



New South Wales

Registered Clubs Amendment (Exceptions to 5-kilometre Rule) Regulation 2006

under the

Registered Clubs Act 1976

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

GRANT McBRIDE, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to enable local residents, who would otherwise be ineligible to be admitted as temporary members of a registered club because they live within 5 kilometres of the club premises, to be admitted as temporary members if they live in a part of that 5-kilometre radius that has been approved by the Director of Liquor and Gaming as an excepted area. The Director will be able to approve of such an excepted area only if satisfied that persons living in that area are required, because of a geographical or other physical barrier, to travel more than 5 kilometres to reach the premises of the club concerned.

This Regulation is made under the *Registered Clubs Act 1976*, including section 30 (3C) and section 73 (the general regulation-making power).

2006 No 794

Registered Clubs Amendment (Exceptions to 5-kilometre Rule) Regulation
Clause 1 2006

**Registered Clubs Amendment (Exceptions to
5-kilometre Rule) Regulation 2006**

under the

Registered Clubs Act 1976

1 Name of Regulation

This Regulation is the *Registered Clubs Amendment (Exceptions to 5-kilometre Rule) Regulation 2006*.

2 Commencement

This Regulation commences on 22 December 2006.

3 Amendment of Registered Clubs Regulation 1996

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

Schedule 1 Amendment

(Clause 3)

Clause 50C

Insert after clause 50B:

50C Exceptions to 5-kilometre rule

- (1) The object of this clause is to enable local residents (that is, persons who ordinarily reside within a radius of 5 kilometres from the premises of a registered club) to be admitted as temporary members of that club in certain circumstances.
- (2) Section 30 (3B) of the Act does not apply in relation to a person who ordinarily resides in an area that is for the time being approved by the Director as an excepted area for the purposes of this clause.
Note. Under section 30 (3B) of the Act, a person whose ordinary place of residence is within a 5-kilometre radius of the premises of a registered club is not eligible for admission as a temporary member of that club.
- (3) The Director may, on application by a registered club, approve an area that is within a radius of 5 kilometres of the premises of the club as an excepted area.
- (4) Any such application must be in the form and manner approved by the Director and be accompanied by such information as may be required by the Director.
- (5) An area that is within a radius of 5 kilometres of the premises of a registered club may be approved as an excepted area only if the Director is satisfied that persons living in that area are required, because of a geographical or other physical barrier, to travel more than 5 kilometres (using the most direct or practicable route) in order to reach the premises of the club.
- (6) An approval under this clause:
 - (a) is subject to such conditions as may be determined by the Director, and
 - (b) may be varied or revoked at any time by the Director.
- (7) Without limiting the conditions to which an approval may be subject, the Director may impose a condition requiring the registered club to which the approval relates to indicate the excepted area concerned on the map displayed under section 30 (2A) (a) of the Act.