

1997

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

LIQUOR ACT 1975

LIQUOR REGULATIONS (AMENDMENT)

Subordinate Law No. 24 of 1997

EXPLANATORY MEMORANDUM

Circulated by the authority of the Attorney-General

LIQUOR REGULATIONS (AMENDMENT)

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PURPOSE

The intention of the amendment is to restrict the trading hours during which liquor can be sold for consumption on and off licensed premises.

BACKGROUND

Between 1 September 1996 and 30 September 1997 trading hours for the sale of liquor have been restricted on a trial basis to establish whether restricting liquor trading hours is an effective measure against alcohol-related anti-social behaviour in late night entertainment areas of Canberra.

The amendment to extend the restricted trading hours trial was introduced to provide continuity in trading hours pending Government consideration of the consultant's evaluation report and a final decision to continue or cease trading hour restrictions.

DETAILS OF THE AMENDMENT

Clause (1) of the amendment sets the commencement date for the regulations as 1 October 1997.

Clause (2) provides that in these regulations reference to the "Principal Regulations" means the Liquor Regulations.

Clause (3) repeals Subordinate Laws No's 19 and 33 of 1996, No's 10 and 19 of 1997 and amends Subordinate Law No. 3 of 1997 by omitting regulation 3.

Clause (4) inserts regulation 3A after regulation 3 in the Liquor Regulations.

Regulation 3A(1) provides that for General, On and Club licences liquor can be sold for consumption on the premises between the hours of midnight and 4am, and between 7am and midnight on any day; or in the case of a licensee who gives notification to the Registrar in accordance with subregulation (5) between midnight and 5am, and between 5am and midnight on any day. The standard hours during which liquor cannot be sold or supplied for consumption on licensed premises will therefore be between 4am and 7am unless the Registrar is otherwise advised.

Regulation 3A(2) provides that for General, Off and Club licences liquor can be sold for consumption off the premises between the hours 8am and 11pm on any day.

Regulation 3A(3) provides that for Special licences liquor can be sold for consumption on premises between the hours of midnight and 4am, and between 7am and midnight on any day; or in the case of a licensee who gives notification to the Registrar in accordance with subregulation (5) between midnight and 5am, and between 5am and midnight on any day; and liquor can be sold for consumption off the premises between the hours 8am and 11pm on any day.

Regulation 3A(4) provides that regulation 3A does not apply to a minibar located in a room used for accommodation or Special Licence No. 005 held by Casino Canberra Limited. The exemption of the Casino from these regulations does not apply to the operation of the nightclub within the Casino. The nightclub will be prohibited from selling liquor between certain hours by way of a condition attached to the licence.

Regulation 3A(5) provides that notification for the purpose of paragraph (1)(a) or subparagraph (3)(a)(i) shall be in writing, may relate to one or more days or a definite or indefinite period of time, shall be given before 5pm on the last business day before the first day to which it relates, shall state that the licensee will not sell or supply liquor between 5am and 8am and may be withdrawn by notice in writing to the Registrar.

Regulation 3A(6) provides the definition of "business day" to mean a day other than a Saturday, a Sunday or a public holiday.

FINANCIAL IMPLICATIONS

Nil