



Australian Capital Territory

Liquor Regulations 1979

SL1979-11

made under the

Liquor Act 1975

Republication No 10

Effective: 10 September 2004 – 3 November 2004

Republication date: 10 September 2004

Last amendment made by SL2004-42

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 10 September 2004. It also includes any amendment, repeal or expiry affecting the republished law to 10 September 2004.

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):

- 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.

This republication does not include amendments 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

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R10
10/09/04

Liquor Regulations 1979
Effective: 10/09/04-03/11/04

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Australian Capital Territory

Liquor Regulations 1979

made under the

Liquor Act 1975

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 Alcohol-free public places—Act, s 139 (5)—Civic parks

For the Act, section 139 (5), definition of *prescribed public place*, paragraph (c), the following public places are declared to be public places to which the Act, section 139 applies:

- (a) block 7 of section 18 in the division of City, Canberra Central district;
- (b) block 23 of section 19 in the division of City, Canberra Central district, other than the part of the block that is part of the Canberra Theatre Centre.

11A Alcohol-free public places—Act, s 139 (5)—Phillip parks

For the Act, section 139 (5), definition of *prescribed public place*, paragraph (c), the following public places are declared to be public places to which the Act, section 139 applies:

- (a) block 21 of section 80 in the division of Phillip, other than the part of the block occupied for the purposes of a child care centre;
- (b) block 23 of section 80 in the division of Phillip, other than the part of the block occupied by Woden Community Service Incorporated;
- (c) blocks 24, 34, 35 and 36 of section 80 in the division of Phillip;

- (d) blocks 6, 7, 9 and 11 of section 81 in the division of Phillip;
- (e) block 2 of section 160 in the division of Phillip.

12 Alcohol-free public places—Act, s 139 (5)—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 1.

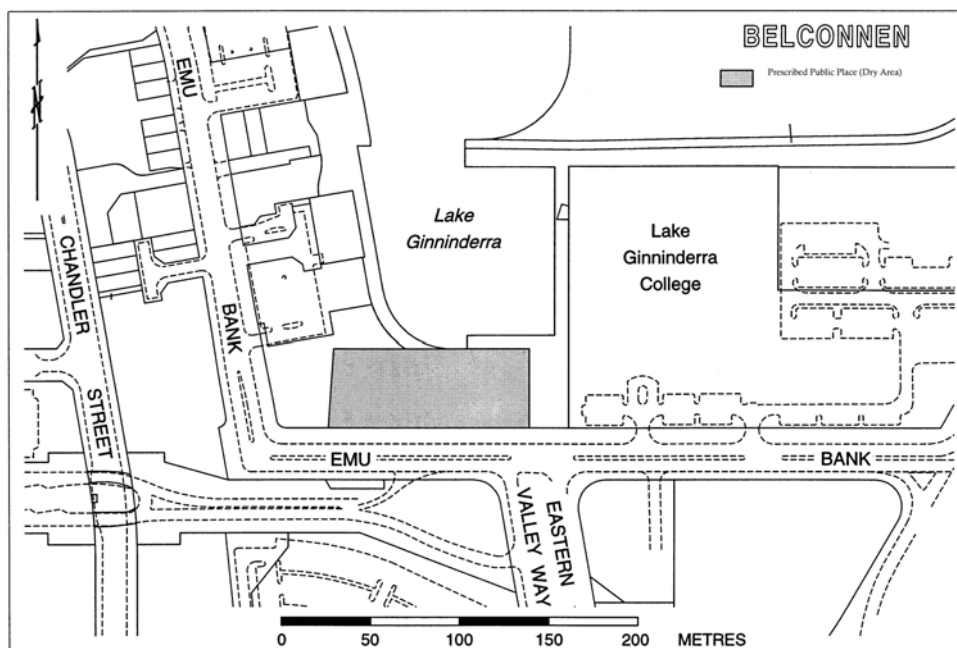
12A Alcohol-free public places—Act, s 139 (5)—summernats

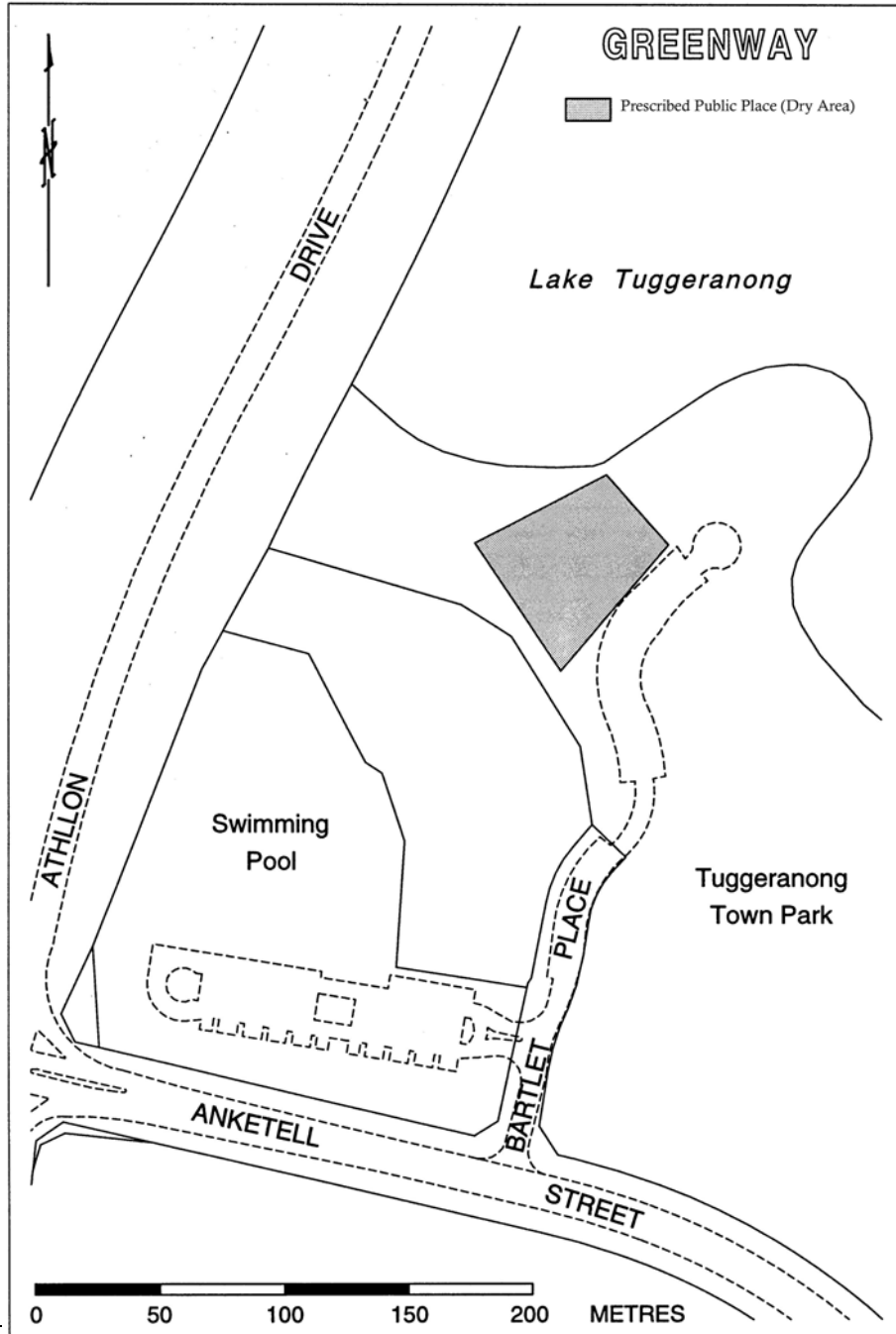
- (1) For the Act, section 139 (5), definition of *prescribed public place*, paragraph (c), the public places mentioned in subregulation (2) are declared to be public places to which the Act, section 139 applies during the period—
 - (a) beginning at noon on 4 January 2005; and

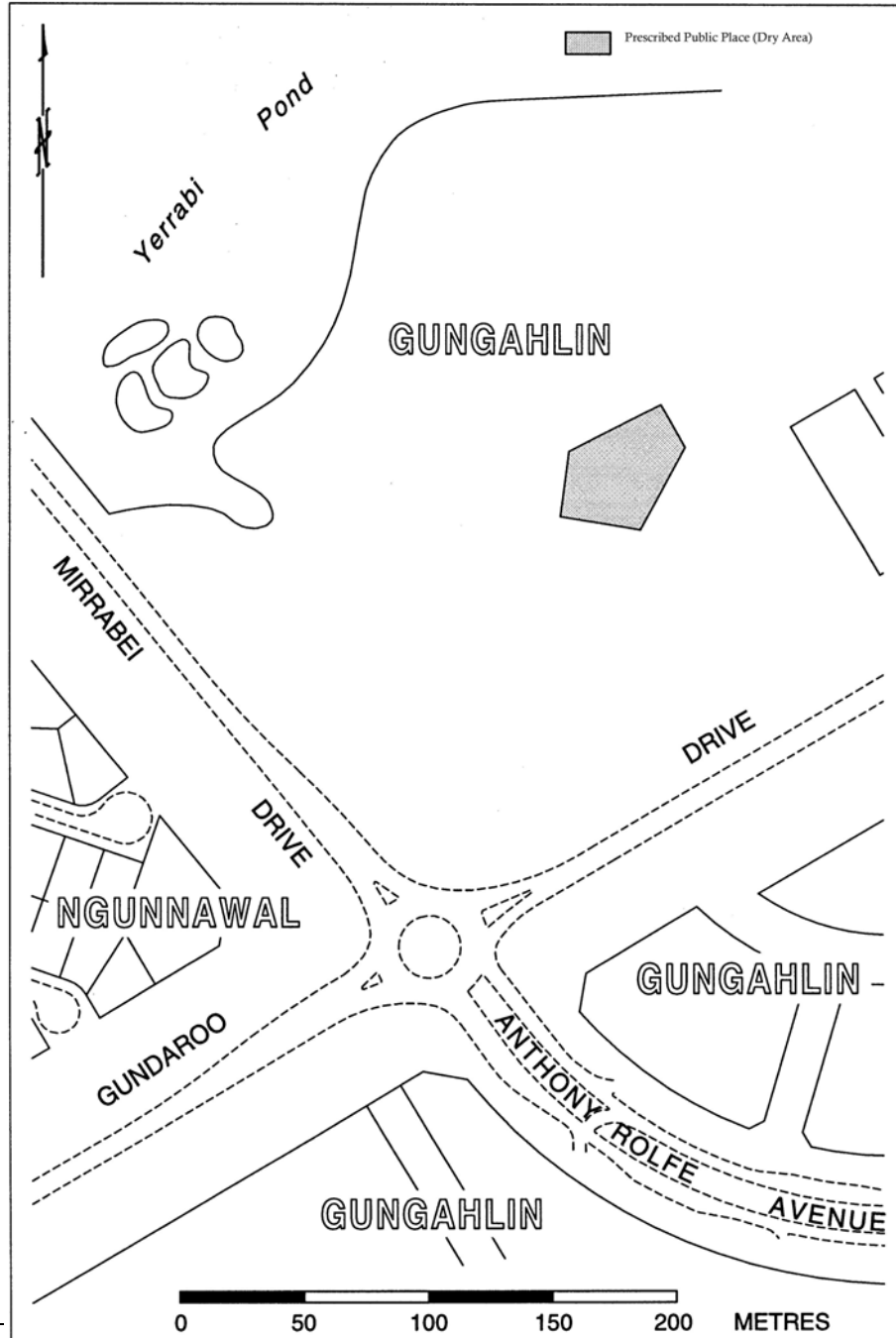
- (b) ending at noon on 10 January 2005.
- (2) For subregulation (1), the following public places are declared:
- (a) the Federal Highway;
 - (b) Antill Street between its intersection with the Federal Highway and the entrance to the Australian Heritage Village;
 - (c) Northbourne Avenue north of the 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) block 467 in the division of Gungahlin;
 - (j) any unleased land adjoining a public place mentioned in paragraphs (a) to (i).
- (3) This regulation expires on 11 January 2005.

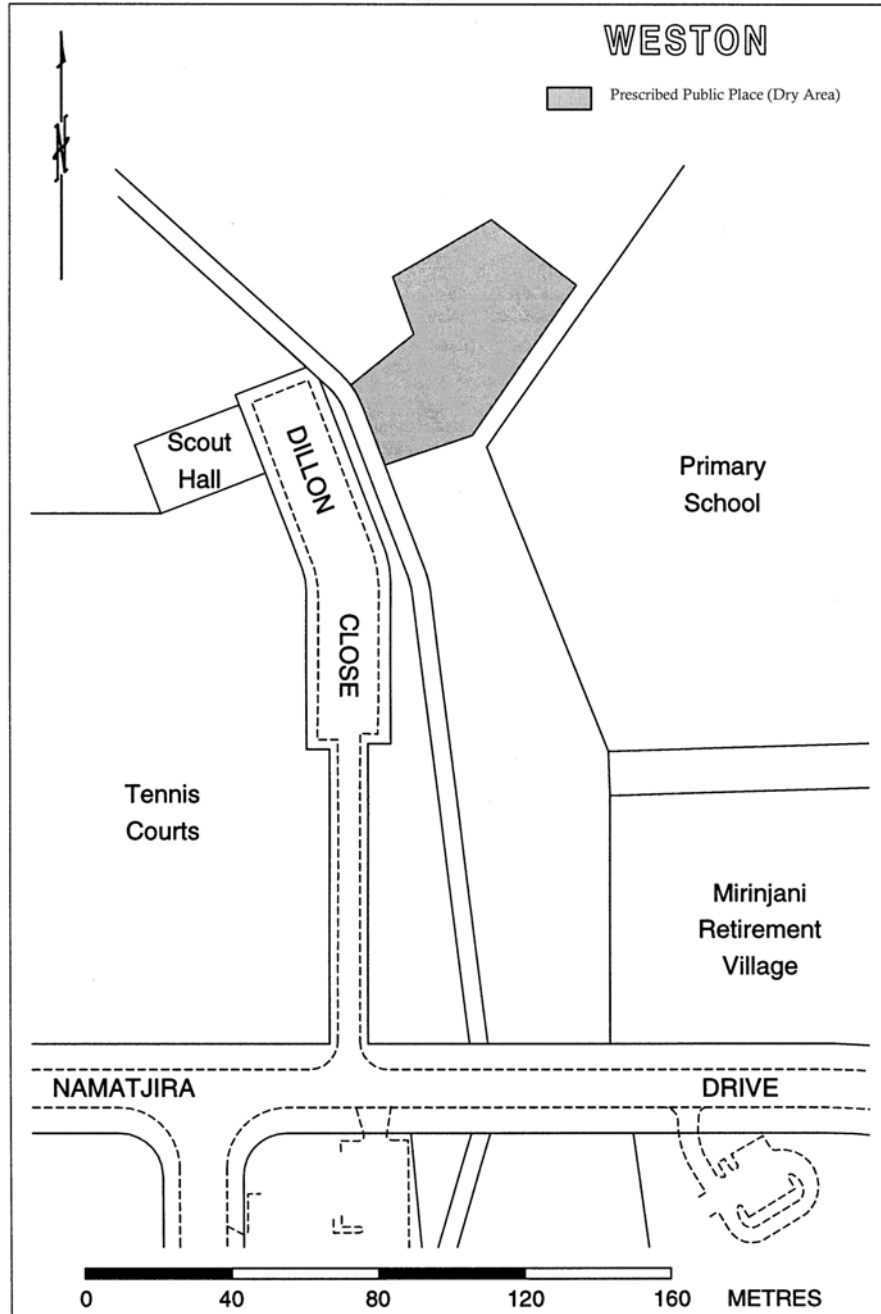
Schedule 1 Maps of skate parks

(see reg 12)









Endnotes

1 About the endnotes

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.

2 Abbreviation key

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

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)

Endnotes

3 Legislation history

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)

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))

Endnotes

4 Amendment history

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)

Liquor Amendment Regulations 2004 (No 1) SL2004-42

notified LR 9 September 2004
reg 1, reg 2 commenced 9 September 2004 (LA s 75 (1))
remainder commenced 10 September 2004 (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

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

Endnotes

4 Amendment history

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

Alcohol-free public places—Act, s 139 (5)—Civic parks

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)
sub SL2004-42 reg 4

Alcohol-free public places—Act, s 139 (5)—Phillip parks

reg 11A ins SL2004-42 reg 4

Alcohol-free public places—Act, s 139 (5)—skate parks

reg 12 hdg sub SL2004-42 reg 5
reg 12 ins 2001 No 11 reg 4
am SL2004-42 reg 6

Alcohol-free public places—Act, s 139 (5)—summernats

reg 12A ins SL2004-42 reg 7
exp 11 January 2005 (reg 12A (3))

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
 om SL2004-42 reg 8
 (prev sch 2) ins 2001 No 11 reg 6
 renum as sch 1 SL2004-42 reg 9

Schedule 2

sch 2

prev sch 2 renum as sch 1
 ins 2001 No 11 reg 6
 renum as sch 1

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
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

Endnotes

5 Earlier republications

Republication No	Amendments to	Republication date
7*	SL 2001 No 27	12 September 2001
8	SL2002-32	13 November 2002
9	SL2003-45	13 November 2003

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