



New South Wales

Liquor Amendment (Penalty Notices) Regulation 2001

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

The object of this Regulation is to prescribe additional offences under the *Liquor Act 1982* and the *Liquor Regulation 1996* as penalty notice offences.

This Regulation also reformats Schedule 3 (Penalty notice offences) into a style consistent with penalty notice schedules in other regulations. In the new format penalty amounts are set out within the Schedule.

This Regulation is made under the *Liquor Act 1982*, including sections 145A (penalty notices) and 156 (the general regulation-making power).

2001 No 35

Clause 1 Liquor Amendment (Penalty Notices) Regulation 2001

**Liquor Amendment (Penalty Notices)
Regulation 2001**

1 Name of Regulation

This Regulation is the *Liquor Amendment (Penalty Notices) Regulation 2001*.

2 Commencement

This Regulation commences on 1 February 2001.

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.

Schedule 1 Amendments

(Clause 3)

[1] Clause 87 Penalty notice offences

Insert “or this Regulation” after “the Act” in clause 87 (a).

[2] Clause 87 (b)

Omit the paragraph. Insert instead:

- (b) the prescribed penalty payable for such an offence if dealt with under that section is:
- (i) in the case of a person other than a minor—the amount specified in Column 4 of Schedule 3 (if any), or
 - (ii) in the case of a minor—the amount specified in Column 5 of Schedule 3 (if any).

[3] Schedule 3 Penalty notice offences

Omit the Schedule. Insert instead:

Schedule 3 Penalty notice offences

(Clauses 87 and 88)

Offences under the Act

Column 1 Offence	Column 2 Short description	Column 3 IPB Code	Column 4 Penalty (other than minors)	Column 5 Penalty (minors)
Section 86L (3)	Lodge false/ misleading gaming return	5826, 0894	\$220	—
Section 91 (1)	Fail display name of the premises and the licensee	5827, 0900	\$33	—
Section 91 (2)	Alter name of premises without approval	5829, 0901	\$33	—

2001 No 35

Liquor Amendment (Penalty Notices) Regulation 2001

Schedule 1 Amendments

Section 91 (2B)	Use prohibited name	5830, 0904	\$55	—
Section 91A (1)	Use “casino” to advertise	5832, 0906	\$55	—
Section 92 (1)	Fail to comply with gaming-related advertising material requirements	5833, 0907	\$55	—
Section 103 (3)	Fail to leave licensed premises	6068, 0908	\$550	\$55
Section 113	Minor use false evidence of age to obtain entry to/ remain in/obtain liquor from licensed premises	6544	—	\$55
Section 114 (1)	Sell/supply liquor to minor	6535, 1572, 1574, 6555, 2198	\$550	\$55
Section 114 (3)	Allow liquor to be sold/supplied to minor	6513, 1573	\$550	—
Section 114 (4)	Obtain liquor on behalf of minor	6536, 1578	\$550	\$55
Section 115 (1) (a)	Minor consume liquor on licensed premises/at unlicensed restaurant	6545, 1575	—	\$55
Section 115 (1) (b)	Minor obtaining/ attempting to obtain liquor on licensed premises	6546, 1576	—	\$55
Section 115 (1) (c)	Minor carrying away/attempting to carry away liquor from licensed premises	6547, 1577	—	\$55
Section 115 (3)	Send/order/request minor to obtain liquor	6537, 5890, 0910	\$220	\$55

Liquor Amendment (Penalty Notices) Regulation 2001

Amendments

Schedule 1

Section 116	Licensee allow minor to sell/supply/serve liquor	6514, 1579	\$550	—
Section 116A (1)	Minor enter/remain in restricted area of hotel	6548, 1580	—	\$55
Section 116A (2)	Unacc. minor enter/remain in authorised part of hotel	6549, 1581	—	\$55
Section 116A (4)	Unacc. minor enter/remain in nightclub	6550, 1582	—	\$55
Section 116A (5)	Unacc. minor enter/remain in restaurant during restricted period	5892, 0140	—	\$55
Section 116A (6)	Unacc. minor enter/remain in community liquor licence premises	5895, 0144	—	\$55
Section 116B (1) (a)	Allow minor to enter restricted area of licensee's hotel	6515, 1583	\$550	—
Section 116B (1) (b)	Allow unaccompanied minor to enter unauthorised part of hotel	6516, 1594	\$550	—
Section 116B (1) (c)	Allow unaccompanied minor to enter nightclub	6517, 1585	\$550	—
Section 116B (1) (d)	Allow unaccompanied minor to enter restaurant during restricted period	5895, 0147	\$550	—
Section 116B (1) (e)	Allow unaccompanied minor to enter community liquor licence premises	5898, 0147	\$550	—

2001 No 35

Liquor Amendment (Penalty Notices) Regulation 2001

Schedule 1 Amendments

Section 116B (2) (a)	Fail to remove minor (restricted area of hotel)	6518,1586	\$550	—
Section 116B (2) (b)	Fail to remove unacc. minor (hotel authorised area)	6519, 1587	\$550	—
Section 116B (2) (c)	Fail to remove unacc. minor (nightclub)	6520, 1588	\$550	—
Section 116B (2) (d)	Fail to remove unacc. minor (restaurant restricted period)	5899, 0911	\$550	—
Section 116B (2) (e)	Fail to remove unacc. minor (community liquor licence)	5903, 0912	\$550	—
Section 116C (1) (a)	Fail to display notice about minors in restricted area	6530, 1591	\$220	—
Section 116C (1) (b)	Fail to display notice about unacc. minors in authorised area	6531, 1592	\$220	—
Section 116C (3)	Fail to display minors notice (nightclub)	6521, 1593	\$220	—
Section 116C (3A)	Fail to display minors notice (restaurant restricted period)	5904, 0149	\$220	—
Section 116C (3B)	Fail to display minors notice (community liquor licence)	5909, 0151	\$220	—
Section 116D (a)	Permit minor to consume alcohol on premises	6542, 1594	\$220	—

Liquor Amendment (Penalty Notices) Regulation 2001

Amendments

Schedule 1

Section 116D (b)	Leave minor on premises without first informing licensee	6543, 1595	\$220	—
Section 117A (2) (a)	Suspected minor refusing/failing to state name or address	6551, 1596	\$110	\$55
Section 117A (2) (b)	Suspected minor refusing/failing to produce evidence of age	6552, 1597	\$110	\$55
Section 117B	Licensee/employee fail to refuse minor entry premises/part of premises	6522, 1598	\$220	\$55
Section 117C (1)	Minor using/ operating amusement device (offence by licensee)	6532, 1599	\$550	—
Section 117D (1)	Minor using/ operating amusement device	6553, 1600	—	\$55
Section 117E (2)	Minor providing false/misleading information to get age evidence	6554, 1601	—	\$110
Section 117E (3)	Providing/ certifying false/misleading information for age evidence	6538, 1602, 5909, 0919	\$220	\$110
Section 117EB (1)	Make false proof of age card	8194, 0174	\$220	\$110
Section 117EB (2)	Give false proof of age card	8195, 0175	\$220	\$110
Section 117EB (3)	Make/give false proof of age card (aggravation)	8196, 0176	\$550	\$110

2001 No 35

Liquor Amendment (Penalty Notices) Regulation 2001

Schedule 1 Amendments

Section 117EC	Give/lend proof of age card	8197, 0177, 5913, 0923	\$220	\$110
Section 117ED	Tamper with proof of age card	8199, 8198, 0178, 5914, 0924	\$220	\$110
Section 118 (1)	Fail to close/keep closed restricted area/area where liquor sold or supplied	6533, 1603	\$220	—
Section 118 (2)	Fail to close/keep closed counter/place where liquor sold or supplied	6523, 1604	\$220	—
Section 119 (1) (a)	Keep premises open for liquor sale/supply outside hours	6524, 1606	\$220	—
Section 119 (1) (b)	Sell/supply liquor outside hours	6525, 1606	\$220	—
Section 121 (1)	Sell/supply liquor/cause/suffer liquor to be sold/supplied contrary to authority	7490, 0055	\$550	—
Section 121 (2)	Agent/servant/person on behalf of licensee sell/supply liquor/cause/suffer liquor to be sold/supplied contrary to authority	7491, 0059, 5915, 0925	\$550	\$55
Section 122 (1)	Unauthorised sale/cause/suffer unauthorised sale of liquor	7492, 0060, 5916, 0926	\$550	\$55
Section 122 (3)	Advertise liquor from unlicensed premises	7493, 0082, 5917, 0927	\$550	\$55

Liquor Amendment (Penalty Notices) Regulation 2001

Amendments

Schedule 1

Section 123 (1)	Open/keep/use/ premises/permit premises to be/ have care and management of/ assist in business of premises opened/ kept/used for purpose of selling liquor	7494, 0118, 5918, 0928	\$550	\$55
Section 123 (2)	Licensee sell liquor /employ/permit person to sell liquor on unlicensed premises	7495, 0120	\$220	—
Section 123 (3)	Person on unlicensed premises	7496, 0131, 5920, 0943	\$55	\$55
Section 124	Carry on business as brewer without licence	6539, 1607	\$220	\$55
Section 125 (1) (b)	Permit intoxication/ indecent/violent/ quarrelsome conduct on premises	6526, 1608	\$550	—
Section 125 (3)	Sell/supply liquor to intoxicated person	6540, 1609	\$550	\$55
Section 125A (1)	Licensee fail to produce licence	6584, 1302	\$55	—
Section 126 (1) (a)	Permit/suffer gaming for stakes on premises	6527, 1610	\$110	—
Section 126 (1) (b)	Permit/suffer unlawful game on premises	6528, 1611	\$110	—
Section 126 (1) (c)	Permit/suffer premises to be used in contravention of <i>Unlawful Gambling Act 1998</i>	6529, 1612	\$110	—

2001 No 35

Liquor Amendment (Penalty Notices) Regulation 2001

Schedule 1 Amendments

Section 126 (2)	Servant/person in charge permitting unlawful game on premises	6541, 1613	\$110	\$55
Section 129 (1) (a)	Fail/refuse to pay for liquor/meal/accommodation	6069, 1170, 6070, 1171, 6071, 1170, 6092, 0959, 6083, 0960, 6084, 0963	\$55	\$55
Section 129 (1) (b)	Avoid demand to pay for liquor/meal/accommodation	6072, 1173, 6073, 1174, 6074, 1175, 6085, 0994, 6086, 0999, 6089, 1008	\$55	\$55
Section 135 (1) (a)	Carry liquor about for sale	7497, 0132, 6089, 1010	\$220	\$55
Section 135 (1) (b)	Unlawfully offer/expose liquor for sale	7498, 0133, 6090, 1026	\$220	\$55
Section 135 (1) (c)	Carry liquor for sale to unlawful place	7499, 0134, 6091, 1028	\$220	\$55
Section 139 (1)	Make false or misleading statement in/omit a material matter from an official document	6092, 1037	\$550	\$55

Offences under this Regulation

Column 1 Offence	Column 2 Short description	Column 3 IPB Code	Column 4 Penalty (other than minors)	Column 5 Penalty (minors)
Clause 52N (1)	Fail to display winning chances	6096, 1043	\$550	—
Clause 52P (1)	Fail to make player information available	6097, 1058	\$550	—
Clause 52Q (2)	Fail to make player information available (other language)	6098, 1060	\$550	—
Clause 52R (2) (a)	Fail to display gambling warning notice	6100, 1061	\$550	—
Clause 52R (2) (b)	Fail to display problem gambling notice		\$550	—
Clause 52S (1)	Fail to display counselling notice	6102, 1065	\$550	—
Clause 52T (1)	Fail to display notice on ATM	6103, 1069	\$550	—
Clause 52U	Fail to display clock	6104, 1075	\$550	—
Clause 52V (1)	Exchange cheque contrary to requirement	6105, 1077	\$550	—
Clause 52V (2)	Fail to bank cheque within 2 days	6106, 1078	\$550	—
Clause 52W (1)	Fail to pay prize money by required cheque	6107, 1099	\$550	—
Clause 52X (1)	ATM / EFTPOS in gaming area	6109, 1108	\$550	—

2001 No 35

Liquor Amendment (Penalty Notices) Regulation 2001

Schedule 1 Amendments

Clause 52ZA (1)	Publish/cause to be published unacceptable gambling advertisement	6110, 1110	\$550	\$55
Clause 52ZA (2)	Gambling advertisement without warning	6111, 1111	\$550	—
Clause 52ZA (3)	Publish non-complying gambling advertisement	6112, 1112	\$550	\$55
Clause 52ZA (5)	Fail to remove non-complying gambling advertisement	6113, 1125	\$550	—
Clause 52ZA (7)	Enter into/extend unlawful contract/arrangement	6114, 1127	\$550	—
Clause 52ZB (1)	Publish/cause to be published winner's details contrary to request	6117, 1135	\$550	\$55
Clause 52ZC	Offer gambling inducement	6118, 1136	\$550	—
Clause 52ZE (5)	Employ unqualified gaming staff	6119, 1139	\$550	—
Clause 52ZE (6)	Continue to employ unqualified gaming staff	6120, 1150	\$550	—
Clause 74Z (1) (a)	Fail to keep part of CMS safe		\$550	—
Clause 74Z (1) (b)	Dispose of part of CMS		\$550	—

BY AUTHORITY