



Australian Capital Territory

# **Liquor Regulation 1979**

**SL1979-11**

made under the

**Liquor Act 1975**

**Republication No 12**

**Effective: 15 December 2004 – 11 January 2005**

Republication date: 15 December 2004

Last amendment made by SL2004-57

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Liquor Regulation 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 15 December 2004. It also includes any amendment, repeal or expiry affecting the republished law to 15 December 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](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.

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

# Liquor Regulation 1979

made under the

**Liquor Act 1975**

## Contents

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	Page
1 Name of regulation	2
2 Meaning of <i>beer</i>	2
3A Prescribed times for sale or supply of liquor	2
3B Sale of beer in glass bottles—Act, s 45 (2), s 47 (2), s 48 (3), s 49 (2)	4
4 Permits	4
10A Prescribed locations	4
11 Alcohol-free public places—Act, s 139 (5)—Civic parks	5
11A Alcohol-free public places—Act, s 139 (5)—Phillip parks	5
12 Alcohol-free public places—Act, s 139 (5)—skate parks	6
12A Alcohol-free public places—Act, s 139 (5)—summernats	6

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R12  
15/12/04

Liquor Regulation 1979  
Effective: 15/12/04-11/01/05

contents 1

<b>Schedule 1</b>	<b>Maps of skate parks</b>	Page 8
-------------------	----------------------------	-----------

**Endnotes**

1	About the endnotes	12
2	Abbreviation key	12
3	Legislation history	13
4	Amendment history	17
5	Earlier republications	20



Australian Capital Territory

# Liquor Regulation 1979

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made under the

**Liquor Act 1975**

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**1 Name of regulation**

This regulation is the *Liquor Regulation 1979*.

**2 Meaning of *beer***

In this regulation:

*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, section 45 (1) (a), section 46 and section 48 (2) (a), the prescribed times are—
  - (a) for a licensee who, in relation to any day, has given to the registrar a notification in accordance with subsection (6), 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, section 45 (1) (b), section 47 and section 48 (2) (b), the prescribed times are between 7 am and 11 pm on any day.
- (3) For the Act, section 49 (1) (a), the prescribed times are—
  - (a) in relation to the sale of liquor for consumption on the licensed premises—
    - (i) for a licensee who, in relation to any day, has given to the registrar a notification in accordance with subsection (6), that has not been withdrawn—between 5 am and 8 am on that day; or

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- (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.
- (4) Subsections (1) and (3) (a) do not apply on 25 April in any year.
- (5) This section 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.
- (6) A notification for subsection (1) (a) or (3) (a) (i)—
- (a) must 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 begins and ends on specified days; or
    - (iii) all days or specified days during a period of time that begins on a specified day; and
  - (c) must be given before 5 pm on the last business day before the day, or the first day, to which it relates; and
  - (d) must 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 written notice given to the registrar at any time.
- (7) In subsection (6) (c):
- business day*** means a day other than a Saturday, a Sunday or a day that is a public holiday in the ACT.

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

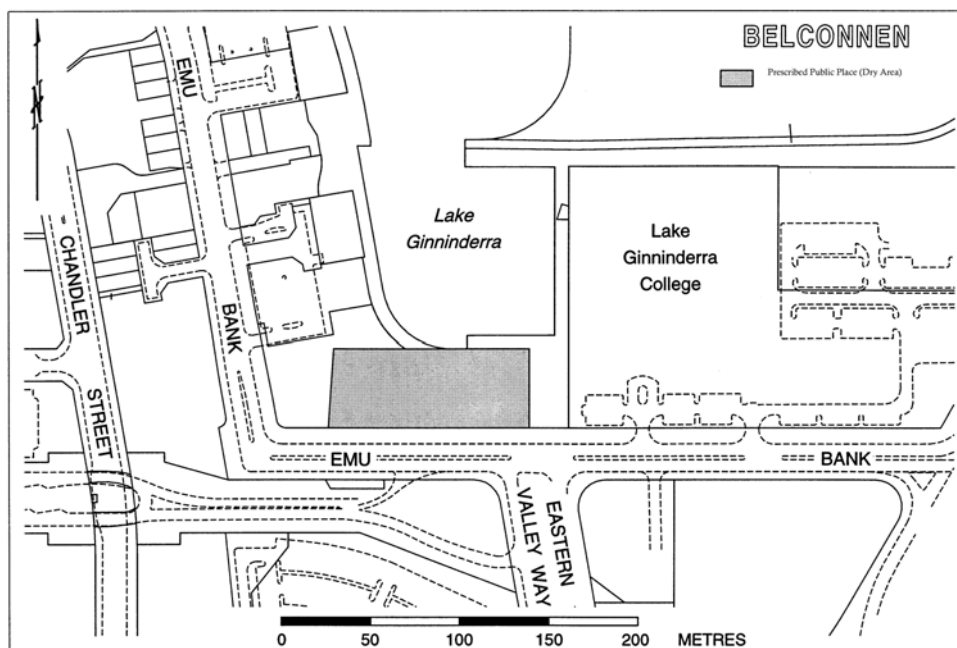
**12A Alcohol-free public places—Act, s 139 (5)—summernats**

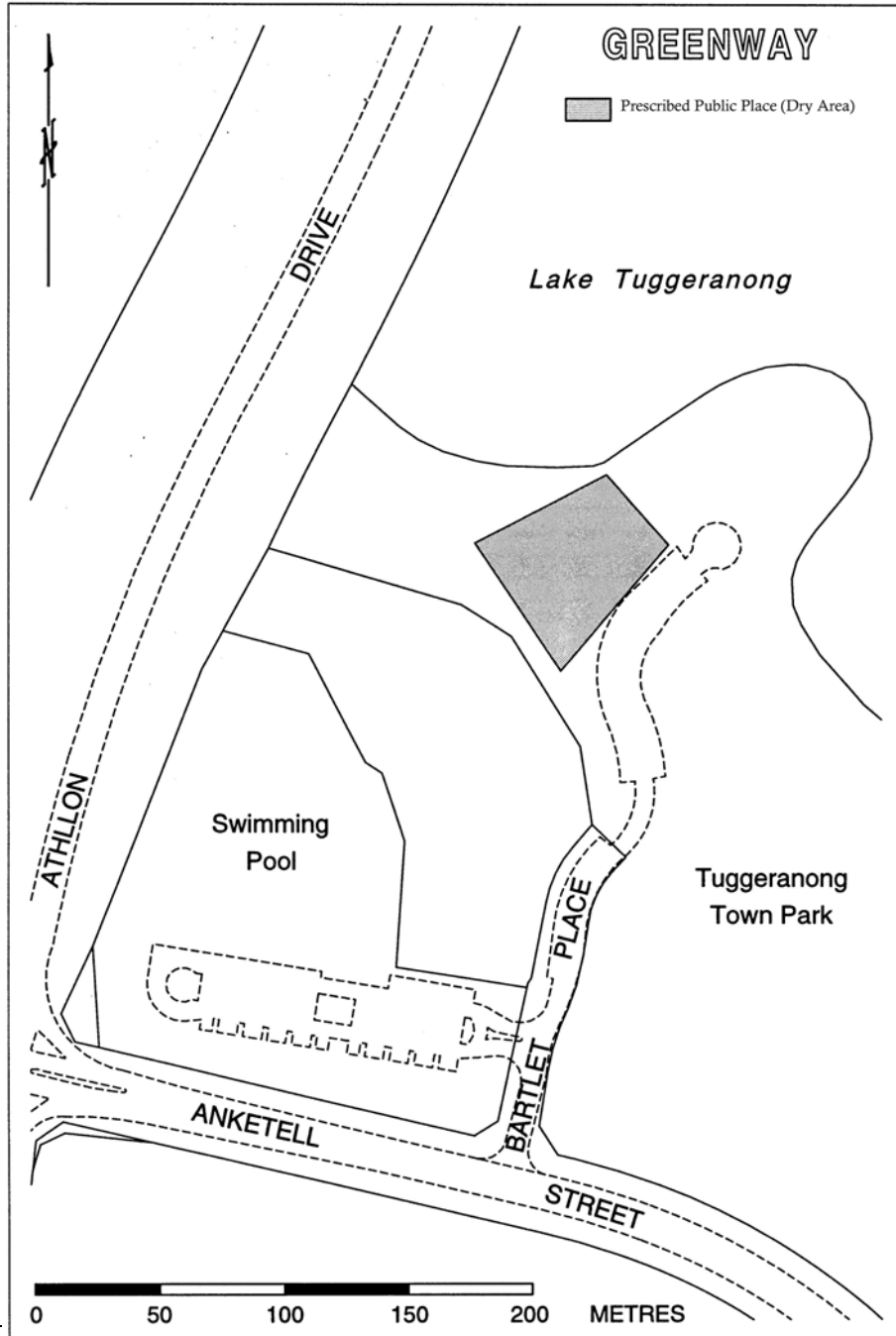
- (1) For the Act, section 139 (5), definition of *prescribed public place*, paragraph (c), the public places mentioned in subsection (2) are declared to be public places to which the Act, section 139 applies during the period—
  - (a) beginning at noon on 4 January 2005; and
  - (b) ending at noon on 10 January 2005.
- (2) For subsection (1), the following public places are declared:
  - (a) the Federal Highway;

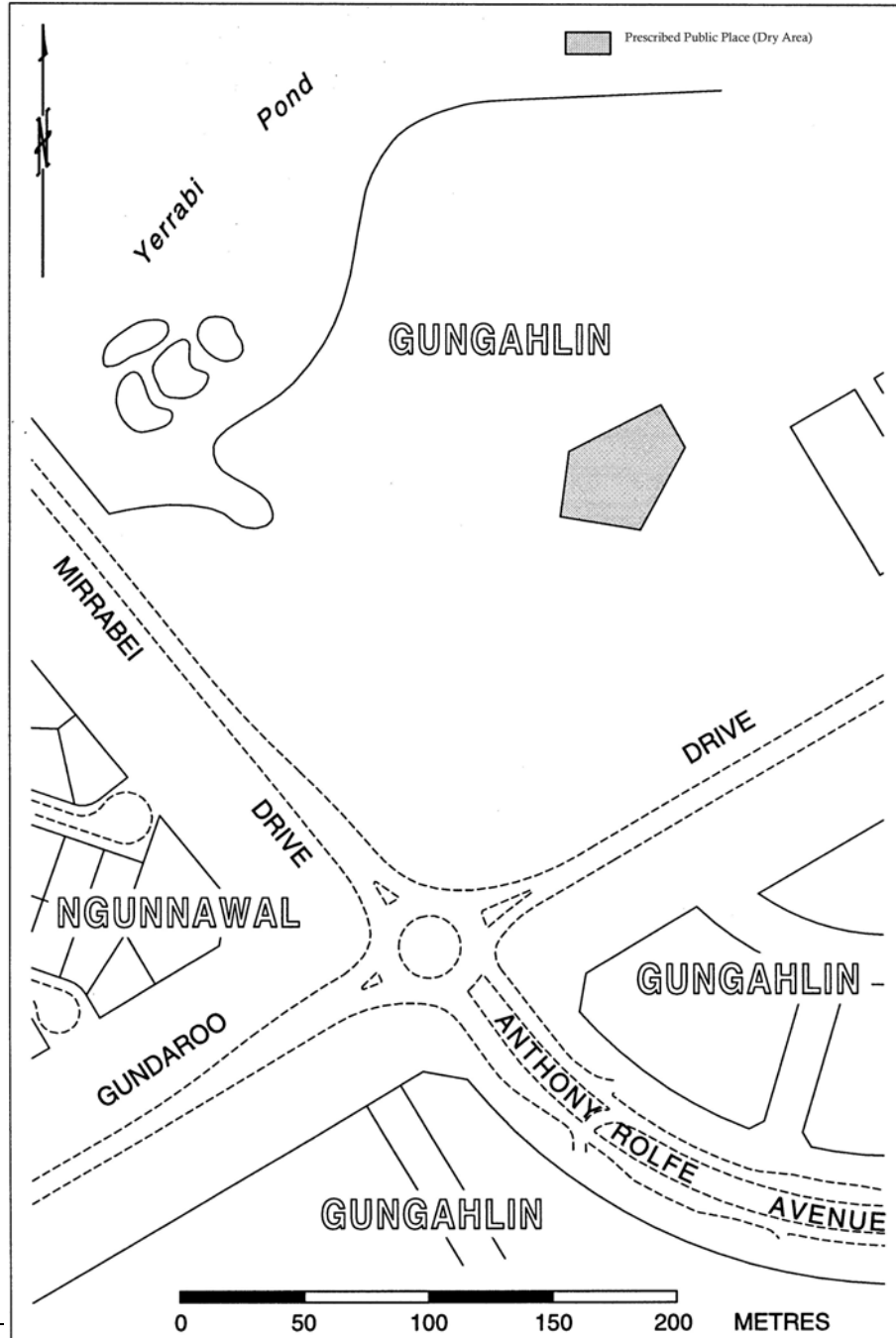
- (b) Antill Street between its intersection with the Federal Highway and the entrance to the Australian Heritage Village;
  - (c) Northbourne Avenue north of the southernmost point of its intersection with Macarthur Avenue and Wakefield Avenue;
  - (d) Flemington Road, Lyneham between its intersection with Northbourne Avenue and the northernmost point of its intersection with Randwick Road, Lyneham;
  - (e) Stirling Avenue, Watson between its intersection with Northbourne Avenue and its intersection with Aspinall Street, Watson;
  - (f) Aspinall Street, 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 section expires on 11 January 2005.

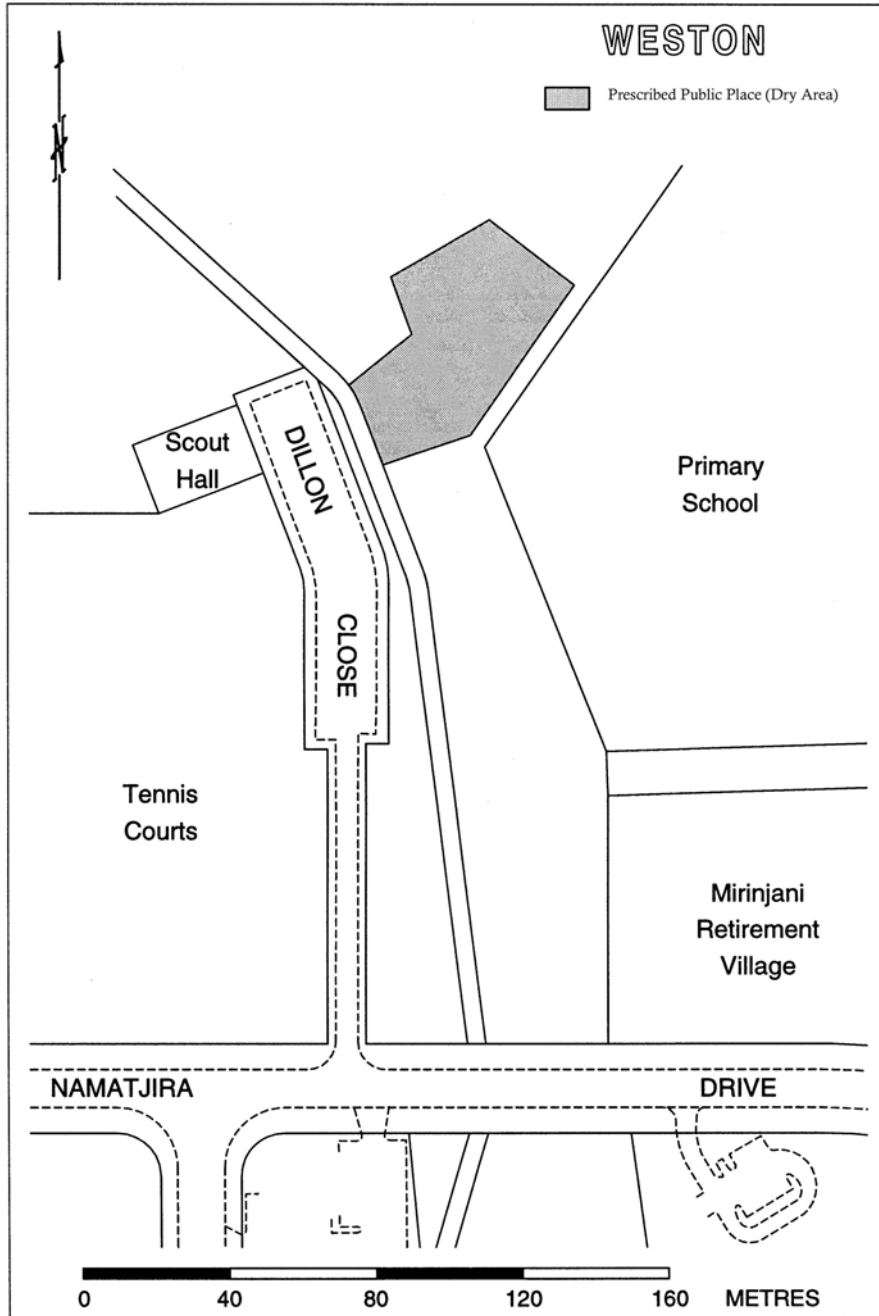
## Schedule 1 Maps of skate parks

(see s 12)









## Endnotes

1 About the endnotes

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## 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
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
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

This regulation was originally called the *Liquor Regulations* and was originally made under a Commonwealth ordinance—the *Liquor Ordinance 1975* No 19 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Liquor Ordinance 1975* and the *Liquor Regulations* were converted into ACT enactments on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

This regulation was renamed by the *Liquor Regulations Amendment SL2001-27* s 3) and under the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Interpretation Act 1967* s 50, *Subordinate Laws Act 1989* s 6).

#### Legislation before becoming Territory enactment

##### Liquor Regulation 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

#### Legislation after becoming Territory enactment

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

notified 6 February 1991

commenced 6 February 1991

## Endnotes

3 Legislation history

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

notified 19 November 1993  
commenced 19 November 1993 (s 2)

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

notified 28 November 1994  
commenced 28 November 1994 (s 2)

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

notified 17 March 1995  
commenced 17 March 1995 (s 1)

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

notified 23 November 1995  
commenced 23 November 1995 (s 1)

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

notified 11 March 1996  
commenced 11 March 1996 (s 1)

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 (s 1)  
Note-SLs 1996 No 19, No 33, 1997 No 3, No 10 and No 19 rep 1997 No 24 s 3

as amended by

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

notified 10 October 1996  
commenced 10 October 1996 (s 1)

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

notified 11 December 1996  
commenced 11 December 1996 (s 1)

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

notified 11 March 1997  
commenced 11 March 1997 (s 1)

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

notified 12 March 1997  
commenced 12 March 1997 (s 1)

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

notified 1 October 1997  
commenced 1 October 1997 (s 1)

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

notified 2 October 1997  
commenced 2 October 1997 (s 1)

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

notified 24 December 1997  
commenced 24 December 1997 (s 1)

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

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

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

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

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

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

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

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

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

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

## Endnotes

3 Legislation history

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

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

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

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

**Liquor Regulations Amendment SL 1999 No 29**

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

**Liquor Regulations Amendment SL 2000 No 38**

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

**Liquor Regulations Amendment SL 2001 No 12**

notified 31 May 2001 (Gaz 2001 No 22)  
commenced 31 May 2001 (s 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)  
s 1 commenced 16 August 2001 (IA s 10B)  
s 2, s 3, s 5 and s 6 commenced 16 August 2001 (s 1 (1))  
s 4 commenced 12 September 2001 (s 1 (2) and Gaz 2001 No S65)

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

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

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

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

**Liquor Amendment Regulations 2004 (No 1) SL2004-42**

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

**Liquor Amendment Regulation 2004 (No 2) SL2004-57**

notified LR 14 December 2004  
 s 1, s 2 commenced 14 December 2004 (LA s 75 (1))  
 remainder commenced 15 December 2004 (s 2)

**4 Amendment history****Name of regulation**

s 1 hdg sub 2001 No 27 s 3  
 s 1 am 1999 No 8 s 3; 1999 No 25 s 3  
 sub 2001 No 27 s 3  
 am R11 LA

**Meaning of beer**

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

**Interpretation**

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

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

s 3A ins as mod 1996 No 19 s 3  
 mod 1996 No 33 s 2; 1997 No 10 s 2  
 exp 30 September 1997 (1996 No 19 s 4 (as am 1997 No 3  
 s 3; 1997 No 19 s 2))  
 ins 1997 No 24 s 4  
 am 1997 No 41 s 3 (1);

## Endnotes

### 4 Amendment history

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(1), (3) mod for 1 January 1998, 1997 No 41 s 3 (2)  
am 1998 No 11 s 3 (1);  
(1), (3) mod for 25 April 1998, 1998 No 11 s 3 (2); for  
1 January 1999, 1998 No 37 s 3 (1); for 25 April 1999, 1998  
No 37 s 3 (2)  
am 1999 No 29 s 3  
(3A) (a), (3B), (3C), (3D) exp 2 January 2000 (s 3A (3E))  
(3E) om R6 LRA  
ss renum R11 LA

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

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

#### **Permits**

s 4 sub 1999 No 25 s 5

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

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

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

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

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

s 7 om 1999 No 25 s 5

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

s 8 om 1999 No 25 s 5

#### **Form of memorandum of transfer of licence**

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

#### **Annual certificates of liquor transactions**

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

#### **Permits**

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

#### **Prescribed locations**

s 10A ins 1997 No 3 s 2

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

s 11 ins 1993 No 44 s 3  
am 1994 No 40 s 3; 1995 No 10 s 4; 1995 No 43 s 2; 1996  
No 1 s 2; 1996 No 23 s 2; 1996 No 29 s 2; 1997 No 4 s 3;

1997 No 25 s 2; 1998 No 7 s 2; 1998 No 34 s 2; 1998 No 41 s 2; 1999 No 8 s 4; 1999 No 29 s 4; 2000 No 38 s 3; 2001 No 11 s 3; 2001 No 12 s 3  
 (6), (7), (9), (10) om R6 (LRA)  
 am 2002 No 32 s 4; SL2003-45 s 4, s 5; regs, pars renum R9  
 LA (see SL2003-45 s 6)  
 sub SL2004-42 s 4

**Alcohol-free public places—Act, s 139 (5)—Phillip parks**  
 s 11A ins SL2004-42 s 4

**Alcohol-free public places—Act, s 139 (5)—skate parks**  
 s 12 hdg sub SL2004-42 s 5  
 s 12 ins 2001 No 11 s 4  
 am SL2004-42 s 6

**Alcohol-free public places—Act, s 139 (5)—summernats**  
 s 12A ins SL2004-42 s 7  
 am SL2004-57 s 3  
exp 11 January 2005 (s 12A (3))

**Schedule 1**

sch 1 hdg prev sch 1 hdg (prev sch hdg) renum 1995 No 10 s 5  
 om 1999 No 25 s 6  
 sch 1 Form 1 am 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 2 om 1999 No 25 s 6  
 Form 3 am 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 4 am 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 5 am 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 6 am 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 7 am 1987 No 8; am 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 8 sub 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 9 am 1986 No 20  
 sub 1991 No 2 s 5  
 om 1999 No 25 s 6  
 Form 10 om 1999 No 25 s 6  
 Form 11 om 1999 No 25 s 6  
 (prev sch 2) ins 1995 No 10 s 6  
 am 1997 No 4 s 4  
 renum as sch 1 2001 No 11 s 5  
 om SL2004-42 s 8  
 (prev sch 2) ins 2001 No 11 s 6

## Endnotes

### 5 Earlier republications

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renum as sch 1 SL2004-42 s 9

#### **Schedule 2**

sch 2

prev sch 2 renum as sch 1  
ins 2001 No 11 s 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.

<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
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
7*	SL 2001 No 27	12 September 2001
8	SL2002-32	13 November 2002
9	SL2003-45	13 November 2003
10	SL2004-42	10 September 2004
11	SL2004-42	4 November 2004

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