



New South Wales

Registered Clubs Amendment Act 1995 No 37

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Registered Clubs Act 1976 No 31	2
 Schedule 1 Amendments	 3



New South Wales

Registered Clubs Amendment Act 1995 No 37

Act No 37, 1995

An Act to amend the *Registered Clubs Act 1976* with respect to noise complaints, temporary interstate membership, statute law revision; and for other purposes. [Assented to 25 September 1995]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Registered Clubs Amendment Act 1995*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Registered Clubs Act 1976 No 31

The *Registered Clubs Act 1976* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 4 Definitions

Section 4 (1), definition of key official

Omit “Secretary, Chief Secretary’s Department” from paragraph (a).
Insert instead “Director-General of the Department of Gaming and Racing”.

[2] Section 4 (1), definition of key official

Omit “Chief Secretary’s Department” wherever occurring from paragraphs (b) and (c).
Insert instead “Department of Gaming and Racing”.

[3] Section 4 (1), definition of key official

Omit “Secretary” from paragraph (c).
Insert instead “Director-General”.

[4] Section 17AA Quiet and good order of neighbourhood

Insert after section 17AA (1A):

(1AA) A complaint under this section can be made only by:

- (a) a person authorised in writing by 3 or more persons residing in the neighbourhood of the licensed premises or a person who is such a resident and is authorised in writing by 2 or more other such residents, or
- (b) the Commissioner of Police, or
- (c) a person authorised by the council of the local government area (including the City of Sydney) in which the licensed premises are situated, or

- (d) a person who satisfies the Board that his or her interests, financial or other, are adversely affected by the undue disturbance to which the person's complaint relates, or
- (e) the Director.

[5] Section 17AA (9)

Insert “, except with the leave of the Board granted on the ground that there has been a material change in the facts or circumstances on which the imposition of the condition was based” after “of the condition”.

[6] Section 30 Rules of registered clubs

Insert “or any interstate club (as defined in subsection (13))” after “of any other registered club” in section 30 (10).

[7] Section 30 (13)

Insert after section 30 (12):

- (13) For the purposes of subsection (10), an interstate club is a club that is:
 - (a) incorporated in a Territory or in a State other than New South Wales, and
 - (b) licensed, permitted or otherwise authorised under the law in force in the Territory or State to sell liquor, and
 - (c) licensed, permitted or otherwise authorised under the law in force in the Territory or State to keep and to operate poker machines.

For the purposes of subsection (10), a full member of an interstate club is a member of an interstate club who has full voting rights at general meetings of the interstate club.

[8] Section 59A Restrictions on key officials (registered clubs)

Omit “Secretary, Director or Commissioner” from section 59A (5).
Insert instead “Director-General, Director or Commissioner”.

[9] Section 59B Restrictions on former key officials (registered clubs)

Insert after section 59B (6):

- (7) If a reference (“the original reference”) in this Act to a position, officer or Department is replaced with, or required to be read or construed as, a reference (“the replacement reference”) to another position, officer or Department, the replacement reference is for the purposes of the operation of this section to be read as including the original reference.

[10] Section 59D Restrictions on former key officials (gaming-related licences)

Insert after section 59D (5):

- (6) If a reference (“the original reference”) in this Act to a position, officer or Department is replaced with, or required to be read or construed as, a reference (“the replacement reference”) to another position, officer or Department, the replacement reference is for the purposes of the operation of this section to be read as including the original reference.

[11] Sections 59A, 59B, 59C and 59D

Omit “Secretary, Chief Secretary’s Department” wherever occurring.
Insert instead “Director-General of the Department of Gaming and Racing”.

[12] Schedule 2 Transitional provisions

Insert before Part 1:

Part 1A Preliminary

1A Regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:
Registered Clubs (Amendment) Act 1993
Registered Clubs (Taxation) Amendment Act 1993
Registered Clubs (Amendment) Act 1994
Registered Clubs Amendment Act 1995
- (2) A provision referred to in subclause (1) may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.
- (3) To the extent to which a provision referred to in subclause (1) takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done, or omitted to be done, before the date of its publication.

[13] Schedule 2, clauses 20, 32, 43 and 44

Omit the clauses.

[14] Schedule 2, clause 46

Omit “1994 Amendment”.

Insert instead “*Registered Clubs (Amendment) Act 1994*”.

[1 5] Schedule 2, Part 8

Insert after clause 57:

Part 8 Registered Clubs Amendment Act 1995

58 Complaint as to quiet and good order of neighbourhood

A complaint duly made to the Board under section 17AA before the amendment of that section by the *Registered Clubs Amendment Act 1995* is taken to have been made in accordance with that section as so amended.

59 References to former key officials

Sections 59B (7) and 59D (6), as inserted by the *Registered Clubs Amendment Act 1995*, are taken to have commenced on the commencement of sections 59B and 59D respectively.

60 Registered Clubs (Transitional) Regulation 1994

The repeal of clauses 43 and 44 by the *Registered Clubs Amendment Act 1995* does not affect the continuing operation of the *Registered Clubs (Transitional) Regulation 1994*. That Regulation, as in force immediately before that repeal, continues in force under clause 1A and may be repealed or amended under that clause.

[Minister's second reading speech made in—
Legislative Assembly on 24 May 1995
Legislative Council on 31 May 1995]