; and

(iv) any other matter that the Director may approve.

(2) In subregulation (1) —

photograph and ***signature*** include a reproduction, produced by any process approved by the Director, of a photograph or signature.

[Regulation 18C inserted in Gazette 3 Dec 1996 p. 6690-1; amended in Gazette 22 Oct 2010 p. 5228.]

18D. Lost etc. proof of age card, replacement of

A person may obtain a replacement for a proof of age card that has been lost, stolen or destroyed, or that otherwise needs to be replaced, by applying to the Director in accordance with regulation 18B.

[Regulation 18D inserted in Gazette 3 Dec 1996 p. 6691.]

18E. Agreement or arrangement prescribed (Act s. 104(2))

For the purposes of section 104(2), an agreement or arrangement entered into by a licensee which is a body corporate under which the proceeds from the business carried on under the licence are distributed by way of dividends to shareholders in the body corporate, is a prescribed agreement or arrangement.

[Regulation 18E inserted in Gazette 22 May 1998 p. 2943; amended in Gazette 1 May 2007 p. 1888-9.]

18EA. Information prescribed for websites (Act s. 113A)

(1) This regulation applies to —

(a) a hotel licence; and

(b) a liquor store licence; and

(c) a producer's licence; and

(d) a wholesaler's licence; and

(e) a special facility licence that authorises the sale or supply of packaged liquor.

(2) For the purposes of section 113A, the information to be included on an internet website maintained by or on behalf of a licensee of a licence of a class to which this regulation applies is —

(a) the licence number; and

(b) the class of licence; and

(c) the name of the licensee; and

(d) the address of and telephone number for the licensed premises; and

(e) the following notice —

WARNING

Under the *Liquor Control Act 1988*, it is an offence:

1. to sell or supply liquor to a person under the age of 18 years on licensed or regulated premises; or

2. **for a person under the age of 18 years to purchase, or attempt to purchase, liquor on licensed or regulated premises.**

(3) The information to be included on an internet website under subregulation (2) is to be displayed on the home page or front page of the internet website.

[Regulation 18EA inserted in Gazette 1 May 2007 p. 1881-2.]

18EBA. Persons prescribed (Act s. 115AC(1A) *secure webpage*)

For the purposes of the definition of ***secure webpage*** paragraph (c) in section 115AC(1A), each of the following persons is prescribed —

(a) an authorised officer;

(b) a person appointed to assist the Director under section 14(1)(b).

[Regulation 18EBA inserted in Gazette 3 Jun 2011 p. 2000.]

18EB. Incidents and information prescribed for register (Act s. 116A)

(1) For the purposes of section 116A(1), the following incidents that take place at licensed premises are prescribed —

(aa) a person is refused entry to the premises because the person is —

(i) drunk; or

(ii) behaving in an offensive manner, including violent, quarrelsome, disorderly or indecent behaviour;

(ab) a person who has been refused entry to the premises —

(i) repeatedly attempts to gain entry to the premises; or

(ii) behaves in an offensive manner, including violent, quarrelsome, disorderly or indecent behaviour;

(a) a person is required to leave or is removed from the premises;

(b) a juvenile or suspected juvenile fails to produce evidence of age when required to do so;

(c) a document produced by a juvenile or suspected juvenile as evidence of age is suspected to be forged, false or counterfeit;

(d) a person engages in indecent behaviour;

(e) a person is drunk;

(f) a person (including a person employed or engaged in the business conducted under the licence) is injured;

(g) a local resident or other person complains to the licensee, a manager or an employee about noise or any other matter related to the business conducted under the licence.

(2) For the purposes of section 116A(2), the following information is prescribed in relation to a prescribed incident that takes place at licensed premises —

(a) the name and address of the licensed premises at which the incident takes place;

(b) details of the incident;

(c) the date and time when the incident took place;

(d) the location at the premises where the incident took place;

(da) the full name of any manager who was on duty when the incident took place;

(e) the full name of any person employed or engaged in the business conducted under the licence, or any crowd controller, who was present when the incident took place;

(f) details of any action taken by the licensee, a manager or an employee in response to the incident, including any action taken to notify the licensing authority or a member of the Police Force or any other person engaged in providing emergency services.

[(3) deleted]

[Regulation 18EB inserted in Gazette 1 May 2007 p. 1882-4; amended in Gazette 28 Sep 2007 p. 4930; 22 Oct 2010 p. 5228-9; 3 Jun 2011 p. 1998; 10 Jan 2017 p. 145.]

18EC. Prescribed incidents involving physical force

(1) This regulation applies to a prescribed incident that takes place at licensed premises, in the course of or in consequence of which a person is physically restrained, physically removed from the premises or physically prevented from entering the premises.

(2) Where an incident to which this regulation applies takes place, the licensee must —

(a) request each crowd controller who made physical contact with the person in the course of or in consequence of the incident to provide the licensee with an account of the incident; and

(b) prepare a written statement of the incident detailing —

(i) the reason the person was restrained, removed or prevented from entering; and

(ii) details of the manner in which the person was restrained, removed or prevented from entering; and

(iii) the name, address and crowd controller's licence number of each crowd controller who made physical contact with the person in the course of or in consequence of the incident;

and

(c) invite each crowd controller named in the statement to confirm the accuracy of the statement; and

(d) add a note to the statement identifying those crowd controllers who have confirmed it and those who have not; and

(e) provide copies of the statement and the note to the crowd control agent by whom each of the crowd controllers is engaged.

(3) For the purposes of section 116A(2), the following information is prescribed in relation to an incident to which this regulation applies —

(a) a copy of the statement prepared in relation to the incident under subregulation (2)(b) and the note prepared under subregulation (2)(d); and

(b) a statement of the date and time when copies of the statement and note were provided to each crowd control agent under subregulation (2)(e).

[Regulation 18EC inserted in Gazette 10 Jan 2017 p. 145-6.]

18F. Training courses prescribed (Act s. 121(11)(d))

(1) In this regulation —

accredited higher education course means a course of study accredited for the purposes of the *Higher Education Act 2004*;

approved VET course has the meaning given in the *Vocational Education and Training Act 1996* section 5(1).

(2) For the purposes of section 121(11)(d)(i) and (ii) the following are prescribed training courses —

(a) an approved VET course;

(b) an accredited higher education course.

[Regulation 18F inserted in Gazette 9 Jun 2009 p. 1927-8; amended in Gazette 15 Jan 2010 p. 72; 3 Jun 2011 p. 2000.]

18G. Confiscated document, how to be dealt with (Act s. 126(2b))

For the purposes of section 126(2b), within 72 hours after a document is confiscated by an authorised person under section 126(2a), the authorised person is to —

(a) deliver the document to a police station; or

(b) return the document to the person from whom it was confiscated.

[Regulation 18G inserted in Gazette 1 May 2007 p. 1884; amended in Gazette 6 Jan 2012 p. 49 (disallowed in Gazette 18 Sep 2012 p. 4411).]

18H. Provisions prescribed (Act s. 126E(4))

For the purposes of section 126E(4), sections 155(7) and 50(1a) are prescribed.

[Regulation 18H inserted in Gazette 1 May 2007 p. 1884; amended in Gazette 3 Jun 2011 p. 2000; 27 Sep 2011 p. 3848.]

19. Subsidy, application for

(1) Application for a subsidy is to be made to the Director —

(a) by a producer, in the form set out in Form 19 in Schedule 1; or

(b) by a wholesaler, in the form set out in Form 19A in Schedule 1.

(2) Application for a subsidy is to be made not later than 2 years after the sale or other disposal, in respect of which the subsidy is claimed, took place.

[Regulation 19 inserted in Gazette 30 Jan 1998 p. 562; amended in Gazette 22 Oct 2002 p. 5255.]

20. Persons prescribed (Act s. 129 *wholesaler*)

The following persons are prescribed for the purposes of the definition of ***wholesaler*** in section 129 —

(a) a liquor merchant authorised under the law of another State or a Territory to sell liquor;

(b) the holder of a special facility licence the conditions of which authorise the sale of liquor in the manner set out in section 58(1).

[Regulation 20 inserted in Gazette 30 Jan 1998 p. 562; amended in Gazette 1 May 2007 p. 1888.]

21. Wholesaler, subsidy for (Act s. 130)

(1) For the purposes of section 130(3), the subsidy for a wholesaler in respect of sales of wine in a tax period is to be calculated as follows:

$$S = (6.18 \div 29)\ W$$

where —

S = the wholesaler's subsidy payment;

W = the total WET paid by the wholesaler on sales of wine that is low alcohol liquor in the tax period, in respect of which the wholesaler is eligible for a subsidy under subregulation (2).

(2) For the purposes of section 130(1), subsidies are payable to a liquor merchant prescribed as a wholesaler by regulation 20 only in respect of wine that is low alcohol liquor —

(a) sold to —

(i) unlicensed individuals in this State for their personal consumption; or

(ii) persons licensed under the Act, otherwise than by an occasional licence only, to sell liquor;

and

(b) sold at a price that —

[(i) deleted]

(ii) for wine, is at least 6.18% less than the notional wholesale selling price of that wine.

[Regulation 21 inserted in Gazette 28 Jul 2000 p. 4030; amended in Gazette 28 Jun 2002 p. 3106; 9 Jul 2004 p. 2774; 1 May 2007 p. 1888.]

21A. Wine producer, subsidy for (Act s. 130)

(1) For the purposes of section 130(3), the subsidy for a producer of wine in respect of sales of wine in a tax period is to be calculated as follows:

~~S = (15 ÷ 29) W~~

$$S = (15 \div 29)\ W$$

where —

S = the producer's subsidy payment;

W = the total WET paid —

(a) by the producer on sales of wine in the tax period, in respect of which the producer is eligible for a subsidy under subregulation (2); or

(b) by a wine maker on wine sold to the producer in the tax period, being wine fermented using produce of the producer, in respect of which the producer is eligible for a subsidy under subregulation (2).

(2) For the purposes of section 130(1), subsidies are payable to a producer only in respect of —

(a) wine produced by the producer in this State and sold by the producer from licensed premises (including by mail order) to unlicensed individuals for their personal consumption, on which sale WET has been paid by the producer; or

(b) wine fermented by a wine maker from the produce of the producer in this State and sold by the wine maker to the producer, on which sale WET has been paid by the wine maker.

(3) In subregulation (2) —

wine produced by a producer does not include wine that is deemed to have been produced by the producer under section 55(3).

[Regulation 21A inserted in Gazette 28 Jul 2000 p. 4030-1; amended in Gazette 9 Jul 2004 p. 2774; 1 May 2007 p. 1888-9.]

*[**21AB.** Deleted in Gazette 28 Jun 2002 p. 3106.]*

21AC. Subsidy payable once in respect of sale of liquor

A subsidy is only payable once in respect of a sale of liquor.

[Regulation 21AC inserted in Gazette 6 Oct 1998 p. 5565.]

21B. Subsidy, conditions imposed by Director as to (Act s. 130(2))

For the purposes of section 130(2), the Director may impose conditions by notice in writing given to the person on whom the condition is to be imposed.

[Regulation 21B inserted in Gazette 30 Jan 1998 p. 565; amended in Gazette 1 May 2007 p. 1888-9.]

21C. Licensees prescribed (Act s. 145(1))

The following licensees are prescribed for the purposes of section 145(1) —

(a) the holder of a wholesaler's licence; and

(b) the holder of a special facility licence the conditions of which authorise the sale of liquor in the manner set out in section 55(1) or 58(1); and

(c) the holder of a producer's licence.

[Regulation 21C inserted in Gazette 30 Jan 1998 p. 565; amended in Gazette 22 May 1998 p. 2943; 6 Oct 1998 p. 5565; 1 May 2007 p. 1888-9.]

22. Records prescribed etc. (Act s. 145)

(1) The records to be made and maintained under section 145(1) and (1a) are to contain the following information —

(a) in the case of each transaction involving the sale of liquor by the holder of a special facility licence, a wholesaler's licence or a producer's licence to a liquor merchant —

(i) the name and, where applicable, licence number of the liquor merchant to whom liquor was sold;

(ii) the date of the invoice or credit note, and the date on which the goods were sent or returned;

(iii) the invoice or credit note number;

(iv) the total amount paid or payable to the licensee in respect of the transaction, with a separate statement of the amount for —

(A) low alcohol liquor; and

(B) liquor other than low alcohol liquor; and

(C) goods other than liquor; and

(D) freight and delivery charges, where separate charges are made; and

(E) any discount given; and

(F) any liquor or other goods returned or not accepted by the liquor merchant; and

(G) each duty or charge which is payable in respect of the liquor but which is not otherwise included in an item in the invoice;

and

(b) in the case of each transaction involving the purchase or other acquisition of liquor by the holder of a licence —

(i) the name, address and licence number of the supplier; and

(ii) the date of the invoice or credit note, and the date on which the goods were received or returned; and

(iii) the invoice or credit note number; and

(iv) the method by which payment was made and, if by cheque, the cheque number and date; and

(v) the amount paid or payable for low alcohol liquor; and

(vi) the amount paid or payable for liquor other than low alcohol liquor; and

(vii) the amount paid or payable for any goods other than liquor;

and

(ba) in the case of each transaction involving the sale or other disposal of liquor by the holder of a producer's licence, a separate statement of the amount for —

(i) sales to persons other than liquor merchants (including sales made in any restaurant on the licensed premises); and

(ii) mail order sales; and

(iii) tastings, promotions and donations,

and a separate statement is to be kept of the amount of liquor sold or otherwise disposed of as referred to in subparagraphs (i) and (ii) where, in respect of one sale or other disposal, the aggregate quantity sold or disposed of exceeds 45 L; and

(c) in the case of transactions involving the sale or other disposal of liquor by the holder of a wholesaler's licence, special facility licence or a producer's licence otherwise than to liquor merchants — the weekly aggregate of the gross amounts paid or payable to the licensee in respect of such transactions.

[(2) deleted]

[Regulation 22 amended in Gazette 30 Jan 1998 p. 565-6; 22 May 1998 p. 2943; 6 Oct 1998 p. 5565-6; 1 May 2007 p. 1888-9.]

23. Returns, verification and lodgment of (Act s. 146)

(1) For the purposes of section 146(2)(c) returns required under section 146 shall be verified in accordance with subregulation (1a) as being an accurate and complete statement of the transactions or other matters to which the returns relate —

(a) by at least one licensee, where the licence is held by one or more licensees; or

(b) by the trustee, where the licence is held by a trustee on behalf of an unincorporated body of persons who are not joint holders of the licence.

(1a) A return is verified —

(a) by a natural person, where the return is signed by that person, and witnessed; and

(b) by a body corporate, by the affixing of the common seal of that body corporate.

(2) Returns required to be lodged under the Act shall be lodged at the office of the Director.

(2a) Returns to be lodged under the Act are to be lodged within one month after 30 June in each year and are to relate to the financial year ending on that date.

(3) Where a return required to be lodged under the Act —

(a) is not lodged as required under subregulation (2a); or

(b) does not include the required information; or

(c) is otherwise incomplete or is not verified as required,

if a person who is required to lodge the return, or who is the director of a company required to lodge the return, fails to take all reasonable steps to comply with, or secure compliance with, or has knowingly been the cause of any default under, the provisions of the Act or these regulations, the person commits an offence.

Penalty: $1 000.

(4) Where, under section 71 of the *Interpretation Act 1984*, a person becomes liable to a penalty in respect of an offence constituted by a failure to do an act or thing required by the Act, this regulation or regulation 24 in relation to any return or information thereby required, the penalty applicable to each such offence is $100.

[Regulation 23 amended in Gazette 30 Jan 1998 p. 566; 22 May 1998 p. 2943; 6 Oct 1998 p. 5566.]

24. Return of information required etc. (Act s. 145)

(1) Each person required to make a record under section 145 shall lodge a return with the Director containing the following information —

(a) in respect of each aggregate amount that is stated, the amount which relates to low alcohol liquor and the amount which relates to liquor other than low alcohol liquor; and

(b) where the licensee is the holder of a special facility licence, a producer's licence or a wholesaler's licence, the aggregate amounts paid or payable to the licensee in respect of transactions involving the sale or other disposal of liquor to liquor merchants who, in the relevant period, held or hold a licence under the Act; and

(c) where the licensee is the holder of a producer's licence, a special facility licence or a wholesaler's licence, the name and address of each liquor merchant to whom liquor was sold or otherwise disposed of, and the gross amount paid or payable to the licensee in respect of each such sale or other disposal; and

[(d) deleted]

(e) where the licensee is an auctioneer who sells liquor under an occasional licence, whether a person on whose behalf liquor was sold at auction, or who purchased liquor, was a liquor merchant and, if so, the name and class of any licence held by the liquor merchant; and

(f) where the licensee is a body corporate —

(i) the full name and address of each person who occupied a position of authority in the body corporate, and a description of that position, on the last day of the financial year to which the return relates; and

(ii) the registered office of the body corporate; and

(iii) in the case of a proprietary company, the number of shares held by each shareholder, and whether any of those shares is held in trust for another person;

and

[(g)-(j) deleted]

(k) where the licence is held jointly by 2 or more persons, the full name and address of each such person, and of the person who was the manager of the business conducted under the licence, on the last day of the financial year to which the return relates; and

(m) where the licence is held by one natural person, the full name and address of that person, and of the person who was the manager of the business conducted under the licence, on the last day of the financial year to which the return relates; and

(n) the name and address of the owner of the licensed premises.

(2) In this regulation, ***aggregate amount*** means the sum of the individual gross amounts paid or payable to or by the licensee (as the case may be) and, where the aggregate amount is to be advised in respect of different categories of transaction, the aggregate in respect of each such category.

[Regulation 24 amended in Gazette 30 Jan 1998 p. 566-7; 22 May 1998 p. 2943; 1 May 2007 p. 1888-9; 4 Mar 2016 p. 630.]

25A. Class of persons prescribed (Act s. 152P(4)(b))

The chief executive officer of the Department, as defined in the *Children and Community Services Act 2004* section 3, is prescribed for the purposes of section 152P(4)(b).

[Regulation 25A inserted in Gazette 7 Oct 2011 p. 4069.]

25. Money payable under Act, how payable

(1) The Director may require in a particular case that moneys payable under the Act be paid by bank or other financial institution cheque or in cash.

(2) All moneys payable under the Act shall be payable —

(a) at the office of the Director; or

(b) at a place determined by the Director.

[Regulation 25 amended in Gazette 24 Aug 1990 p. 4337; 30 Oct 1998 p. 6015; 1 May 2007 p. 1885.]

26. Fees generally (Sch. 3)

(1) The fees set out in column 3 of Schedule 3 are payable in respect of the corresponding matter set out in column 2 of that Schedule.

(1aa) If one or more extended trading permits have been issued in respect of the licensed premises, each of which is current and for a specified period exceeding 3 weeks, the licence fee payable under item 4 or 5 of Schedule 3 is the fee specified in that item and —

(a) if no more than 2 such permits have been issued — an additional amount of $277; or

(b) if 3 or more such permits have been issued — an additional amount of $556.

(1ab) In subregulation (1aa) —

current means current on the day not later than which the relevant licence fee is payable under subregulation (1a).

(1a) The licence fees specified in items 4 and 5 of Schedule 3, with any additional amount required under subregulation (1aa), are payable not later than 1 January in each year in respect of each licence in force.

(1b) A licensee who has not paid a licence fee payable under subregulation (1a) by 8 January in any year shall, in addition to the licence fee, pay to the Director a penalty of an amount equal to half the fee.

(1c) Where a licensee has not paid a licence fee payable under subregulation (1a) by 15 January in any year, the Director may serve on the licensee a notice requiring payment of the fee, and any penalty under subregulation (1b), within 7 days after service of the notice and, if the requirement in the notice is not complied with, the Director may, whether or not a complaint is, or is to be, lodged under section 95 in respect of that non-payment, suspend the operation of the licence to which the fee relates until the amount outstanding is paid.

(1d) Where a licensee has not paid a licence fee payable under subregulation (1a) by 29 January in any year, the Director may serve on the licensee a notice requiring payment of the fee, and any penalty under subregulation (1b), within 7 days after service of the notice and, if the requirement in the notice is not complied with, the Director may, whether or not a complaint is, or is to be, lodged under section 95 in respect of that non-payment, cancel the licence to which the fee relates.

(2) The Director may reduce, waive or refund, in whole or in part, any moneys due under this regulation.

(3) If a fee is payable under subregulation (1) for or in respect of the lodgment of a document and the document is submitted for lodgment without payment of the fee, the document is taken not to have been lodged until the fee has been paid.

[Regulation 26 amended in Gazette 30 Jan 1998 p. 567-8; 21 Dec 1999 p. 6419; 28 Jul 2000 p. 4032; 1 May 2007 p. 1885 and 1888-9; 9 Oct 2007 p. 5352; 24 Oct 2008 p. 4683; 28 Oct 2008 p. 4729; 20 Nov 2009 p. 4662-3; 22 Oct 2010 p. 5229; 19 Nov 2010 p. 5744; 3 Jun 2011 p. 2000-1; 4 Nov 2011 p. 4641; 16 Nov 2012 p. 5652-3; 21 May 2013 p. 2014; 8 Nov 2013 p. 4977-8; 14 Nov 2014 p. 4284; 6 Nov 2015 p. 4584; 28 Oct 2016 p. 4913.]

27A. Reduction in licence fee for new licences

If the licence fee specified in items 4 or 5 of Schedule 3 is to be paid for a new licence that is to come into force on or after 1 April in any year, the amount payable is reduced as set out in the Table.

Table

When licence comes into force	Reduction
On or after 1 April but not later than 30 June	25% of the specified licence fee
On or after 1 July but not later than 30 September	50% of the specified licence fee
On or after 1 October but not later than 31 December	75% of the specified licence fee

[Regulation 27A inserted in Gazette 21 Mar 2014 p. 742.]

27. Infringement notices, forms etc. prescribed for (Act s. 167)

(1) For the purposes of section 167 —

(a) the notice to be given to a person under section 167(2) shall be in the form set out in Form 21 in Schedule 1; and

(b) the description of the offence set out in the form is for convenience of reference only, and shall not be taken to alter or otherwise affect the nature or elements of the offence or the operation of these regulations, notwithstanding that the nature or any element of the offence in relation to which a notice is served may not be, or may not properly be, set out in the description; and

(c) the notice withdrawing an infringement notice under section 167(5) shall be in the form set out in Form 22 in Schedule 1.

(2) For the purposes of section 167(2)(a), an offence against a provision of the Act listed in the Table to this subregulation is a prescribed offence.

Table

s. 37A	s. 119(4)
s. 51(2)	s. 119(5)
s. 51(4)	s. 119(7)
s. 65(1)	s. 119(11)
s. 77(1)	s. 119A(4)
s. 100(2)	s. 119A(5)
s. 100(2a)	s. 121(1)
s. 100(5)	s. 121(2)
s. 100(8)	s. 121(3)
s. 101(3)	s. 121(4) (where the alleged offender is the licensee or a juvenile)
s. 102(1)	
s. 103(3)	s. 121(7)
s. 104(1)	s. 121(7a)
s. 106(1) (where the alleged offender is a	s. 121(9)

lodger)
s. 106(3)
s. 108
s. 110(1)
s. 110(2)
s. 110(3)
s. 110(4A)
s. 110(4)
s. 110(5)
s. 110(7)
s. 111(1)
s. 111(2)
s. 113A
s. 115(1)
s. 115(2)
s. 115(5)
s. 115(6)
s. 115(7)
s. 115A(2)
s. 116
s. 116A(1)
s. 116A(3)
s. 118(3)
s. 119(1)
s. 119(2)
s. 121(10)
s. 122(2)
s. 122(3)
s. 123(1)
s. 123(2)
s. 124
s. 126(2)
s. 126(4)
s. 126(5)
s. 126D(2)
s. 135(3)
s. 145(4)
s. 146(1)
s. 150(2)
s. 152L(1)
s. 152L(2)
s. 152O(1)
s. 152S(2)
s. 152S(5)
s. 152T(3)
s. 154(3)
s. 158(1)
s. 159(1)
s. 159(3)
s. 160(4)
s. 161(7)

(3) For the purposes of section 167(2)(a), an offence against a provision of these regulations listed in the Table to this subregulation is a prescribed offence.

Table

r. 14ADE(4)	r. 14AE(3)
r. 14AE(1)	r. 14AG(1a)
r. 14AE(2)	r. 23(3)

(4) For the purposes of section 167(2)(a), an offence against a provision listed in the Table is a prescribed offence.

Table

Liquor Control (Bayulu Restricted Area) Regulations 2013 regulation 7(1)
Liquor Control (Cheeditha Restricted Area) Regulations 2012 regulation 7(1)
Liquor Control (Irrungadji Restricted Area) Regulations 2010 regulation 7(1)
Liquor Control (Jigalong Restricted Area) Regulations 2009 regulation 7(1)
Liquor Control (Juwurlinji Restricted Area) Regulations 2009 regulation 7(1)
Liquor Control (Koongie Park Restricted Area) Regulations 2010 regulation 7(1)
Liquor Control (Kunawarritji Restricted Area) Regulations 2011 regulation 7(1)
Liquor Control (Kundat Djaru Restricted Area) Regulations 2010 regulation 7(1)

Liquor Control (Looma Restricted Area) Regulations 2011 regulation 7(1)
Liquor Control (Ngalingkadji Restricted Area) Regulations 2016 regulation 7(1)
Liquor Control (Nicholson Block Restricted Area) Regulations 2010 regulation 7(1)
Liquor Control (Noonkanbah Restricted Area) Regulations 2009 regulation 7(1)
Liquor Control (Pandanus Park Restricted Area) Regulations 2011 regulation 7(1)
Liquor Control (Punmu Restricted Area) Regulations 2010 regulation 7(2)
Liquor Control (Spinifex Restricted Area) Regulations 2014 regulation 7(1)
Liquor Control (Transitional Housing and Support Program Restricted Areas) Regulations 2016 regulation 7(1)
Liquor Control (Wangkatjungka Restricted Area) Regulations 2008 regulation 7(1)
Liquor Control (Warralong Restricted Area) Regulations 2013 regulation 7(1)
Liquor Control (Yakanarra Restricted Area) Regulations 2010 regulation 7(1)

[Regulation 27 amended in Gazette 1 May 2007 p. 1886-7 and 1888-9; 28 Sep 2007 p. 4930; 22 Apr 2008 p. 1545; 7 Nov 2008 p. 4822; 1 May 2009 p. 1438; 24 Jul 2009 p. 2949 and p. 2952; 28 May 2010 p. 2301; 8 Jun 2010 p. 2619; 17 Sep 2010

p. 4762, 4765 and 4768; 3 Dec 2010 p. 6060 and 6063; 3 May 2011 p. 1600; 27 May 2011 p. 1932 and 1935; 3 Jun 2011 p. 1998 and 2001; 7 Oct 2011 p. 4069; 10 Aug 2012 p. 3811; 28 Jun 2013 p. 2799; 20 Sep 2013 p. 4362; 1 Jul 2014 p. 2345; 8 Apr 2016 p. 1101; 26 Jul 2016 p. 3154.]

*[**28.** Deleted in Gazette 30 Jan 1998 p. 568.]*

Schedule 1

[Regulation 3]

Forms

[Forms 1-18 deleted in Gazette 1 May 2007 p. 1887.]

Form 19

Liquor Control Act 1988 [2]

[Regulation 19(1)]

Application Form for Liquor Subsidy

(WA Producers Only)

1.	**CLAIM FOR THE MONTH/PERIOD OF:**	Month/Quarter	Year
2.	**AUSTRALIAN BUSINESS NUMBER:**		
3.	**LIQUOR LICENCE NUMBER:**		
4.	**NAME OF PREMISES:**		
5.	**NAME OF LICENSEE:**		
	ADDRESS OF LICENSED PREMISES:		Postcode
6.	**AMOUNT OF SUBSIDY CLAIM:**	(a) WET subsidy claimable for Cellar door sales to persons other than liquor merchants (including sales made in a restaurant on the licensed premises).	$
		(b) WET subsidy claimable for Mail Order Sales.	$
	(a) + (b) + (c) = Total for this period	(c) WET subsidy claimable for Tastings, promotions and donations for which no charge has been made.	$
		TOTAL FOR THIS PERIOD:	**$**
7.	**ADJUSTMENTS (IF APPLICABLE):**	(e) Amount overpaid/underpaid for the month of	$
		TOTAL AMOUNT CLAIMED:	**$**

Form 19

Have your bank details changed? No ❒ Yes ❒ If **yes** please provide new bank details below:

BANK NAME:		BRANCH NAME:	
BSB No.		ACCOUNT No:	

8. DECLARATION: I, _____ certify that:
name of licensee

(a) I am the licensee of the above named premises; and

(b) the claim I am making for liquor subsidy is complete, true and correct; and

(c) the claim I am making is honestly based on my WET obligations; and

(d) I have all the necessary records to provide information to substantiate my claim; and

(e) I will provide information to substantiate my claim, if requested, at any time by the relevant authorities; and

(f) I have prepared and issued invoices reflecting the liquor subsidy in accordance with requirements of the Australian Taxation Office; and

(g) my prices to my customers incorporate the amount of the subsidy.

WARNING
Penalties apply if you provide false or misleading information

WHERE THE LICENSEE IS A COMPANY:

The common seal of _____ was hereunto affixed by order of its Directors in accordance with its Articles of Association, in the presence of:

Common Seal

Name and Signature of Director(s)

_____ Date: ____ / ____ / ____ Ph No: _____

_____ Date: ____ / ____ / ____ Ph No: _____

WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:

Signature(s)

_____ Date: ____ / ____ / ____ Ph No: _____

_____ Date: ____ / ____ / ____ Ph No: _____

FOR OFFICE USE ONLY	**DATE RECEIVED: ____ / ____ / ____**	**AMOUNT PAYABLE: $**
	DATE PAID: ____ / ____ / ____	**PAYMENT DETAILS:**

[Form 19 inserted in Gazette 9 Jul 2004 p. 2774-5.]

Form 19A

Liquor Control Act 1988 [2]

[Regulation 19(1)]

Application for Liquor Subsidy — Low Alcohol
(WA Wholesalers/Beer Producers)

1.	**CLAIM FOR THE MONTH/PERIOD OF:**	Month/Quarter	Year
2.	**AUSTRALIAN BUSINESS NUMBER:**		
3.	**LIQUOR LICENCE NUMBER:**		
4.	**NAME OF PREMISES:**		
5.	**NAME OF LICENSEE:**		
	ADDRESS OF LICENSED PREMISES:	Postcode	
6.	**AMOUNT OF SUBSIDY CLAIM:**	Low Alcohol Beer	$
		Low Alcohol Wine	$
		TOTAL FOR THIS PERIOD:	$
7.	**ADJUSTMENTS (IF APPLICABLE):**	Amount overpaid/underpaid for the month of	$
		TOTAL AMOUNT CLAIMED:	$

Have your bank details changed? No ❒ Yes ❒ If **yes** please provide new bank details below:

BANK NAME:		BRANCH NAME:	
BSB No.		ACCOUNT No:	

Form 19A

8. DECLARATION: I, _____ certify that:
name of licensee

WARNING
Penalties apply if you provide false or misleading information

(a) I am the licensee of the above named premises; and

(b) the claim I am making for liquor subsidy is complete, true and correct; and

(c) I have all the necessary records to provide information to substantiate my claim; and

(d) I will provide information to substantiate my claim, if requested, at any time by the relevant authorities; and

(e) I have prepared and issued invoices reflecting the liquor subsidy; and

(f) my prices to my customers incorporate the amount of the subsidy.

WHERE THE LICENSEE IS A COMPANY:

The common seal of _____ was hereunto affixed by order of its Directors in accordance with its Articles of Association, in the presence of:

Name and Signature of Director(s) Common Seal

_____ Date: ____ / ____ / ____ Ph No: _____

_____ Date: ____ / ____ / ____ Ph No: _____

WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:

Signature(s)

_____ Date: ____ / ____ / ____ Ph No: _____

_____ Date: ____ / ____ / ____ Ph No: _____

FOR OFFICE USE ONLY	**DATE RECEIVED: ____ / ____ / ____** **DATE PAID: ____ / ____ / ____**	**AMOUNT PAYABLE: $** **PAYMENT DETAILS:**

[Form 19A inserted in Gazette 9 Jul 2004 p. 2776-7.]

Form 20

Liquor Control Act 1988 [2]

[Section 161]

SEARCH WARRANT

Under section 161 of the *Liquor Control Act 1988* [2] I, [insert name of Justice of the Peace granting the warrant], of

.....

being a Justice of the Peace and being satisfied upon application by [insert name of applicant] that there is reason to suspect that [insert description of circumstances justifying issue of warrant] .....

.....

.....

.....

.....

.....

at [insert address of premises] .....

.....

hereby grant to [insert name and designation of authorised officer] .....

.....

this warrant empowering that person to enter those premises with such other persons as may be necessary to assist, using such force as may be necessary, and there to do any of the things referred to in section 161(1). This warrant continues to have effect until the purposes for which it was granted are satisfied.

Granted on the ..... day of ..... 20 .....

at .....

.....
Signature of Justice of the Peace granting the warrant

[Form 20 amended in Gazette 28 Sep 2007 p. 4930-1.]

Form 21

Liquor Control Act 1988 **Infringement notice**		Notice No. Date of notice
Alleged offender	Name: Surname Given names Address _____ Postcode Date of birth Driver's licence No. (if available)	
Alleged offence	Description of offence _____ *Liquor Control Act 1988* s. _____ *Liquor Control Regulations 1989* r. _____ Location where offence committed Name of premises (if applicable)_____ Address _____ Postcode Date / /20 Time a.m./p.m. Modified penalty $	
Officer issuing notice	Name Registered No. Station/Unit	
Notice to alleged offender	It is alleged that you have committed the above offence. **If you do not want to be prosecuted in court for the alleged offence**, pay the modified penalty above within 28 days after the date of issue of this notice. See below for how and where to pay the modified penalty. **If you do not pay the modified penalty within 28 days**, you may be prosecuted in court for the alleged offence or enforcement action may be taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* to recover the modified penalty. Under that Act, some or all of the following action may be taken — your driver's licence may be suspended; your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed; and your property may be seized and sold.	

	If you want this matter to be dealt with by prosecution in court, sign and date here: _____ / /20 and post this notice to the address below within 28 days after the date of issue of this notice. If you are prosecuted in a court for the alleged offence, and convicted, you will be liable to a penalty and costs.	
How to pay the modified penalty	In person	*[Details for paying in person]*
	By post	Post this notice, with a cheque or money order made payable to [*payee*], to: *[Address]* Do not send cash in the mail.
	Online	*[Details for online payments]*
	By telephone	*[Details for telephone payments]*

[Form 21 inserted in Gazette 28 Sep 2007 p. 4931; amended in Gazette 20 Aug 2013 p. 3855; 1 Dec 2015 p. 4822-3.]

Form 22

Liquor Control Act 1988 **Withdrawal of infringement notice**	Date of withdrawal
Alleged offender	Name: Surname Given names Address _____ Postcode
Infringement notice	Infringement notice No. Date of issue / /20
Alleged offence	Description of offence _____ *Liquor Control Act 1988* s. _____ *Liquor Control Regulations 1989* r. _____ Location where offence committed Name of premises (if applicable)_____ Address _____ Postcode Date / /20 Time a.m./p.m.
Officer withdrawing notice	Director of Liquor Licensing Registered No. Station/Unit
Withdrawal of infringement notice	The above infringement notice, which was issued for the above alleged offence, has been withdrawn. If you have already paid the modified penalty for the alleged offence in accordance with the infringement notice, the amount will be refunded to you.

[Form 22 inserted in Gazette 28 Sep 2007 p. 4932; amended in Gazette 1 Dec 2015 p. 4823.]

Schedule 2

[Regulation 13]

Details of applicant

Item	Category of applicant	Details to be provided
1.	Natural person	(a) full name; and
		(b) any other name used now or previously; and
		(c) present residential address; and
		(d) any other residential address in the past 5 years, including dates of each change of address; and
		(e) date and place of birth; and
		(f) citizenship; and
		(g) if the applicant has a spouse or de facto partner who will assist in the conduct of business under the licence, the full name and date of birth of the spouse or de facto partner; and
		(h) present occupation, and name and address of employer; and
		[(j) deleted]
		(k) licences relating to the sale of liquor held in the State or elsewhere, the name and address of premises to which any such licence relates or related and the period during which the licence is or was held; and
		(m) any other involvement in the operation of licences relating to the sale of liquor in the State or elsewhere; and
		(n) any position of authority held in a body corporate concerned with the proposed licence and a description of the position held; and
		(o) the number and nature of any convictions of that person for offences in any jurisdiction; and

Item	Category of applicant	Details to be provided
		(p) any proceedings relating to insolvency under administration, within the meaning of the *Corporations Act 2001* of the Commonwealth, in respect of the person or any such proceedings, or applications in respect of any such proceedings, pending in respect of the person; and
		(q) any external administration, within the meaning of the *Corporations Act 2001* of the Commonwealth, of any corporation of which the person is —
		(i) a director; or
		(ii) where the corporation is a proprietary company, a shareholder,
		or any such administration pending.
2.	Company	(a) full name, registered office and address for service of documents; and
		(b) date and place of incorporation, including a copy of the certificate of incorporation; and
		(c) any change of the company name during the past 2 years, including the date of any such change of name; and
		(d) a list of directors; and
		(e) in respect of each director, the details set out in item 1; and
		(f) in the case of a proprietary company —
		(i) the full name, residential address and date of birth of each shareholder who is a natural person; and
		(ii) the full name, date and place of incorporation of each shareholder that is a body corporate;
		and

Item	Category of applicant	Details to be provided	
		(g)	any liquidation, receivership or official management in force or pending in respect of the company; and
		(h)	the full name, date and place of incorporation of any related body corporate, and the nature of the relationship; and
		(j)	in respect to any person sought to be approved as manager, the details set out in the third column of item 1.
3.	Club or other body of persons	(a)	full name and address for service of documents; and
		(b)	date and place of formation; and
		(c)	any change of name in the past 2 years; and
		(d)	if incorporated, the date and place of incorporation, including a copy of the certificate of incorporation; and
		(e)	the full name of, residential address of, and office held by, any trustee or office bearer and the date of that person's appointment or election as the case may be; and
		(f)	in respect of any person sought to be approved as manager, the details set out in the third column of item 1.

[Schedule 2 amended in Gazette 22 May 1998 p. 2944; 6 Oct 1998 p. 5567; 28 Sep 2001 p. 5357-8; 30 Jun 2003 p. 2612; 24 Oct 2008 p. 4683-4.]

Schedule 3 — Fees

[r. 11, 14ADF, 18B, 26 and 27A]

[Heading inserted in Gazette 16 Nov 2012 p. 5653; amended in Gazette 21 Mar 2014 p. 742.]

Item	Description	Fee $
1.	Application for the grant or removal of a hotel licence, nightclub licence, casino liquor licence, special facility licence or liquor store licence	3 454
2.	Application for the grant or removal of a club licence, restaurant licence, producer's licence or wholesaler's licence	886
3.	Application for the transfer of a licence	849
4.	Licence fee for any licence other than a club restricted licence	584
5.	Licence fee for a club restricted licence	288
6.	Application for an occasional licence if the anticipated number of patrons is —	
	(a) up to 250	53
	(b) between 251 and 500	110
	(c) between 501 and 1 000	226
	(d) between 1 001 and 5 000	1 137
	(e) between 5 001 and 10 000	2 275
	(f) over 10 000	4 560
7.	Application for extended trading permit for a period of over 21 days —	
	(a) issued for the purpose referred to in section 60(4)(ca) —	
	(i) if regulation 9F(2) applies	53
	(ii) if regulation 9F(2) does not apply	466

Item	Description	Fee $
	(b) issued for the purpose referred to in section 60(4)(e)	348
	(c) issued for the purpose referred to in section 60(4)(h)	348
	(d) issued for the purpose referred to in section 60(4)(ia) —	
	(i) if no previous application for that purpose has been made by any licensee in respect of the relevant premises	345
	(ii) if subparagraph (i) does not apply	290
	(e) issued for any other purpose	1 168
8.	Application for extended trading permit (in respect of a licence other than a club restricted licence) for a period of 21 days or less if the anticipated number of patrons is —	
	(a) up to 500	110
	(b) between 501 and 1 000	226
	(c) between 1 001 and 5 000	1 137
	(d) between 5 001 and 10 000	2 275
	(e) over 10 000	4 560
9A.	Application for extended trading permit (in respect of a club restricted licence) for a period of 21 days or less	43
9.	Application for manager's approval —	
	(a) lodged under r. 14ADA(3)	168
	(b) lodged under r. 14ADA(4)(a)	56
	(c) lodged under r. 14ADA(4)(b)	15
10A.	Application for renewal of manager's approval —	
	(a) lodged under r. 14ADD(3)(a)	164
	(b) lodged under r. 14ADD(3)(b)	126

Item	Description	Fee $
[10B	*deleted]*	
10C.	Application for replacement identification card —	
	(a) lodged under r. 14ADF(2)(b)(i)	52
	(b) lodged under r. 14ADF(2)(b)(ii)	10
10.	Application for approval of person in position of authority —	
	(a) under licence other than club licence or club restricted licence	159
	(b) under club licence or club restricted licence	109
11.	Application for approval for alteration or redefinition of licensed premises	399
12.	Application for a protection order under section 87(1)	231
13.	Application for duplicate licence	35
14.	Application for approval of change of name of licensed premises	73
15.	Application to add, vary or cancel condition of licence or permit (other than club restricted licence) —	
	(a) for a period of over 21 days	237
	(b) for a period of 21 days or less if the anticipated number of patrons is —	
	(i) up to 500	110
	(ii) between 501 and 1 000	226
	(iii) between 1 001 and 5 000	1 137
	(iv) between 5 001 and 10 000	2 275
	(v) over 10 000	4 560
16.	Application to add, vary or cancel condition of club restricted licence	43
17.	Application under section 62(6) to vary any plans or	

Item	Description	Fee $
	specifications the subject of a condition	277
18.	Application for approval of agreement or arrangement	231
19A.	Application under section 115AD for review of decision to give notice	242
19B.	Application under section 119A for approval to conduct non-liquor business on licensed premises	221
19C.	Application under section 152W(3), other than by an occupier of premises, for a liquor restriction declaration in relation to the premises	264
19.	Application under section 126A for approval of entertainment for juveniles on licensed premises	64
[20.	*deleted]*	
21.	Supply of a list of licensed premises or a list of owners of licensed premises	89
22.	Supply of a list of licensed premises on computer disk	58
23.	Supply of address labels for licensed premises	142
24.	Supply of approved heading for advertising an application	25
25.	Supply of copy of plan — for each sheet	25 (up to a max. of 200)
26.	Supply of certified copy of plan defining licensed premises ...	35
27.	Supply of copy of a licence, a permit or a decision of the Commission (or the former Liquor Licensing Court) or the Director	25
28.	For the certification of a copy of a licence, a permit or a decision of the Commission (or the former Liquor Licensing Court) or the Director ..... [In addition to the fee under item 27]	25

Item	Description	Fee $
29.	Supply of copy of documentation, other than that already prescribed, per page	4
30.	Issue of a summons to a witness	20
31.	For a search of the database of records of licences — per licence	35
32.	For a full search of a licence record	52
33.	For a search of postcodes —	
	(a) 1 to 10 postcodes	35
	(b) more than 10 postcodes	77
34.	For each person who is a party to an application under the Act and in relation to whom a background check is sought from the Police Service	148

[Schedule 3 inserted in Gazette 16 Nov 2012 p. 5653-6; amended in Gazette 31 May 2013 p. 2119; 8 Nov 2013 p. 4978-80; 14 Nov 2014 p. 4284-6; 6 Nov 2015 p. 4585-7; 4 Mar 2016 p. 630; 28 Oct 2016 p. 4913-15.]

Notes

[1] This is a compilation of the *Liquor Control Regulations 1989* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
Liquor Licensing Regulations 1989 [9]	27 Jan 1989 p. 209-61	1 Feb 1989 (see r. 2 and *Gazette* 27 Jan 1989 p. 263)
Liquor Licensing (Amendment) Regulations 1990	3 Aug 1990 p. 3791	3 Aug 1990
Liquor Licensing (Amendment) (No. 2) Regulations 1990	24 Aug 1990 p. 4337	24 Aug 1990
Liquor Licensing Amendment Regulations 1991 [10]	8 Nov 1991 p. 5768-9	8 Nov 1991
Liquor Licensing Amendment Regulations 1992	21 Feb 1992 p. 933-4	21 Feb 1992
Liquor Licensing Amendment Regulations (No. 2) 1992	20 Nov 1992 p. 5695	1 Jan 1993 (see r. 2)
Liquor Licensing Amendment Regulations 1994	23 Sep 1994 p. 4901	23 Sep 1994
Liquor Licensing Amendment Regulations (No. 2) 1994	30 Dec 1994 p. 7329-30	30 Dec 1994
Liquor Licensing Amendment Regulations 1995	16 May 1995 p. 1859	16 May 1995
Liquor Licensing Amendment Regulations 1996	26 Nov 1996 p. 6629-30	26 Nov 1996
Liquor Licensing Amendment Regulations (No. 2) 1996	3 Dec 1996 p. 6689-91	3 Dec 1996
Reprint of the *Liquor Licensing Regulations 1989* as at 8 Sep 1997 (includes amendments listed above)		
Liquor Licensing Amendment Regulations 1997	14 Nov 1997 p. 6446-8	1 Jan 1998 (see r. 2)
Liquor Licensing Amendment Regulations 1998	30 Jan 1998 p. 559-73 (correction 6 Feb 1998 p. 662)	31 Jan 1998 (see r. 2 and *Gazette* 30 Jan 1998 p. 577)

Citation	Gazettal	Commencement
Liquor Licensing Amendment Regulations (No. 2) 1998	28 Apr 1998 p. 2198	28 Apr 1998
Liquor Licensing Amendment Regulations (No. 3) 1998	22 May 1998 p. 2940-4	23 May 1998 (see r. 2 and *Gazette* 22 May 1998 p. 2921)
Liquor Licensing Amendment Regulations (No. 4) 1998	6 Oct 1998 p. 5563-7	6 Oct 1998
Liquor Licensing Amendment Regulations (No. 5) 1998	30 Oct 1998 p. 6015	1 Dec 1998 (see r. 2)
Liquor Licensing Amendment Regulations 1999	30 Apr 1999 p. 1820-1	30 Apr 1999 (see r. 2)
Liquor Licensing Amendment Regulations (No. 2) 1999	31 Aug 1999 p. 4256-9	31 Aug 1999
Liquor Licensing Amendment Regulations (No. 3) 1999	21 Dec 1999 p. 6418-20	1 Jan 2000 (see r. 2)
Reprint of the *Liquor Licensing Regulations 1989* as at 7 Jan 2000 (includes amendments listed above)		
Liquor Licensing Amendment Regulations 2000	12 May 2000 p. 2286	1 Jul 2000 (see r. 2)
Liquor Licensing Amendment Regulations (No. 2) 2000	28 Jul 2000 p. 4029-32	28 Jul 2000
Liquor Licensing Amendment Regulations (No. 3) 2000	29 Sep 2000 p. 5549	30 Sep 2000 (see r. 2 and *Gazette* 29 Sep 2000 p. 5533)
Liquor Licensing Amendment Regulations 2001	6 Jul 2001 p. 3415	6 Jul 2001
Liquor Licensing Amendment Regulations (No. 2) 2001 [11]	17 Jul 2001 p. 3637-8	17 Jul 2001
Corporations (Consequential Amendments) Regulations 2001 Pt. 8	28 Sep 2001 p. 5353-8	15 Jul 2001 (see r. 2 and Cwlth. *Gazette* 13 Jul 2001 No. S285)
Liquor Licensing Amendment Regulations (No. 3) 2001	2 Oct 2001 p. 5455-7	2 Oct 2001
Liquor Licensing Amendment Regulations (No. 4) 2001	4 Jan 2002 p. 7-15	7 Jan 2002 (see r. 2 and *Gazette* 4 Jan 2002 p. 3)
Reprint of the *Liquor Licensing Regulations 1989* as at 8 Mar 2002 (includes amendments listed above)		
Liquor Licensing Amendment Regulations 2002	28 Jun 2002 p. 3105-6	1 Jul 2002 (see r. 2)
Liquor Licensing Amendment Regulations (No. 2) 2002	22 Oct 2002 p. 5254-5	22 Oct 2002

Citation	Gazettal	Commencement
Liquor Licensing Amendment Regulations (No. 3) 2002	19 Nov 2002 p. 5515-16	1 Jan 2003 (see r. 2)
Liquor Licensing Amendment Regulations 2003	28 Feb 2003 p. 676-7	28 Feb 2003
Liquor Licensing Amendment Regulations (No. 2) 2003	28 Mar 2003 p. 983-4	28 Mar 2003
Equality of Status Subsidiary Legislation Amendment Regulations 2003 Pt. 22	30 Jun 2003 p. 2581-638	1 Jul 2003 (see r. 2 and *Gazette* 30 Jun 2003 p. 2579)
Liquor Licensing Amendment Regulations (No. 4) 2003	11 Jul 2003 p. 2741-2	11 Jul 2003
Liquor Licensing Amendment Regulations (No. 5) 2003	26 Sep 2003 p. 4223-4	1 Jan 2004 (see r. 2)
Liquor Licensing Amendment Regulations (No. 3) 2003	10 Oct 2003 p. 4405-6	10 Oct 2003
Liquor Licensing Amendment Regulations (No. 6) 2003	28 Oct 2003 p. 4527-9	28 Oct 2003
Racing and Gambling (Miscellaneous) Amendment Regulations 2004 Pt. 7	30 Jan 2004 p. 413-18	30 Jan 2004 (see r. 2)
Reprint 4: The *Liquor Licensing Regulations 1989* as at 2 Apr 2004 (includes amendments listed above)		
Liquor Licensing Amendment Regulations 2004 [12]	9 Jul 2004 p. 2773-7	9 Jul 2004
Liquor Licensing Amendment Regulations (No. 2) 2004	9 Jul 2004 p. 2778-80	1 Jan 2005 (see r. 2)
Liquor Licensing Amendment Regulations (No. 3) 2004	10 Aug 2004 p. 3186	10 Aug 2004
Liquor Licensing Amendment Regulations (No. 6) 2004	30 Nov 2004 p. 5491	30 Nov 2004
Liquor Licensing Amendment Regulations 2005	11 Jan 2005 p. 98-9	11 Jan 2005
Liquor Licensing Amendment Regulations (No. 2) 2005	19 Aug 2005 p. 3873-4	19 Aug 2005
Reprint 5: The *Liquor Licensing Regulations 1989* as at 7 Oct 2005 (includes amendments listed above)		
Liquor Licensing Amendment Regulations (No. 3) 2005	14 Oct 2005 p. 4564-6	1 Jan 2006 (see r. 2)
Liquor Licensing Amendment Regulations 2006	14 Feb 2006 p. 695-6	14 Feb 2006

Citation	Gazettal	Commencement
Liquor Licensing Amendment Regulations (No. 2) 2006	14 Nov 2006 p. 4734-5	1 Jan 2007 (see r. 2)
Liquor Licensing Amendment Regulations 2007	1 May 2007 p. 1861-89	r. 1 and 2: 1 May 2007 (see r. 2(a)); r. 3-17 and 20-26: 7 May 2007 (see r. 2(d)); r. 18 and 19: 1 Aug 2007 (see r. 2(b) and (c) and *Gazette* 20 Jul 2007 p. 3629)
Reprint 6: The *Liquor Control Regulations 1989* as at 6 Jul 2007 (includes amendments listed above except those in the *Liquor Licensing Amendment Regulations 2007* r. 18 and 19)		
Liquor Control Amendment Regulations (No. 2) 2007 [13]	28 Sep 2007 p. 4928-32	r. 1 and 2: 28 Sep 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 29 Sep 2007 (see r. 2(b))
Liquor Control Amendment Regulations (No. 5) 2007	2 Oct 2007 p. 4974	r. 1 and 2: 2 Oct 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 3 Oct 2007 (see r. 2(b))
Liquor Control Amendment Regulations (No. 3) 2007	9 Oct 2007 p. 5352-4	r. 1 and 2: 9 Oct 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2008 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2008	22 Apr 2008 p. 1545	r. 1 and 2: 22 Apr 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Apr 2008 (see r. 2(b))
Liquor Control Amendment Regulations 2008	2 May 2008 p. 1703-4	r. 1 and 2: 2 May 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 3 May 2008 (see r. 2(b))
Reprint 7: The *Liquor Control Regulations 1989* as at 4 Jul 2008 (includes amendments listed above)		
Liquor Control Amendment Regulations (No. 3) 2008	24 Oct 2008 p. 4682-5	r. 1 and 2: 24 Oct 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Oct 2008 (see r. 2(b))
Liquor Control Amendment Regulations (No. 4) 2008	28 Oct 2008 p. 4729-31	r. 1 and 2: 28 Oct 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2009 (see r. 2(b))

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations (No. 5) 2008	7 Nov 2008 p. 4821-2	r. 1 and 2: 7 Nov 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Nov 2008 (see r. 2(b))
Liquor Control Amendment Regulations (No. 8) 2008	6 Feb 2009 p. 247-8	r. 1 and 2: 6 Feb 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Feb 2009 (see r. 2(b))
Liquor Control Amendment Regulations 2009	13 Mar 2009 p. 763-4	r. 1 and 2: 13 Mar 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Mar 2009 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2009	1 May 2009 p. 1437-8	r. 1 and 2: 1 May 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 2 May 2009 (see r. 2(b))
Liquor Control Amendment Regulations (No. 6) 2009	9 Jun 2009 p. 1927-8	r. 1 and 2: 9 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Jun 2009 (see r. 2(b)(i))
Reprint 8: The *Liquor Control Regulations 1989* as at 3 Jul 2009 (includes amendments listed above)		
Liquor Control Amendment Regulations (No. 3) 2009	24 Jul 2009 p. 2949	r. 1 and 2: 24 Jul 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Jul 2009 (see r. 2(b))
Liquor Control Amendment Regulations (No. 4) 2009	24 Jul 2009 p. 2952	r. 1 and 2: 24 Jul 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Jul 2009 (see r. 2(b))
Liquor Control Amendment Regulations (No. 7) 2009	20 Nov 2009 p. 4662-6	r. 1 and 2: 20 Nov 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 8) 2009	15 Jan 2010 p. 70-2	r. 1 and 2: 15 Jan 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Jan 2010 (see r. 2(b))
Liquor Control Amendment Regulations 2010	2 Mar 2010 p. 833-4	r. 1 and 2: 2 Mar 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 3 Mar 2010 (see r. 2(b))

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations (No. 2) 2010	28 May 2010 p. 2301	r. 1 and 2: 28 May 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 29 May 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 3) 2010	8 Jun 2010 p. 2619	r. 1 and 2: 8 Jun 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Jun 2010 (see r. 2(b))
Reprint 9: The *Liquor Control Regulations 1989* as at 18 Jun 2010 (includes amendments listed above)		
Liquor Control Amendment Regulations (No. 6) 2010	17 Sep 2010 p. 4762	r. 1 and 2: 17 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Sep 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 5) 2010	17 Sep 2010 p. 4765	r. 1 and 2: 17 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Sep 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 7) 2010	17 Sep 2010 p. 4768	r. 1 and 2: 17 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Sep 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 4) 2010	22 Oct 2010 p. 5225-9	r. 1 and 2: 22 Oct 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Oct 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 10) 2010	19 Nov 2010 p. 5743-7	r. 1 and 2: 19 Nov 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2011 (see r. 2(b))
Liquor Control Amendment Regulations (No. 8) 2010	3 Dec 2010 p. 6059-60	r. 1 and 2: 3 Dec 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Dec 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 9) 2010	3 Dec 2010 p. 6062-3	r. 1 and 2: 3 Dec 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Dec 2010 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2011	3 May 2011 p. 1600	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))

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations 2011	27 May 2011 p. 1931-2	r. 1 and 2: 27 May 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 28 May 2011 (see r. 2(b))
Liquor Control Amendment Regulations (No. 7) 2011	27 May 2011 p. 1934-5	r. 1 and 2: 27 May 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 28 May 2011 (see r. 2(b))
Liquor Control Amendment Regulations (No. 3) 2011	3 Jun 2011 p. 1994-2002	Pt. 1: 3 Jun 2011 (see r. 2(a)); Regulations other than Pt. 1: 7 Jun 2011 (see r. 2(b) and *Gazette* 3 Jun 2011 p. 1975)
Liquor Control Amendment Regulations (No. 5) 2011	15 Jul 2011 p. 2955-66	r. 1 and 2: 15 Jul 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Jul 2011 (see r. 2(b))
Reprint 10: The *Liquor Control Regulations 1989* as at 16 Sep 2011 (includes amendments listed above)		
Liquor Control Amendment Regulations (No. 8) 2011	27 Sep 2011 p. 3847-8	r. 1 and 2: 27 Sep 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Sep 2011 (see r. 2(b))
Liquor Control Amendment Regulations (No. 6) 2011	7 Oct 2011 p. 4068-70	r. 1 and 2: 7 Oct 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Oct 2011 (see r. 2(b) and *Gazette* 7 Oct 2011 p. 4067)
Liquor Control Amendment Regulations (No. 9) 2011	4 Nov 2011 p. 4640-4	r. 1 and 2: 4 Nov 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2012 (see r. 2(b))
Liquor Control Amendment Regulations (No. 11) 2011	6 Dec 2011 p. 5132	r. 1 and 2: 6 Dec 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2012 (see r. 2(b) and *Gazette* 4 Nov 2011 p. 4640-4)
Liquor Control Amendment Regulations (No. 10) 2011 [14]	6 Jan 2012 p. 48-9	r. 1 and 2: 6 Jan 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Jan 2012 (see r. 2(b))

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations (No. 2) 2012	10 Aug 2012 p. 3810-11	r. 1 and 2: 10 Aug 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 11 Aug 2012 (see r. 2(b))
Liquor Control Amendment Regulations 2012	4 Sep 2012 p. 4249-50	r. 1 and 2: 4 Sep 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Sep 2012 (see r. 2(b))
Liquor Control Amendment Regulations (No. 3) 2012	16 Nov 2012 p. 5652-6	r. 1 and 2: 16 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2013 (see r. 2(b))
Liquor Control Amendment Regulations (No. 6) 2012	16 Nov 2012 p. 5657-8	r. 1 and 2: 16 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Nov 2012 (see r. 2(b))
Liquor Control Amendment Regulations (No. 7) 2012	18 Dec 2012 p. 6596-7	r. 1 and 2: 18 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Dec 2012 (see r. 2(b))
Reprint 11: The *Liquor Control Regulations 1989* as at 11 Jan 2013 (includes amendments listed above)		
Liquor Control Amendment Regulations (No. 3) 2013	19 Apr 2013 p. 1570-1	r. 1 and 2: 19 Apr 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 20 Apr 2013 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2013	21 May 2013 p. 2014	r. 1 and 2: 21 May 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 22 May 2013 (see r. 2(b))
Liquor Control Amendment Regulations (No. 4) 2013	31 May 2013 p. 2118-19	r. 1 and 2: 31 May 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jun 2013 (see r. 2(b))
Liquor Control Amendment Regulations (No. 6) 2013	28 Jun 2013 p. 2799	r. 1 and 2: 28 Jun 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 29 Jun 2013 (see r. 2(b) and *Gazette* 28 Jun 2013 p. 2800)

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations 2013	20 Aug 2013 p. 3855	r. 1 and 2: 20 Aug 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Aug 2013 (see r. 2(b) and *Gazette* 20 Aug 2013 p. 3815)
Liquor Control Amendment Regulations (No. 5) 2013	20 Sep 2013 p. 4362	r. 1 and 2: 20 Sep 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Sep 2013 (see r. 2(b))
Liquor Control Amendment Regulations (No. 7) 2013	8 Nov 2013 p. 4977-80	r. 1 and 2: 8 Nov 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2014 (see r. 2(b))
Liquor Control Amendment Regulations (No. 8) 2013	6 Dec 2013 p. 5738-9	r. 1 and 2: 6 Dec 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Dec 2013 (see r. 2(b))
Reprint 12: The *Liquor Control Regulations 1989* as at 14 Mar 2014 (includes amendments listed above)		
Liquor Control Amendment Regulations 2014	21 Mar 2014 p. 741-2	r. 1 and 2: 21 Mar 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Mar 2014 (see r. 2(b))
Liquor Control Amendment Regulations (No. 3) 2014	17 Jun 2014 p. 2000-1	r. 1 and 2: 17 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b) and *Gazette* 17 Jun 2014 p. 1955)
Liquor Control Amendment Regulations (No. 2) 2014	27 Jun 2014 p. 2354-5	r. 1 and 2: 27 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Jun 2014 (see r. 2(b))
Liquor Control Amendment Regulations (No. 4) 2014	1 Jul 2014 p. 2345	r. 1 and 2: 1 Jul 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Jul 2014 (see r. 2(b) and *Gazette* 1 Jul 2014 p. 2341)
Liquor Control Amendment Regulations (No. 6) 2014	14 Nov 2014 p. 4284-6	r. 1 and 2: 14 Nov 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2015 (see r. 2(b))

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations (No. 5) 2014	8 Jan 2015 p. 147	r. 1 and 2: 8 Jan 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Apr 2015 (see r. 2(b) and *Gazette* 17 Apr 2015 p. 1371)
Reprint 13: The *Liquor Control Regulations 1989* as at 5 Jun 2015 (includes amendments listed above)		
Liquor Control Amendment Regulations 2015	7 Aug 2015 p. 3206-7	r. 1 and 2: 7 Aug 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Aug 2015 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2015 Pt. 6	6 Nov 2015 p. 4581-8	1 Jan 2016 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2015	1 Dec 2015 p. 4821-3	r. 1 and 2: 1 Dec 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Dec 2015 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2016	4 Mar 2016 p. 630	r. 1 and 2: 4 Mar 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Mar 2016 (see r. 2(b))
Liquor Control Amendment Regulations 2016	8 Apr 2016 p. 1100-1	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) and *Gazette* 8 Apr 2016 p. 1099)
Liquor Control Amendment Regulations (No. 5) 2016	24 Jun 2016 p. 2340-1	r. 1 and 2: 24 Jun 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2016 (see r. 2(b) and *Gazette* 24 Jun 2016 p. 2291)
Liquor Control Amendment Regulations (No. 3) 2016	26 Jul 2016 p. 3153-4	r. 1 and 2: 26 Jul 2016 (see r. 2(a)); Regulations other than r. 1, 2 and 4(2): 27 Jul 2016 (see r. 2(b)); r. 4(2): 1 Aug 2016 (see r. 2(c) and *Gazette* 26 Jul 2016 p. 3167)
Liquor Control Amendment Regulations (No. 4) 2016	6 Sep 2016 p. 3828-9	r. 1 and 2: 6 Sep 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Sep 2016 (see r. 2(b))

Citation	Gazettal	Commencement
Liquor Control Amendment Regulations (No. 7) 2016	6 Sep 2016 p. 3830-1	r. 1 and 2: 6 Sep 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Sep 2016 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2016 Pt. 6	28 Oct 2016 p. 4910-16	1 Jan 2017 (see r. 2(b))
Liquor Control Amendment Regulations 2017	10 Jan 2017 p. 140-6	r. 1 and 2: 10 Jan 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 11 Jan 2017 (see r. 2(b))
Liquor Control Amendment Regulations (No. 2) 2017	3 Feb 2017 p. 1114-15	r. 1 and 2: 3 Feb 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Feb 2017 (see r. 2(b))

[2] Formerly referred to the *Liquor Licensing Act 1988* the short title of which was changed to the *Liquor Control Act 1988* by the *Liquor and Gaming Legislation Amendment Act 2006* s. 4. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).

[3] Repealed by the *Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006* (Cwlth).

[4] Footnote no longer applicable.

[5] Repealed by the *Navigation (Consequential Amendments) Act 2012* (Cwlth).

[6] Commenced 7 May 2007.

[7] Commenced 1 July 2014.

[8] Expired 8 November 2013.

[9] Now known as the *Liquor Control Regulations 1989*; citation changed (see note under r. 1).

[10] Disallowed on 26 Apr 1992, see *Gazette* 1 May 1992 p. 1844.

[11] The *Liquor Licensing Amendment Regulations (No. 2) 2001* r. 2(3) and (4) are transitional provisions that are of no further effect.

[12] The amendments in the *Liquor Licensing Amendment Regulations 2004* r. 3 and 5 are not included because of an error in the reference to the provisions to be amended.

[13] The *Liquor Control Amendment Regulations (No. 2) 2007* r. 12 could not have effect as the reference to the *Liquor Licensing Act 1988* was changed to the *Liquor Control Act 1988* under the *Reprints Act 1984* s. 7(3)(gb) (see note [2] above).

[14] Disallowed on 13 Sep 2012, see *Gazette* 18 Sep 2012 p. 4411.