



New South Wales

# Liquor Amendment (Special Licence Conditions) Regulation 2009

under the

Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

KEVIN GREENE, MP  
Minister for Gaming and Racing

## Explanatory note

This Regulation amends the special licence conditions applying to the licensed premises specified in Schedule 4 to the *Liquor Act 2007* so as:

- (a) to provide the licensee of any such premises with the option of distributing free drinking water or food to patrons, and actively encouraging the consumption of water, during the 10-minute periods in every hour after midnight in which the licensee would otherwise be required to stop selling or supplying liquor to patrons,
- (b) to require the licensee to record in a register the details of certain incidents (such as those involving violence or anti-social behaviour) occurring in or about the licensed premises during the standard trading period (eg before midnight),
- (c) to make it clear that an exemption from the special licence conditions may apply to a specified part of licensed premises rather than to the whole of the licensed premises.

The new condition relating to the standard trading hours incident register does not start until 1 December 2009. Incident registers for all late trading venues (and not just those specified in Schedule 4 to the Act) are already required under section 56 of the Act in relation to incidents occurring outside the standard trading period.

This Regulation is made under the *Liquor Act 2007*, including section 11 (1A).

## **2009 No 324**

Clause 1           Liquor Amendment (Special Licence Conditions) Regulation 2009

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# **Liquor Amendment (Special Licence Conditions) Regulation 2009**

under the

Liquor Act 2007

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Special Licence Conditions) Regulation 2009*.

### **2 Commencement**

This Regulation commences on 10 July 2009 and is required to be published on the NSW legislation website.

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## Schedule 1 Amendment of Liquor Act 2007 No 90

### [1] Schedule 4 Special licence conditions for declared premises

Omit clause 6. Insert instead:

#### 6 Other requirements during restricted service period

For a continuous period of 10 minutes during each hour of the restricted service period:

- (a) the sale or supply of liquor on declared premises must cease, or
- (b) the licensee must:
  - (i) distribute free drinking water or food (or both) to patrons, and
  - (ii) actively encourage patrons to consume water.

### [2] Schedule 4, clause 7A

Insert after clause 7:

#### 7A Standard trading period incident register

- (1) The licensee of any declared premises must maintain a register, in the form approved by the Authority, in which the licensee is to record the details of any incident referred to in section 56 (or the regulations made under that section) that occurs during the standard trading period and any action taken in response to any such incident.
- (2) The register under this clause may be maintained as part of any incident register that the licensee is required to maintain under section 56.
- (3) This clause has effect on and from 1 December 2009.

### [3] Schedule 4, clause 8

Insert after clause 8 (4):

- (5) Without limiting any other provision of this clause, an exemption under this clause may, if the relevant order so provides, apply in relation to a specified part of declared premises.