

1993—No. 611

LIQUOR ACT 1982—REGULATION

(Relating to notices displayed on licensed premises)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Liquor Act 1982, has been pleased to make the Regulation set forth hereunder.

ANNE COHEN, MP,
Chief Secretary.

Commencement

1. This Regulation commences on 1 January 1994.

Amendment

2. The Liquor Regulation 1983 is amended:
 - (a) by omitting clause 25 (1) and renumbering existing clause 25 (2) as clause 25 (1);
 - (b) by omitting from clause 25 (1) (as so renumbered) the words “For the purposes of section 117 (8) of the Act, the prescribed particulars are:” and by inserting instead the words “For the purposes of section 116C (1) (a) of the Act, a notice referred to in that paragraph must be in the following form:”;
 - (c) by omitting from clause 25 (1) (as so renumbered) the words “Notice under section 117 (8)”;
 - (d) by inserting after clause 25 (1) (as so renumbered) the following subclause:
 - (2) The notice must be displayed in such a manner and in such a place that it would be reasonable to expect that a person entering the part of the premises in which the notice is displayed would be quickly alerted to the contents of the notice.

- (e) by omitting clause 26 (1) and renumbering existing clause 26 (2) as clause 26 (1);
- (f) by omitting from clause 26 (1) (as so renumbered) the words “The particulars prescribed by this subclause are:” and by inserting instead the words “For the purposes of section 116C (1) (b) of the Act, a notice referred to in that paragraph must be in the following form:”;
- (g) by omitting from clause 26 (1) (as so renumbered) the matter “Section 117 (3)”;
- (h) by inserting after clause 26 (1) (as so renumbered) the following subclause:

(2) The notice must be displayed in such a manner and in such a place that it would be reasonable to expect that a person entering the part of the premises in which the notice is displayed would be quickly alerted to the contents of the notice.

- (i) by inserting after clause 26 the following clauses:

Notices required for restaurants late trading under s. 32 (3)

26A. (1) For the purposes of section 116C (3) of the Act, a notice referred to in that subsection must be in the following form:

LIQUOR ACT 1982
 IF YOU ARE UNDER 18
 YOU ARE BY LAW NOT PERMITTED
 TO ENTER (OR BE IN) THIS RESTAURANT
 BETWEEN 11 PM AND 3 AM
 UNLESS YOU ARE IN THE COMPANY
 AND IMMEDIATE PRESENCE OF
 A RESPONSIBLE ADULT

(2) The notice must be displayed at or near the entrance to the restaurant and in such a manner that it would be reasonable to expect that a person entering the restaurant would be quickly alerted to the contents of the notice.

Existing notices on licensed premises can continue to be used

26B. (1) The purpose of this clause is to permit the continued use for a limited period of certain existing notices displayed on licensed premises (for the purposes of notifying restrictions concerning minors) after the required contents of the notice are changed by an amendment of this Regulation.

(2) If clause 25 or 26 is amended so as to change the particulars prescribed as the particulars that a notice to which the clause applies is required to contain, the particulars prescribed immediately before the amendment took effect continue to be the particulars prescribed in respect of a notice that was displayed on licensed premises immediately before the amendment took effect, but only until whichever of the following happens first:

- (a) the notice is replaced;
 - (b) a period of 3 years elapses since the amendment took effect.
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EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to specify the contents and position of the notice required by the Act to be displayed by late trading restaurants relating to the restrictions in the Act on persons under 18 being in such a restaurant between 11 pm and 3 am; and
- (b) to make consequential changes to existing provisions dealing with the content of notices relating to persons under 18 on hotel premises to reflect changes to the Act (those changes relate to the position in the Act of the relevant provisions); and
- (c) to provide for a transitional arrangement whereby notices that comply with existing requirements will be taken to comply with any altered requirements resulting from an amendment to the Regulation, until the notices are renewed (up to a maximum period of 3 years).

This Regulation is made under sections 116C (Notices to be displayed) and 156 (in particular section 156 (1) (g)) of the Liquor Act 1982.
