



Western Australia

Government Railways Act 1904

**Government Railways (Sale and Consumption of
Liquor) By-law 1971**

As at 07 May 2004

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Government Railways (Sale and Consumption of Liquor) By-law 1971

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Western Australia

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at 7 May 2004

Government Railways Act 1904

Government Railways (Sale and Consumption of Liquor) By-law 1971

1AA. Citation

- (1) This by-law may be cited as the *Government Railways (Sale and Consumption of Liquor) By-law 1971*¹.
- (2) The main legislative units of this by-law are called rules, and a rule may contain 2 or more subrules (this sentence, for example, being subrule (2) of rule 1AA).

[Rule 1AA inserted: Gazette 12 Dec 2003 p. 5045.]

1. Interpretation

In this by-law, unless the contrary intention appears —

liquor has the same meaning as it has in and for the purposes of the *Liquor Licensing Act 1988*.

[Rule 1 amended: Gazette 12 Dec 2003 p. 5045.]

1A. Application

This by-law applies to journeys that involve travel outside the metropolitan region (as described in the Third Schedule to the *Metropolitan Region Town Planning Scheme Act 1959*).

[Rule 1A inserted: Gazette 30 Dec 1994 p. 7334; amended: Gazette 12 Dec 2003 p. 5045.]

2. Consumption of liquor

A person shall not, except in a place set aside by the Authority for the consumption of liquor, consume liquor in or on any railway carriage, omnibus, land, building or station or in or on any property held or used by the Authority in connection with or for the purposes of a railway.

[Rule 2 amended: Gazette 12 Dec 2003 p. 5046.]

[2A. Deleted: Gazette 12 Dec 2003 p. 5045.]

3. Private liquor not to be consumed on train

A person shall not consume liquor on a train other than liquor sold by or under the authority of the Authority on the train.

[Rule 3 amended: Gazette 12 Dec 2003 p. 5046.]

4. Liquor not to be taken onto a train

A person shall not take liquor on to a train other than liquor for sale on or transportation by that train by or under the authority of the Authority.

[Rule 4 amended: Gazette 12 Dec 2003 p. 5046.]

5. Sale of liquor to intoxicated persons or minors

A person shall not on any train —

- (a) supply liquor, or cause or permit the supply of liquor, to a person who is, at the time, in a state of intoxication or is visibly affected by liquor to the extent that any further consumption of liquor by him is liable to induce a state of intoxication;
- (b) sell or supply or permit the sale or supply of liquor to a person under the age of 18 years.

6. Identification may be requested

Where a servant or agent of the Authority suspects that a person who has requested the sale of, or is consuming, liquor on any train is, or may be, under the age of 18 years, the servant or agent may require that person to furnish him with a certificate, in the form set out in the schedule to this by-law, specifying the age of the person so suspected and signed by that person; and a person required to furnish a certificate under this by-law —

- (a) shall not fail, without lawful excuse, to furnish the certificate; and
- (b) shall not furnish a certificate that is false or misleading in any material particular.

[Rule 6 amended: Gazette 12 Dec 2003 p. 5046.]

7. Penalty

Any person guilty of a breach of this by-law is liable to a penalty of \$200.

[Rule 7 amended: Gazette 30 Dec 1994 p. 7335.]

Schedule

Schedule

Certificate as to Age

I,
of
hereby certify that my true age is years.
I was born at
on

Dated this day of, 20.....

.....
Signature.

Notes

- ¹ This reprint is a compilation as at 7 May 2004 of the *Government Railways (Sale and Consumption of Liquor) By-law 1971* 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
<i>By-law 91 — Sale and Consumption of Liquor</i> ²	15 Jan 1971 p. 145-6	15 Jan 1971
<i>Railways By-laws Amendment By-laws 1994</i> bl. 19	30 Dec 1994 p. 7332-5	1 Jan 1995 (see bl. 2 and <i>Gazette</i> 30 Dec 1994 p. 7211)
<i>Government Railways Amendment and Repeal By-laws 2003</i> bl. 5	12 Dec 2003 p. 5041-7	12 Dec 2003
Reprint 1: The Government Railways (Sale and Consumption of Liquor) By-law 1971 as at 7 May 2004 (includes amendments listed above)		

- ² Now known as the *Government Railways (Sale and Consumption of Liquor) By-law 1971*; citation changed (see note under r. 1AA).

Defined terms

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
liquor.....	1