



New South Wales

# Liquor Amendment (Functions) Regulation 2001

under the

Liquor Act 1982

Her 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

Under section 18 (6) of the *Liquor Act 1982*, a hotelier may be authorised to sell liquor at a function to be held away from the hotel premises. The object of this Regulation is to prescribe circumstances in which such an authorisation cannot be granted. In particular, a requirement is imposed that the premises at which the function is to be held must be situated within 50 kilometres by road of the hotelier's premises.

This Regulation is made under the *Liquor Act 1982*, including sections 18 (6) and 156 (the general power to make regulations).

**2001 No 971**

Clause 1                   Liquor Amendment (Functions) Regulation 2001

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**Liquor Amendment (Functions) Regulation 2001**

**1 Name of Regulation**

This Regulation is the *Liquor Amendment (Functions) Regulation 2001*.

**2 Commencement**

This Regulation commences on 14 December 2001.

**3 Amendment of Liquor Regulation 1996**

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

## Schedule 1 Amendment

(Clause 3)

### Clause 9A

Insert after clause 9:

**9A Application by hotelier for authorisation to sell liquor at function held at other premises (section 18 (6) of the Act)**

- (1) This clause applies to an application by a hotelier under section 18 (6) of the Act for authorisation to sell liquor at a function that is to be held on premises (*the other premises*) other than the premises to which the hotelier's licence relates (*the applicant's premises*).
- (2) In dealing with an application to which this clause applies, the Licensing Court or registrar is not to grant the application unless satisfied:
  - (a) that practices will be in place at the other premises as soon as the function concerned commences that ensure, as far as reasonably practicable, that liquor is sold, supplied and served responsibly on the other premises and that all reasonable steps are taken to prevent intoxication on the other premises, and
  - (b) that those practices will remain in place.
- (3) For the purposes of section 18 (6) of the Act, the other premises must be situated within 50 kilometres by road of the applicant's premises.
- (4) However, subclause (3) does not apply if there is no hotel situated within 50 kilometres by road of the other premises.