

1990

THE LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY

LIQUOR AMENDMENT BILL 1990

SUPPLEMENTARY EXPLANATORY MEMORANDUM

AMENDMENTS TO BE MOVED ON BEHALF OF THE GOVERNMENT

CIRCULATED BY THE AUTHORITY OF THE ATTORNEY-GENERAL
BERNARD COLLAERY

LIQUOR (AMENDMENT) BILL 1990

Amendment 1 deletes paragraph (d) of clause 30 of the Bill to provide that directions may be issued where a licensee has permitted the licensed premises to be used so as to cause undue disturbance or inconvenience to persons lawfully upon the premises.

Amendment 2 amends paragraph (e) of clause 30 by inserting "undue" before "disturbance" to provide that directions may be issued where a licensee has permitted the licensed premises to be used so as to cause undue disturbance or inconvenience to persons occupying premises in the neighbourhood.

Amendment 3 amends page 16, line 20 so that the heading of Division 4 reads "Division 4 - Suspension and issue of reprimands".

Amendment 4 repeals section 47 of the Bill and substitutes a new section which provides for the Authority to suspend a licence, or issue a reprimand to a licensee, if it is satisfied on reasonable grounds that the licensee has contravened a direction and it would be in the public interest to do so.

Amendment 5 amends the proposed new subsection 48(1) by providing where the Registrar believes on reasonable grounds that a licensee has contravened a direction he or she shall apply to the Authority for the suspension of the licence or the issue of a reprimand to the licensee.

Amendment 6 omits the proposed subsections 48 2(a) and (b) and provides new provisions which provide for the Authority to direct the Registrar to make an application under subsection (1), and the Registrar shall comply.

Amendment 7 amends subsection 48(3) to provide that the Registrar shall not make an application for the suspension of a licence or a reprimand for contravening a direction where she or he applies for the cancellation of the licence on grounds including the contravention.

Amendment 8 amends subsection 49(2) to require after conducting a hearing, the Authority shall, in writing either issue a reprimand to the licensee, suspend the licence for a specified period or dismiss the application.