

1991
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr. Stefaniak)

Liquor (Amendment) Bill 1991.

**A BILL
FOR**

An Act to amend the *Liquor Act 1975*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Liquor (Amendment) Act 1991*.

5 Principal Act

2. In this Act, "Principal Act" means the *Liquor Act 1975*.¹

Insertion

3. After section 83 of the Principal Act the following section is inserted:

10 Consumption of liquor in certain public places

"84. (1) A person shall not consume liquor in a prescribed public place.

Penalty: \$400.

81058 (T58/91)

“(2) Subsection (1) does not apply in relation to the consumption of liquor—

- 5 (a) within 200 metres of licensed premises by a person using furniture or other facilities lawfully provided by the proprietor or lessee of those premises for that purpose; or
- (b) in a place and during a period specified in a permit.

“(3) In subsection (1)—

‘prescribed public place’ means a public place that—

- 10 (a) is, or is within 200 metres of, a bus interchange or a stopping place within the meaning of the *Motor Omnibus Services Act 1955*;
- (b) is within 200 metres of a shop or licensed premises; or
- (c) is declared by the regulations to be a public place to which this section applies.

15 “(4) Regulations made for the purpose of paragraph (c) of the definition of ‘prescribed public place’ in subsection (3) may provide that a public place specified in the regulations shall be taken to be a public place to which this section applies only at specified times or during specified periods, and where the regulations so provide, subsection (1) applies in relation to that

20 public place accordingly.”.

NOTE

1. Ordinance No. 19, 1975 as amended by Nos. 6, 61 and 63, 1976; Nos. 53 and 66, 1977; Nos. 35 and 46, 1978; Nos. 10, 24 and 34, 1979; Nos. 59 and 87, 1982; No. 22, 1984; No. 41, 1986; Nos. 33 and 72, 1987; No. 27, 1988; Nos. 21 and 38, 1989; Acts Nos. 50 and 56, 1990; Commonwealth Act No. 116, 1981.

LIQUOR (AMENDMENT) BILL 1991

The Liquor (Amendment) Bill 1991 will insert a new section 84 in the *Liquor Act 1975* prohibiting the consumption of liquor in a prescribed public place.

Clause 1 provides that the proposed Act may be cited as the *Liquor (Amendment) Act 1991*.

Clause 2 defines the Principal Act as the *Liquor Act 1975*.

Clause 3 inserts a new section 84 in the Principal Act.

Subsection 84 (1) prohibits a person from consuming liquor in a prescribed public place. The maximum penalty will be a fine of \$400.

Subsection (2) provides that the prohibition in subsection (1) does not apply to a person who consumes liquor within 200 metres of licensed premises where that person is using furniture or other facilities lawfully provided by the proprietor or lessee of licensed premises or to a person who consumes liquor in a place or at a time specified in a permit.

Subsection (3) defines a prescribed public place as a bus interchange or stopping place, a place within 200 metres of a bus interchange or stopping place, a place that is within 200 metres of a shop or licensed premises or a place specified in the regulations.

Subsection (4) provides that the regulations may specify that a public place is a prescribed public place at certain times or during specified periods only.

Printed by Authority by the Commonwealth Government Printer

28814 Cat. No. 91 4103 X



9 780644 214797

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au