

1994—No. 306

REGISTERED CLUBS ACT 1976—REGULATION

(Relating to the grant of a functions authority and miscellaneous matters)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Registered Clubs Act 1976, has been pleased to make the Regulation set forth hereunder.

MRS ANNE COHEN, MP
Chief Secretary.

Commencement

1. This Regulation commences on 1 July 1994.

Amendments

2. The Registered Clubs Regulation 1983 is amended:

- (a) by omitting clause 15 (b) and by inserting instead the following subparagraph:
 - (b) on lodging an application for a functions authority under section 23A (1) of the Act—\$50;
- (b) by omitting from clause 20A the definition of “licence fee”;
- (c) by omitting from clause 20G the words “or work permit fee” and by inserting instead the words “, or work permit fee, referred to in clause 20F”;
- (d) by inserting after clause 23 the following clauses:

Notification of grant of functions authority

24. For the purposes of section 23A (3) (c) of the Act, the appropriate member of the police force is a police officer who

holds or is for the time being acting in the position of Patrol Commander of the area in which the registered club that is granted the functions authority is located.

Fee payable for functions authority

25. (1) For the purposes of section 23A (4) of the Act, the prescribed fee is \$50.

(2) The fee payable under subclause (1) for the issue of a functions authority is to be reduced by the amount of the court fee payable in respect of the application for the functions authority under clause 15 (b).

Transitional arrangements for functions authorities

25A. (1) Section 23 of the Act (as in force immediately before 1 July 1994) continues to apply to and in respect of

- (a) an application for an authority under that section pending immediately before 1 July 1994; and
- (b) an authority granted under that section pursuant to such an application,

as if the Registered Clubs (Amendment) Act 1994 had not been enacted.

(2) The fee referred to in clause 25 is not payable for the issue of an authority in respect of such an application.

- (e) by omitting clause 26AA.

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to prescribe a member of the police force holding or acting in the position of Patrol Commander of the area in which a registered club is located as the appropriate member of the police force to be notified of the grant of a functions authority to that club under the Registered Clubs Act 1976; and
- (b) to prescribe a fee of \$50 as the fee payable for the issue of a functions authority and in respect of each calendar year (following the calendar year of its issue) while the authority is in force; and
- (c) to provide for a “once-only” application fee of \$50 for a functions authority which covers all functions held at a registered club while the authority is in force (this replaces the existing fee which had to be paid each time a function was held) and to provide that the fee for the issue of the authority is to be reduced by the amount of that application fee; and
- (d) to make a transitional provision in relation to functions authorities applied for before 1 July 1994 so that a functions authority issued on such an application will be issued under the law as in force when the application was made; and

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(e) to make a minor amendment to the Registered Clubs Regulation 1983 to clarify a cross reference.

This Regulation is made under the Registered Clubs Act 1976, in particular sections 23A (Procedure for grant of functions authority), 24 (Fees for certain applications) and 73 (the general regulation making power) and clause 44 of Schedule 2.
