



New South Wales

# Registered Clubs Amendment (Penalty Notices) Regulation 2001

under the

Registered Clubs Act 1976

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Registered Clubs Act 1976*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

## Explanatory note

The object of this Regulation is to prescribe additional offences under the *Registered Clubs Act 1976* and the *Registered Clubs 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 *Registered Clubs Act 1976*, including sections 66 (penalty notices) and 73 (the general regulation-making power).

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Clause 1 Registered Clubs Amendment (Penalty Notices) Regulation 2001

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**Registered Clubs Amendment (Penalty Notices)  
Regulation 2001**

**1 Name of Regulation**

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

**2 Commencement**

This Regulation commences on 1 February 2001.

**3 Amendment of Registered Clubs Regulation 1996**

The *Registered Clubs 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 51 Penalty notice offences

Insert “or this Regulation” after “the Act” in clause 51 (a).

### [2] Clause 51 (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] Clause 52 Short descriptions of offences

Omit clause 52 (1).

Insert instead:

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 3 consists of the IPB Code (if any) set out in relation to that offence in Column 3 of Schedule 3 and:
  - (a) the text set out in relation to the offence in Column 2 of Schedule 3, or
  - (b) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence.

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### [4] Clause 52 (5)

Insert after clause 52 (4):

(5) In this clause:

***Infringement Processing Bureau*** means the Infringement processing bureau within the Police Service.

***IPB Code***, in relation to an offence, means the code allocated to the offence by the Infringement Processing Bureau.

### [5] Schedule 3 Penalty notice offences

Omit the Schedule. Insert instead:

## Schedule 3 Penalty notice offences

(Clauses 51 and 52)

### Offences under the Act

| Column 1        | Column 2   | Column 3   | Column 4                    | Column 5         |
|-----------------|--|------------|-----------------------------|------------------|
| Offence         | Short description  | IPB Code   | Penalty (other than minors) | Penalty (minors) |
| Section 27A (1) | Fail to make/keep liquor acquisition record              | 5597, 1615 | \$220                       | —                |
| Section 27A (2) | Fail to keep liquor acquisition record as required       | 5598, 1616 | \$220                       | —                |
| Section 27A (3) | Fail to retain club business document/record as required | 5599, 1617 | \$220                       | —                |

## Registered Clubs Amendment (Penalty Notices) Regulation 2001

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| <b>Column 1</b>    | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|--------------------|--|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>     | <b>Short description</b>   | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 27A (5)    | Fail to comply with inspector's requirement  | 6492, 1618      | \$220                              | —                       |
| Section 27B (1)    | Fail to keep low alcohol liquor payments record                                      | 1619            | \$220                              | —                       |
| Section 37 (1)     | Fail to lodge AGM document   | 6479            | \$110                              | —                       |
| Section 39 (1) (a) | Fail to disclose interest of governing body of registered club                       | 5599, 0693      | \$110                              | —                       |
| Section 39 (1) (b) | Fail to exhibit particulars for 14 days  | 5600, 0694      | \$110                              | —                       |
| Section 39 (1) (c) | Fail to lodge annual report  | 5601, 0698      | \$110                              | —                       |
| Section 40 (3)     | Club fail to prepare, submit and display statements as required                      | 5802, 0699      | \$110                              | —                       |
| Section 44 (1)     | Supply/dispose of/cause/suffer supply/disposal of liquor off defined premises (club) | 6480, 1621      | \$220                              | —                       |

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## Registered Clubs Amendment (Penalty Notices) Regulation 2001

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| <b>Column 1</b>     | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|---------------------|--|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>      | <b>Short description</b>   | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 44 (2)      | Supply/dispose of/cause/suffer supply/disposal of liquor off defined premises (person) | 6493, 1622      | \$110                              | —                       |
| Section 44A (1) (a) | Secretary permit intoxication in club  | 6482, 1623      | \$550                              | —                       |
| Section 44A (1) (b) | Secretary permit indecent/violent/quarrelsome conduct in club                          | 6483, 1624      | \$550                              | —                       |
| Section 44A (2)     | Sell/supply liquor to intoxicated person in club                                       | 6494            | \$550                              | —                       |
| Section 45 (1)      | Non-member/temp member using club accommodation/facilities/amenities                   | 6498            | \$110                              | \$55                    |
| Section 45A         | Make entry relating to a minor in guest register                                       | 6495            | \$110                              | \$55                    |

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| <b>Column 1</b>    | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|--------------------|--|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>     | <b>Short description</b>   | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 47 (a)     | Club breaching club rule referred to in section 30 (1)/(2)/(2A)  | 6481, 1628      | \$110                              | —                       |
| Section 47 (b)     | Secretary breaching club rule referred to in section 30 (2)/(2A) | 6484, 1629      | \$55                               | —                       |
| Section 48 (6)     | Use prohibited name for premises or advertising material         | 5603, 0700      | \$55                               | —                       |
| Section 48A (3)    | Cause/permit use of the word "casino" to advertise club          | 5604, 0711      | \$55                               | —                       |
| Section 49         | Fail to lodge amended rules of club                              | 5605, 0715      | \$55                               | —                       |
| Section 50 (1) (a) | Sale/supply/disposal of liquor to minor on club premises         | 6485, 1630      | \$550                              | —                       |
| Section 50 (1) (b) | Fail to remove minor from bar                                    | 6486, 1631      | \$550                              | —                       |
| Section 50 (2)     | Supply/disposal of liquor to minor on club premises              | 6496, 1632      | \$220                              | —                       |

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| <b>Column 1</b>    | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|--------------------|---|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>     | <b>Short description</b>  | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 50 (2A)    | Minor (guest of member) in bar (offence by member)                  | 6499, 1633      | \$220                              | —                       |
| Section 50A (1)    | Fail to remove minor from poker machine area of club                | 6487, 1634      | \$550                              | —                       |
| Section 50A (2)    | Minor (as guest) in poker machine area (offence by member)          | 6500, 1635      | \$220                              | —                       |
| Section 50B (1)    | Fail to display minors notice in bar/poker machine area             | 6488, 1636      | \$220                              | —                       |
| Section 50B (2)    | Fail to display notice about members' obligations (minors)          | 6489, 1637      | \$220                              | —                       |
| Section 51 (1) (a) | Permit minor to consume liquor on club premises                     | 6501, 1638      | —                                  | \$55                    |
| Section 51 (1) (b) | Minor obtaining/ attempting to obtain liquor to consume on premises | 6502, 1639      | —                                  | \$55                    |



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| <b>Column 1</b>     | <b>Column 2</b>   | <b>Column 3</b>        | <b>Column 4</b>                    | <b>Column 5</b>         |
|---------------------|---|------------------------|------------------------------------|-------------------------|
| <b>Offence</b>      | <b>Short description</b>  | <b>IPB Code</b>        | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 51 (1) (c)  | Minor carrying away/<br>attempting to carry away liquor from premises | 6503, 1640             | —                                  | \$55                    |
| Section 51 (1) (d)  | Minor using/<br>operating poker machines in premises                  | 6504, 1641             | —                                  | \$55                    |
| Section 51 (1) (e)  | Minor entering/<br>being in poker machine area                        | 6505, 1642             | —                                  | \$55                    |
| Section 52 (1)      | Minor entering/in a bar   | 6506, 1643             | —                                  | \$55                    |
| Section 52A (2) (a) | Suspected minor refusing/failing to state name or address             | 5606, 0716, 6507, 1644 | \$110                              | \$55                    |
| Section 52A (2) (b) | Suspected minor refusing/<br>failing to produce evidence of age       | 5607, 0733, 6508, 1645 | \$110                              | \$55                    |
| Section 52B (1)     | Secretary/<br>employee permit entry to minor                          | 6490, 1646             | \$550                              | —                       |
| Section 52B (2)     | Secretary/<br>employee supply liquor to minor                         | 6491, 1647             | \$550                              | —                       |

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| <b>Column 1</b>     | <b>Column 2</b>   | <b>Column 3</b>        | <b>Column 4</b>                    | <b>Column 5</b>         |
|---------------------|---|------------------------|------------------------------------|-------------------------|
| <b>Offence</b>      | <b>Short description</b>  | <b>IPB Code</b>        | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 52C         | Minor using false evidence of age   | 6509, 1648             | —                                  | \$55                    |
| Section 54B (1) (a) | Club permit unlawful gaming on club premises  | 5608, 0741             | \$220                              | —                       |
| Section 54B (1) (b) | Secretary permit unlawful gaming on club premises                                     | 5609, 0751             | \$110                              | —                       |
| Section 54B (2)     | Employee permit unlawful gaming on club premises                                      | 5610, 0755             | \$110                              | —                       |
| Section 55 (1)      | Make false or misleading statement in/ omit material matter from an official document | 5611, 0767, 5612, 0786 | \$550                              | \$55                    |
| Section 57 (2)      | Minor providing false/misleading information to get age evidence                      | 6510, 1649             | —                                  | \$110                   |
| Section 57 (3)      | Providing/ certifying false/ misleading information for age evidence                  | 6497, 1650, 5613, 1106 | \$220                              | \$110                   |

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| <b>Column 1</b> | <b>Column 2</b>   | <b>Column 3</b>        | <b>Column 4</b>                    | <b>Column 5</b>         |
|-----------------|---|------------------------|------------------------------------|-------------------------|
| <b>Offence</b>  | <b>Short description</b>  | <b>IPB Code</b>        | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Section 67A (4) | Fail to leave club premises   | 6067, 1168, 5614, 0779 | \$550                              | \$55                    |
| Section 78 (a)  | Keep an unauthorised poker machine  | 5615, 0772             | \$1,100                            | —                       |
| Section 78 (a1) | Keep an authorised poker machine without complying with conditions                                | 5615, 0773             | \$1,100                            | —                       |
| Section 78 (b)  | Acquisition of an unauthorised poker machine  | 5619, 0774             | \$1,100                            | —                       |
| Section 78 (c)  | Unauthorised disposal of poker machine  | 5620, 0777             | \$1,100                            | —                       |
| Section 79 (2)  | Fail to provide particulars of a change in information provided in or accompanying an application | 5621, 0789             | \$220                              | —                       |
| Section 79 (5)  | Unauthorised acquisition or modification of a poker machine                                       | 5622, 0798             | \$550                              | —                       |

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**Offences under this Regulation**

| <b>Column 1</b>    | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|--------------------|--|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>     | <b>Short Description</b>                                   | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Clause 30H (1)     | Fail to display winning chances                            | 5623, 0799      | \$550                              | —                       |
| Clause 30J (1)     | Fail to make player information available                  | 5624, 0814      | \$550                              | —                       |
| Clause 30K         | Fail to make player information available (other language) | 5625, 0820      | \$550                              | —                       |
| Clause 30L (2) (a) | Fail to display gambling warning notice                    | 5626, 0823      | \$550                              | —                       |
| Clause 30L (2) (b) | Fail to display problem gambling notice                    |                 | \$550                              | —                       |
| Clause 30M (1)     | Fail to display counselling notice                         | 5627, 0837      | \$550                              | —                       |
| Clause 30N (1)     | Fail to display notice on ATM                              | 5628, 0838      | \$550                              | —                       |
| Clause 30O         | Fail to display clock                                      | 5629, 0839      | \$550                              | —                       |
| Clause 30P (1)     | Exchange cheque contrary to requirement                    | 5630, 0840      | \$550                              | —                       |

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| <b>Column 1</b> | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|-----------------|---|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>  | <b>Short Description</b>  | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Clause 30P (2)  | Fail to bank cheque within 2 days                                 | 5636, 0841      | \$550                              | —                       |
| Clause 30Q (1)  | Fail to pay prize money by required cheque                        | 5637, 0875      | \$550                              | —                       |
| Clause 30R (1)  | ATM/EFTPOS in gaming area   | 5639, 0877      | \$550                              | —                       |
| Clause 30U (1)  | Publish/cause to be published unacceptable gambling advertisement | 5641, 0878      | \$550                              | —                       |
| Clause 30U (2)  | Gambling advertisement without warning                            | 5643, 0879      | \$550                              | —                       |
| Clause 30U (3)  | Publish non-complying gambling advertisement                      |                 | \$550                              | —                       |
| Clause 30U (5)  | Fail to remove non-complying gambling advertisement               | 5644, 0880      | \$550                              | —                       |
| Clause 30U (7)  | Enter into/extend unlawful contract/arrangement                   | 5645, 0881      | \$550                              | —                       |

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| <b>Column 1</b> | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                    | <b>Column 5</b>         |
|-----------------|--|-----------------|------------------------------------|-------------------------|
| <b>Offence</b>  | <b>Short Description</b>   | <b>IPB Code</b> | <b>Penalty (other than minors)</b> | <b>Penalty (minors)</b> |
| Clause 30V (1)  | Publish/cause to be published winner's details contrary to request | 5678, 0883      | \$550                              | —                       |
| Clause 30W      | Offer gambling inducement  | 5610, 0884      | \$550                              | —                       |
| Clause 30Y (5)  | Employ unqualified gaming staff                                    | 5812, 0889      | \$550                              | —                       |
| Clause 30Y (6)  | Continue to employ unqualified gaming staff                        | 5824, 0891      | \$550                              | —                       |

BY AUTHORITY