



Australian Capital Territory

# **Liquor Regulations 1979      No 11**

made under the

**Liquor Act 1975**

**Republication No 9**

**Effective: 13 November 2003 – 9 September 2004**

Republication date: 13 November 2003

Last amendment made by SL2003-45

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Liquor Regulations 1979*, made under the *Liquor Act 1975* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 13 November 2003. It also includes any amendment, repeal or expiry affecting the republished law to 13 November 2003.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

When preparing the authorised version of this republication amendments were made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Liquor Regulations 1979

made under the

**Liquor Act 1975**

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R9  
13/11/03

Liquor Regulations 1979  
Effective: 13/11/03-09/09/04

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Australian Capital Territory

# Liquor Regulations 1979

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made under the

**Liquor Act 1975**

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**1 Name of regulations**

These regulations are the *Liquor Regulations 1979*.

**2 Meaning of *beer***

In these regulations:

*beer* means liquor—

- (a) that is beer, ale, lager, pilsener, porter, stout or any other fermented malt liquor or any fermented liquor made from hops; or
- (b) that for the purposes of sale is held out to be beer.

**3A Prescribed times for sale or supply of liquor**

- (1) For the Act, sections 45 (a), 46 and 48 (2) (a), the prescribed times are—
  - (a) in the case of a licensee who, in relation to any day, has given to the registrar a notification in accordance with subregulation (5), being a notification that has not been withdrawn—between midnight and 5 am and between 8 am and midnight on that day; or
  - (b) in any other case—between midnight and 4 am and between 7 am and midnight on any day.
- (2) For the Act, sections 45 (b), 47 and 48 (2) (b), the prescribed times are between 7 am and 11 pm on any day.
- (3) For the Act, section 49 (a), the prescribed times are—
  - (a) in relation to the sale of liquor for consumption on the licensed premises—
    - (i) in the case of a licensee who, in relation to any day, has given to the registrar a notification in accordance with subregulation (5), being a notification that has

- not been withdrawn—between 5 am and 8 am on that day; or
  - (ii) in any other case—between 4 am and 7 am on that day; or
  - (b) in relation to the sale of liquor for consumption away from the licensed premises—between midnight and 7 am and between 11 pm and midnight on any day.
- (3A) Subregulations (1) and (3) (a) do not apply on 25 April in any year.
- (4) This regulation does not apply in relation to—
- (a) a minibar located in a room used for accommodation; or
  - (b) Special Licence No. 005 held by Casino Canberra Limited.
- (5) A notification for the purposes of subregulation (1) (a) or (3) (a) (i)—
- (a) shall be in writing; and
  - (b) may relate to—
    - (i) 1 or more specified days; or
    - (ii) all days or specified days during a period of time that commences and ends on specified days; or
    - (iii) all days or specified days during a period of time that commences on a specified day; and
  - (c) shall be given before 5 pm on the last business day before the day, or the first day, to which it relates; and
  - (d) shall state that, on the day or days to which it relates, the licensee does not intend to sell or supply liquor (as the case requires) between 5 am and 8 am; and
  - (e) may be withdrawn by notice in writing given to the registrar at any time.

(6) In subregulation (5) (c):

*business day* means a day other than a Saturday, a Sunday or a day that is a public holiday in the Territory.

**3B Sale of beer in glass bottles—Act, s 45 (2), 47 (2), 48 (3), 49 (2)**

A general licence, an off licence, a club licence or special licence does not authorise the licensee to sell beer in glass bottles between 12 noon and 11 pm on 31 December 2001.

**4 Permits**

If an application for a permit is made on behalf of an unincorporated association, the application shall be accompanied by written evidence that the applicant is authorised to make the application on behalf of the association.

**5 Prescribed fittings—Act, s 98 (3)**

For the Act, section 98 (3), the following fittings are prescribed:

- (a) non-structural walls;
- (b) fixed furnishings;
- (c) dance floors;
- (d) booths for disc jockeys;
- (e) bars;
- (f) pool tables;
- (g) barriers for outdoor areas.



**10A Prescribed locations**

The following locations are prescribed for the purposes of the Act, section 131 (1):

- (a) the division of Hume in Tuggeranong district;
- (b) the division of Fyshwick in Canberra Central district;
- (c) the division of Mitchell in Gungahlin district.

**11 Prescribed public places**

- (1) For the Act, section 139 (5), definition of *prescribed public place*, paragraph (c), the public places mentioned in subregulation (2) are declared to be public places to which the Act, section 139 applies only during the period beginning at noon on 7 January 2004 and ending at noon on 12 January 2004.
- (2) For subregulation (1), the following public places are specified:
  - (a) the Federal Highway;
  - (b) Antill Street between its intersection with the Federal Highway and the entrance to the Australian Heritage Village;
  - (c) Northbourne Avenue north of the southernmost point of its intersection with Macarthur Avenue and Wakefield Avenue;
  - (d) Flemington Road, Mitchell between its intersection with Northbourne Avenue and the northernmost point of its intersection with Randwick Road, Mitchell;
  - (e) Stirling Avenue, Watson between its intersection with Northbourne Avenue and its intersection with Aspinall Street, Watson;
  - (f) Aspinall St, Watson;

- (g) Phillip Avenue between its intersection with Northbourne Avenue and its intersection with Innes Street, Watson;
  - (h) Wells Station Road;
  - (i) any unleased land adjoining a public place specified in any of the preceding paragraphs.
- (3) For the Act, section 139 (5), definition of ***prescribed public place***, paragraph (c), so much of the area shown on the map in schedule 1 as is—
- (a) a public place; and
  - (b) within the area delineated by the heavy black line on that map; and
  - (c) outside an area fenced off for the purposes of the Food and Wine Frolic event conducted by ACT Festivals Incorporated that generally corresponds with the largest area of hatching delineated on that map;
- is declared to be a public place to which the Act, section 139 applies.
- (4) The public place specified in subregulation (3) shall be taken to be a public place to which the Act, section 139 applies only on Sunday 19 March 2000.
- (5) For the Act, section 139 (5), definition of ***prescribed public place***, paragraph (c), the following parcels of land in the division of City, Canberra Central district, and the buildings and other structures and improvements on that land, are declared to be public places to which the Act, section 139 applies:
- (a) block 7 of section 18;
  - (b) block 23 of section 19, other than so much of the block as is part of the Canberra Theatre Centre within the meaning of the *Canberra Theatre Trust Act 1965*;

- (c) blocks 10 and 11 of section 56.

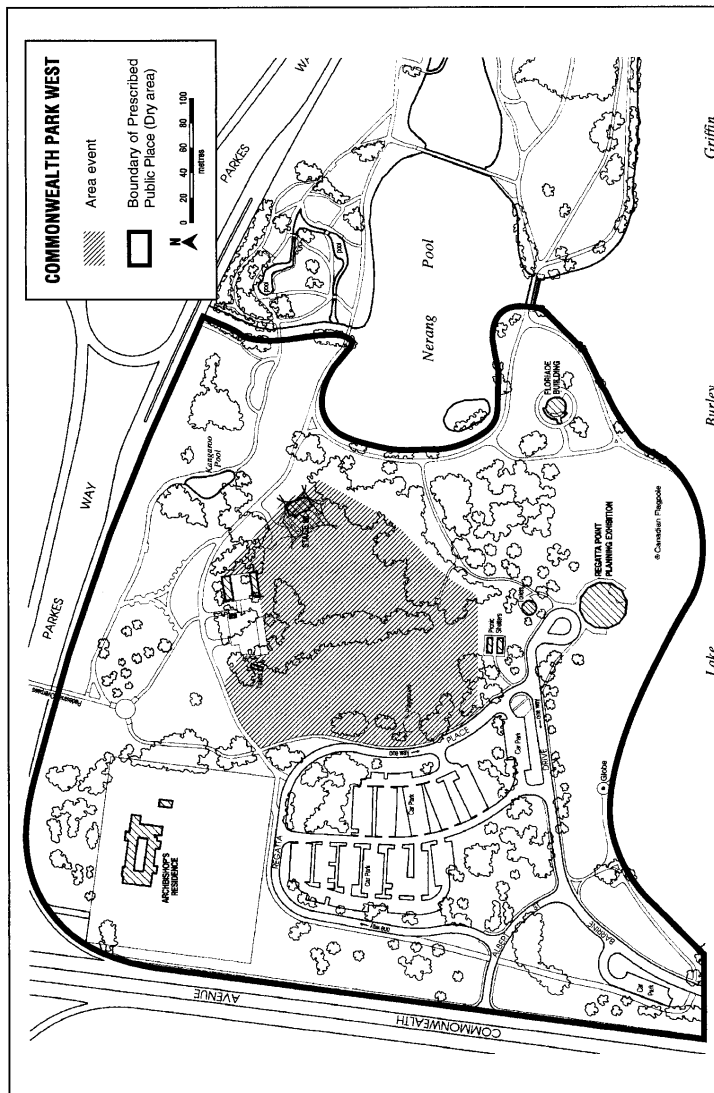
**12 Prescribed public places—certain skate parks**

- (1) For the Act, section 139 (5), definition of *prescribed public place*, paragraph (c), each of the following public places is declared to be a public place to which the Act, section 139 applies:
  - (a) the skate park and a 2m surround in blocks 59 and 61 of section 65 in the division of Belconnen and with frontage on Emu Bank, Belconnen;
  - (b) the skate park and a 2m surround in block 4 of section 62 in the division of Greenway in the Tuggeranong Town Park between the Tuggeranong Pool and Recreation Centre (corner of Athllon Drive and Anketell Street) and Lake Tuggeranong;
  - (c) the skate park and a 2m surround in parkland immediately north of the intersection of Mirrabei and Gundaroo Drives in the division of Gungahlin;
  - (d) the skate park and paved picnic area and a 2m surround in block 3 of section 22 in the division of Weston and with frontage on the cycle path (block 6 of section 22 in the division of Weston) beside Dillon Close, Weston.
- (2) Maps indicating the prescribed public places are set out in schedule 2.

Schedule 1

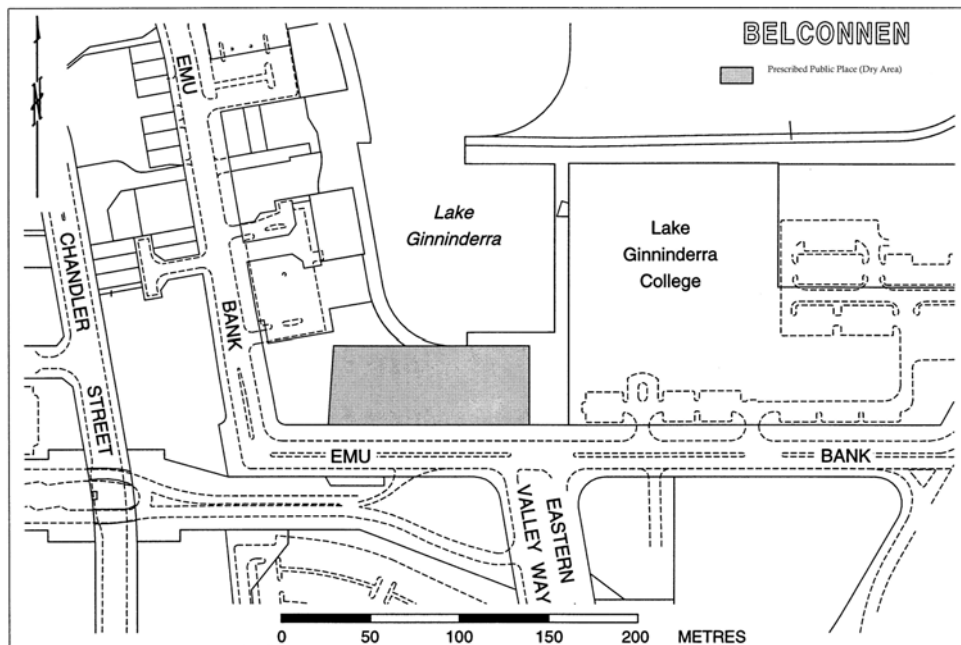
Schedule 1

(see reg 11 (3))

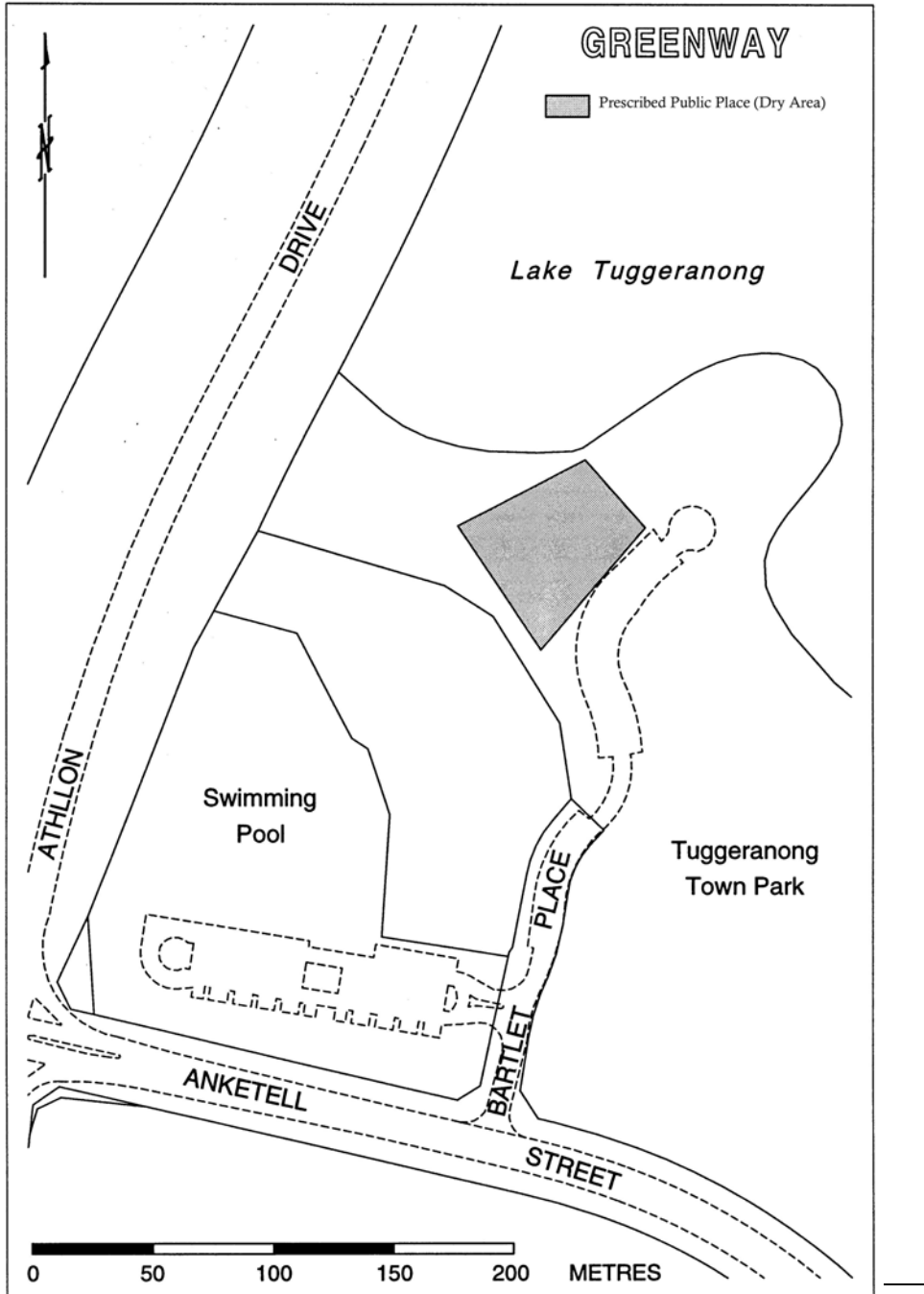


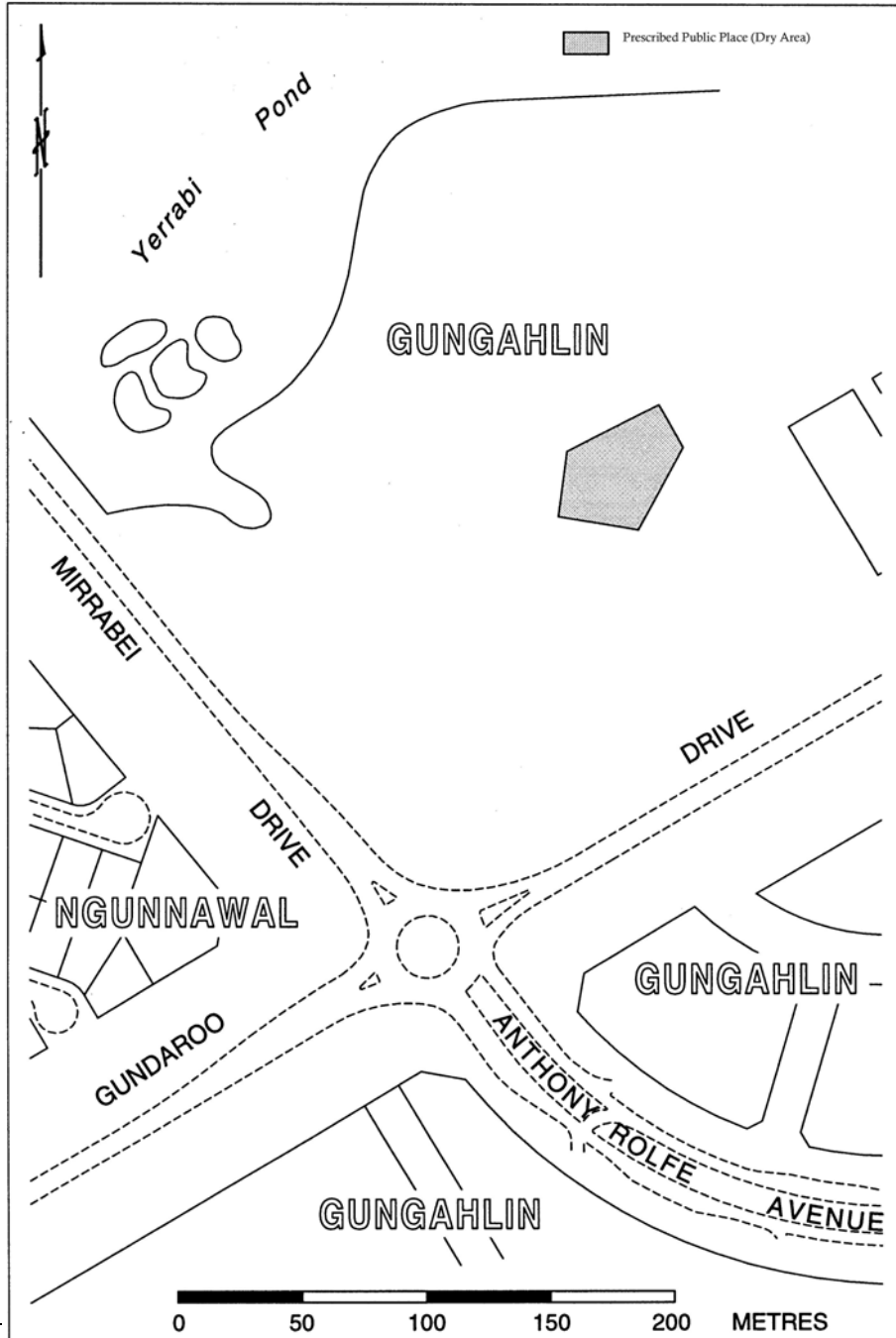
## Schedule 2

(see reg 12)

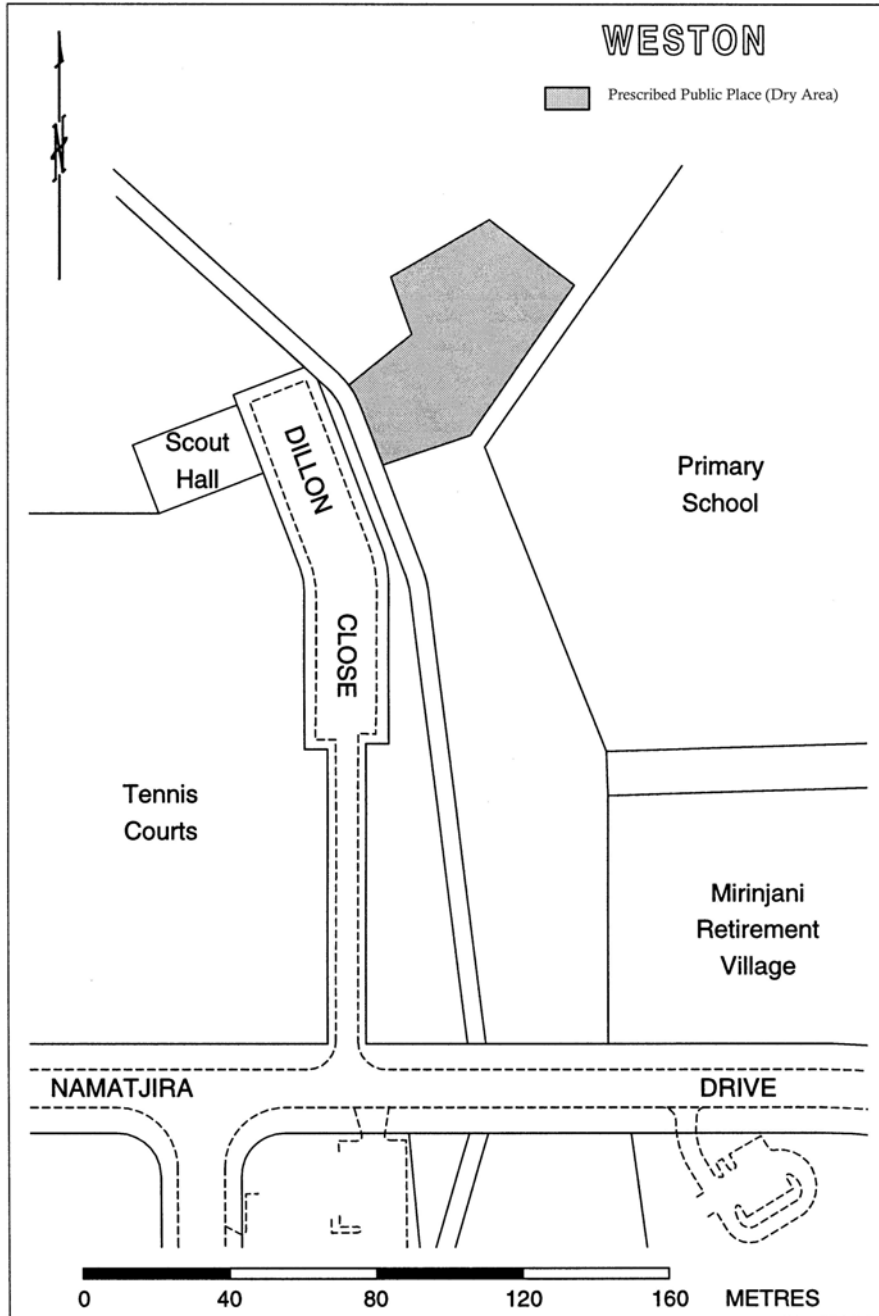


Schedule 2





Schedule 2





## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
IA = Interpretation Act 1967	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LR = legislation register	RI = reissue
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

#### **Liquor Regulations 1979 No 11**

notified 14 June 1979

commenced 14 June 1979

as amended by

#### **Liquor Regulations (Amendment) SL 1986 No 20**

notified 1 September 1986

commenced 1 September 1986

#### **Liquor Regulations (Amendment) SL 1987 No 8**

notified 30 June 1987

commenced 30 June 1987

#### **Liquor Regulations (Amendment) SL 1991 No 2**

notified 6 February 1991

commenced 6 February 1991

#### **Liquor Regulations (Amendment) SL 1993 No 44**

notified 19 November 1993

commenced 19 November 1993 (reg 2)

#### **Liquor Regulations (Amendment) SL 1994 No 40**

notified 28 November 1994

commenced 28 November 1994 (reg 2)

#### **Liquor Regulations (Amendment) SL 1995 No 10**

notified 17 March 1995

commenced 17 March 1995 (reg 1)

#### **Liquor Regulations (Amendment) SL 1995 No 43**

notified 23 November 1995

commenced 23 November 1995 (reg 1)

#### **Liquor Regulations (Amendment) SL 1996 No 1**

notified 11 March 1996

commenced 11 March 1996 (reg 1)

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as modified by

**Liquor Regulations (Amendment) SL 1996 No 19 (as mod SL 1996 No 33; as am SL 1997 No 3; as mod SL 1997 No 10; as am SL 1997 No 19)**

notified 28 August 1996

commenced 1 September 1996 (reg 1)

Note-SLs 1996 No 19, No 33, 1997 No 3, No 10 and No 19 rep 1997 No 24 reg 3

as amended by

**Liquor Regulations (Amendment) SL 1996 No 23**

notified 10 October 1996

commenced 10 October 1996 (reg 1)

**Liquor Regulations (Amendment) SL 1996 No 29**

notified 11 December 1996

commenced 11 December 1996 (reg 1)

**Liquor Regulations (Amendment) SL 1997 No 3 (rep by SL 1997 No 24 reg 3 (2))**

notified 11 March 1997

commenced 11 March 1997 (reg 1)

**Liquor Regulations (Amendment) SL 1997 No 4**

notified 12 March 1997

commenced 12 March 1997 (reg 1)

**Liquor Regulations (Amendment) SL 1997 No 24**

notified 1 October 1997

commenced 1 October 1997 (reg 1)

**Liquor Regulations (Amendment) SL 1997 No 25**

notified 2 October 1997

commenced 2 October 1997 (reg 1)

**Liquor Regulations (Amendment) SL 1997 No 41**

notified 24 December 1997

commenced 24 December 1997 (reg 1)

## Endnotes

3 Legislation history

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**Liquor Regulations (Amendment) SL 1998 No 7**

notified 2 March 1998  
commenced 2 March 1998 (reg 1)

**Liquor Regulations (Amendment) SL 1998 No 11**

notified 24 April 1998  
commenced 24 April 1998 (reg 1)

**Liquor Regulations (Amendment) SL 1998 No 34**

notified 18 November 1998  
commenced 18 November 1998 (reg 1)

**Liquor Regulations (Amendment) SL 1998 No 37**

notified 9 December 1998  
commenced 9 December 1998 (reg 1)

**Liquor Regulations (Amendment) SL 1998 No 41**

notified 13 January 1999  
commenced 13 January 1999 (reg 1)

**Liquor Regulations (Amendment) SL 1999 No 8**

notified 23 June 1999  
commenced 23 June 1999 (reg 1)

**Liquor Regulations (Amendment) SL 1999 No 25**

notified 20 October 1999  
regs 1-3 commenced 20 October 1999 (reg 1 (1))  
remainder (regs 4-6) commenced 20 October 1999 (reg 1 (2) and  
Gaz 1999 No 42)

**Liquor Regulations Amendment SL 1999 No 29**

notified 17 November 1999  
commenced 17 November 1999 (reg 1)

**Liquor Regulations Amendment SL 2000 No 38**

notified 28 September 2000 (Gaz 2000 No 39)  
commenced 28 September 2000 (reg 1)

**Liquor Regulations Amendment SL 2000 No 58 (as am by  
Statute Law Amendment Act 2001 (No 2) 2001 No 56 pt 3.34)**

notified 21 December 2000 (Gaz 2000 No S69)  
taken to have commenced 21 December 2000 (s 2 (2))

**Liquor Regulations Amendment SL 2001 No 11**

notified 31 May 2001 (Gaz 2001 No 22)  
 commenced 31 May 2001 (reg 1)

**Liquor Regulations Amendment SL 2001 No 12**

notified 31 May 2001 (Gaz 2001 No 22)  
 commenced 31 May 2001 (reg 1)

**Legislation (Consequential Amendments) Act 2001 No 44 pt 225**

notified 26 July 2001 (Gaz 2001 No 30)  
 s 1, s 2 commenced 26 July 2001 (IA s 10B)  
 pt 225 commenced 12 September 2001 (s 2 and see Gaz 2001  
 No S65)

**Liquor Regulations Amendment SL 2001 No 27**

notified 16 August 2001 (Gaz 2001 No 33)  
 reg 1 commenced 16 August 2001 (IA s 10B)  
 reg 2, reg 3, reg 5 and reg 6 commenced 16 August 2001 (reg 1  
 (1))  
 reg 4 commenced 12 September 2001 (reg 1 (2) and Gaz 2001  
 No S65)

**Liquor Amendment Regulations 2002 (No 1) SL2002-32**

notified LR 12 November 2002  
 reg 1, reg 2 commenced 12 November 2002 (LA s 75 (1))  
 remainder commenced 13 November 2002 (reg 2)

**Liquor Amendment Regulations 2003 (No 1) SL2003-45**

notified LR 12 November 2003  
 reg 1, reg 2 commenced 12 November 2003 (LA s 75 (1))  
 remainder commenced 13 November 2003 (reg 2)

**4 Amendment history****Name of regulations**

reg 1 hdg	sub 2001 No 27 reg 3
reg 1	am 1999 No 8 reg 3; 1999 No 25 reg 3
	sub 2001 No 27 reg 3

## Endnotes

### 4 Amendment history

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#### **Meaning of beer**

reg 2 hdg sub 2001 No 27 reg 4  
reg 2 sub 1999 No 25 reg 4  
am 2001 No 27 reg 4  
def **beer** ins 2000 No 58 reg 3  
def **Act** om 2001 No 44 amdt 1.2667

#### **Interpretation**

reg 3 am 1995 No 10 reg 3  
om 1999 No 25 reg 4

#### **Prescribed times for sale or supply of liquor**

reg 3A ins as mod 1996 No 19 reg 3  
mod 1996 No 33 reg 2; 1997 No 10 reg 2  
exp 30 September 1997 (1996 No 19 reg 4 (as am 1997  
No 3 reg 3; 1997 No 19 reg 2))  
ins 1997 No 24 reg 4  
am 1997 No 41 reg 3 (1);  
(1), (3) mod for 1 January 1998, 1997 No 41 reg 3 (2)  
am 1998 No 11 reg 3 (1);  
(1), (3) mod for 25 April 1998, 1998 No 11 reg 3 (2); for 1  
January 1999, 1998 No 37 reg 3 (1); for 25 April 1999,  
1998 No 37 reg 3 (2)  
am 1999 No 29 reg 3  
(3A) (a), (3B), (3C), (3D) exp 2 January 2000 (reg 3A  
(3E))  
(3E) om R6 (LRA)

#### **Sale of beer in glass bottles—the Act, s 45 (2), 47 (2), 48 (3), 49 (2)**

reg 3B hdg sub 2001 No 27 reg 5  
reg 3B ins 2000 No 58 reg 4  
sub 2001 No 27 reg 5

#### **Permits**

reg 4 sub 1999 No 25 reg 5

#### **Prescribed fittings—the Act, s 98 (3)**

reg 5 hdg sub 2001 No 27 reg 6  
reg 5 sub 1999 No 25 reg 5  
am 2001 No 27 reg 6

#### **Applications for licence renewal**

reg 6 am 1991 No 2 reg 1  
om 1999 No 25 reg 5

#### **Form of renewal of licence**

reg 7 om 1999 No 25 reg 5

#### **Application for approval of transfer of licence**

reg 8 om 1999 No 25 reg 5

**Form of memorandum of transfer of licence**

reg 9 am 1991 No 2 reg 2  
om 1999 No 25 reg 5

**Annual certificates of liquor transactions**

reg 9A ins 1991 No. 2 reg 3  
om 1999 No 25 reg 5

**Permits**

reg 10 am 1991 No 2 reg 4  
om 1999 No 25 reg 5

**Prescribed locations**

reg 10A ins 1997 No 3 reg 2

**Prescribed public places**

reg 11 ins 1993 No 44 reg 3  
am 1994 No 40 reg 3; 1995 No 10 reg 4; 1995 No 43 reg  
2; 1996 No 1 reg 2; 1996 No 23 reg 2; 1996 No 29 reg  
2; 1997 No 4 reg 3; 1997 No 25 reg 2; 1998 No 7 reg 2;  
1998 No 34 reg 2; 1998 No 41 reg 2; 1999 No 8 reg 4;  
1999 No 29 reg 4; 2000 No 38 reg 3; 2001 No 11 reg 3;  
2001 No 12 reg 3  
(6), (7), (9), (10) om R6 (LRA)  
am 2002 No 32 reg 4; SL2003-45 reg 4, reg 5; regs, pars  
renum R9 LA (see SL2003-45 reg 6)

**Prescribed public places—certain skate parks**

reg 12 ins 2001 No 11 reg 4

## Endnotes

### 5 Earlier republications

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#### Schedule 1

sch 1 hdg	prev sch 1 hdg (prev sch hdg) renum 1995 No 10 reg 5 om 1999 No 25 reg 6
sch 1	Form 1 am 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 2 om 1999 No 25 reg 6 Form 3 am 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 4 am 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 5 am 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 6 am 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 7 am 1987 No 8; am 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 8 sub 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 9 am 1986 No 20 sub 1991 No 2 reg 5 om 1999 No 25 reg 6 Form 10 om 1999 No 25 reg 6 Form 11 om 1999 No 25 reg 6 (prev sch 2) ins 1995 No 10 reg 6 am 1997 No 4 reg 4 renum as sch 1 2001 No 11 reg 5

#### Schedule 2

sch 2	prev sch 2 renum as sch 1 ins 2001 No 11 reg 6
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## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	SL 1991 No 2	31 January 1992



## Endnotes

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		Earlier republications	5
2	SL 1993 No 44	30 June 1994	
3	SL 1995 No 43	31 January 1996	
4	SL 1997 No 4	12 March 1997	
5	SL 1998 No 7	2 March 1998	
6	SL 1999 No 29	1 March 2000	
7*	SL 2001 No 27	12 September 2001	
8	SL2002-32	13 November 2002	

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