

RG301\*

Liquor Control Act 1988

## **Liquor Control Amendment Regulations (No. 4) 2010**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Liquor Control Amendment Regulations (No. 4) 2010*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

### **3. Regulations amended**

These regulations amend the *Liquor Control Regulations 1989*.

### **4. Regulation 3A amended**

- (1) In regulation 3A(1) delete the definition of *anticipated number of persons attending*.
- (2) In regulation 3A(1) insert in alphabetical order:

*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;

*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;

**5. Regulation 9A amended**

(1) Delete regulation 9A(1) and insert:

- (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) Delete regulation 9A(3) and insert:

(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.

(3) Delete regulation 9A(13a) and insert:

(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.

**6. Regulation 9D amended**

In regulation 9D(1) and (2) delete “persons attending” and insert:

patrons

**7. Regulation 9E amended**

In regulation 9E(3)(a) and (b) delete “persons attending” and insert:

patrons

**8. Regulation 14AB amended**

In regulation 14AB(a) and (b) delete “persons attending” and insert:

patrons

**9. Regulation 14AC amended**

(1) Delete regulation 14AC(1) and insert:

(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) In regulation 14AC(2) delete “an extended trading permit of a kind to which this regulation applies” and insert:

a prescribed permit

(3) In regulation 14AC(2)(a) and (b) delete “persons attending” and insert:

patrons

(4) Delete regulation 14AC(3).

**10. Regulation 14AD amended**

In regulation 14AD(4) delete “persons attending” and insert:

patrons

**11. Regulation 14AE amended**

In regulation 14AE(2)(b) delete “persons attending” and insert:

patrons

**12. Regulation 18B amended**

- (1) In regulation 18B(3) delete “applicant and” and insert:

applicant and, unless subregulation (3AA) applies,

- (2) After regulation 18B(3) insert:

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

**13. Regulation 18C amended**

Delete regulation 18C(1)(b) and insert:

- (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.

**14. Regulation 18EB amended**

Delete regulation 18EB(1)(a) and insert:

- (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;

**15. Regulation 26 amended**

Delete regulation 26(4).

**16. Schedule 3 amended**

Delete Schedule 3 item 6 and insert:

6.	Application for an occasional licence if the anticipated number of patrons is —		
(a)	up to 250 .....	50	
(b)	between 251 and 500 .....	100	
(c)	between 501 and 1 000 .....	200	
(d)	between 1 001 and 5 000 .....	1 000	
(e)	between 5 001 and 10 000 .....	2 000	
(f)	over 10 000 .....	4 000	

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.