

RG301*

Liquor Control Act 1988

Liquor Control Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Liquor Control Amendment Regulations (No. 2) 2009*.

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 27 amended

Delete regulation 27(4) and (5) and insert:

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

Table

<i>Liquor Control (Jigalong Restricted Area) Regulations 2009 regulation 7(1)</i>
<i>Liquor Control (Oombulgurri Restricted Area) Regulations 2008 regulation 7(1)</i>
<i>Liquor Control (Wangkatjungka Restricted Area) Regulations 2008 regulation 7(1)</i>

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

RG302*

Liquor Control Act 1988

Liquor Control (Jigalong Restricted Area) Regulations 2009

Made by the Governor in Executive Council on the recommendation of the Minister under section 175(1a) of the Act.

1. Citation

These regulations are the *Liquor Control (Jigalong Restricted Area) Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

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

3. Term used: Jigalong Aboriginal Community

In these regulations —

Jigalong Aboriginal Community means the area of the land the subject of —

- (a) Reserve 41265 being the whole of the land in Certificates of Crown Land Title Volume LR3128 Folio 529 and Volume LR3128 Folio 530;
- (b) Pastoral Lease 3114/1103 being the whole of the land in Certificate of Crown Land Title Volume LR3147 Folio 908;
- (c) Crown Lease 154/1984 being the whole of the land in Certificate of Crown Land Title Volume LR3137 Folio 492.

4. Note is not part of regulation

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

5. Declaration of restricted area

The Jigalong Aboriginal Community is declared to be a restricted area for the purposes of section 175(1a) of the Act.

6. Notice of restricted area

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Jigalong Aboriginal Community continues to be a restricted area by operation of regulation 5 to be kept posted, at each place where a customary access route enters the Jigalong Aboriginal Community a notice —
 - (a) describing the offences set out in regulation 7; and
 - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 5.

7. Prohibitions as to liquor in Jigalong Aboriginal Community

- (1) A person who —
- (a) brings liquor into, or causes liquor to be brought into, the Jigalong Aboriginal Community; or
 - (b) has liquor in his or her possession in the Jigalong Aboriginal Community,

commits an offence.

Penalty:

- (a) if subregulation (2) applies — a fine of \$5 000;
 - (b) in any other case — a fine of \$2 000.
- (2) This subregulation applies to an offence under subregulation (1) committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence.

8. Seizure and disposal of containers of liquor

Despite section 155(4) and (5) of the Act, a member of the Police Force may seize and, as soon as is practicable, dispose of any opened or unopened container of liquor suspected on reasonable grounds to be the subject of an offence under regulation 7.

9. Period during which these regulations have effect

Unless sooner repealed, these regulations have effect for the period that ends on the day 2 years after the day referred to in regulation 2(b).

Note: Under the *Liquor Control Act 1988* section 175(1d), these regulations expire at the end of the period referred to in regulation 9.

Recommended by the Minister,

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.
