



New South Wales

## Liquor Amendment (Miscellaneous) Regulation 1999

under the

Liquor Act 1982

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 1982*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

### Explanatory note

Section 37 (1A) of the *Liquor Act 1982* provides that an application for a dine-or-drink authority in respect of premises already licensed as a restaurant need not be advertised in a newspaper or in any other manner, except in so far as the regulations otherwise provide. The object of this Regulation is to amend the *Liquor Regulation 1996* so as make the regulations consistent with that provision.

The Regulation also extends the circumstances in which the auction of liquor is excepted from the application of the Act.

This Regulation is made under the *Liquor Act 1982*, including sections 6 (e), 37 and 156 (the general regulation-making power).

**1999 No 517**

Clause 1            Liquor Amendment (Miscellaneous) Regulation 1999

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**Liquor Amendment (Miscellaneous) Regulation 1999**

**1    Name of Regulation**

This Regulation is the *Liquor Amendment (Miscellaneous) Regulation 1999*.

**2    Commencement**

This Regulation commences on 1 October 1999.

**3    Amendment of Liquor Regulation 1996**

The *Liquor Regulation 1996* is amended as set out in Schedule 1.

**4    Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 5A

Insert after clause 5:

#### **5A Auction of liquor**

For the purposes of section 6 (e) of the Act, the prescribed circumstances are as follows:

- (a) where the liquor is auctioned as part of an auction held to dispose of all or part of the contents of a warehouse or similar commercial premises (being premises where auctions are not regularly held), and the auction is held at those premises,
- (b) where the liquor is auctioned as part of an auction held to dispose of all or part of the contents of a private dwelling (being a dwelling where auctions are not regularly held), and the auction is held at the dwelling.

### [2] Clause 15 Definition

Omit clause 15 (1) (c1). Insert instead:

- (c1) an application for a dine-or-drink authority:
  - (i) that is intended to be endorsed on an existing on-licence relating to a restaurant, or
  - (ii) that is made in conjunction with an application for an on-licence relating to a restaurant (being an on-licence on which the authority is intended to be endorsed), or

### [3] Clause 16 Applications to be advertised in newspapers

Insert before clause 16 (1):

- (1A) This clause applies to an application other than an application for a dine-or-drink authority that is intended to be endorsed on an existing on-licence relating to a restaurant.

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Schedule 1      Amendments

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**[4] Clause 16 (1)**

Omit “the application” where firstly occurring.  
Insert instead “an application to which this clause applies”.

**[5] Clause 16 (4)**

Omit the subclause. Insert instead:

- (4) For the purposes of subclause (1), an application for a dine-or-drink authority made in conjunction with an application for an on-licence relating to a restaurant and an application for an on-licence to which the authority relates may be contained in the same advertisement.

BY AUTHORITY