



Liquor Amendment (Miscellaneous) Regulation 2012

under the

Liquor Act 2007

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

GEORGE SOURIS, MP
Minister for Tourism, Major Events, Hospitality and Racing

Explanatory note

The objects of this Regulation are as follows:

- (a) to require applications for hotel extended trading authorisations (ie for late trading) to address matters relating to gambling activities on the premises during the late trading period,
- (b) to require a hotelier who applies for an extended trading authorisation to consult with organisations located in the relevant local government area that receive funding for the specific purposes of providing gaming-related counselling or treatment services,
- (c) to require training providers who are approved to provide responsible service of alcohol (*RSA*) training courses to comply with the conditions of their approval,
- (d) to prohibit certain fraudulent activities in relation to RSA training courses,
- (e) to prescribe the application fee for an approval to cease selling liquor in a hotel, but to continue to provide other services and facilities, during the standard trading period,
- (f) to define the expression “metropolitan area” for the purposes of a provision of the *Liquor Act 2007* relating to the appointment of managers of clubs that have multiple premises.

This Regulation is made under the *Liquor Act 2007* (as amended by the *Clubs, Liquor and Gaming Machines Legislation Amendment Act 2011*), including sections 15A (3), 48 (6) and (7), 66 (6), 99 (4), 150 and 159 (the general regulation-making power).

2012 No 132

Clause 1 Liquor Amendment (Miscellaneous) Regulation 2012

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Liquor Act 2007

1 Name of Regulation

This Regulation is the *Liquor Amendment (Miscellaneous) Regulation 2012*.

2 Commencement

This Regulation commences on 30 March 2012 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Liquor Regulation 2008

[1] Clause 10A

Insert after clause 10:

10A CIS to address matters relating to gambling activities in hotels during extended trading periods

In the case of an application for an extended trading authorisation in relation to a hotel licence, the matters to be addressed by a CIS are to include matters relating to gambling activities on the licensed premises during the period that the authorisation is proposed to be in force.

[2] Clause 11 Preparation of CIS—consultation requirements

Insert after clause 11 (3):

- (4) Without limiting subclause (3), the relevant stakeholders include, in the case of an application for an extended trading authorisation in relation to a hotel licence, any organisation located in the local government area in which the hotel is situated that receives funding from the Responsible Gambling Fund under the *Casino Control Act 1992* for the specific purpose of providing gambling-related counselling or treatment services.

[3] Clause 47 Conditions of approval to conduct RSA training courses

Insert after clause 47 (1):

- (1A) An approved training provider must comply with the conditions to which the training provider's approval is subject.
Maximum penalty: 100 penalty units.

[4] Clause 47A

Insert after clause 47:

47A Prohibition on granting interim RSA certificates to unqualified persons

An approved training provider must not grant an interim RSA certificate to any person who has not successfully completed an approved RSA training course conducted by the training provider.

Maximum penalty: 100 penalty units.

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Schedule 1 Amendment of Liquor Regulation 2008

[5] Clause 49B

Insert after clause 49A:

49B Prohibition on providing training courses without approval

A person must not:

- (a) provide or offer to provide any training course that is held out, whether directly or indirectly, to be a course that will satisfy the requirements imposed by clauses 40–42, or
- (b) advertise, state or imply in any way that the person is qualified to provide any such course,

unless the person is an approved training provider.

Maximum penalty: 100 penalty units.

[6] Clause 80

Insert after clause 79:

80 Definition of “metropolitan area”—section 66 of Act

For the purposes of section 66 of the Act, a *metropolitan area* comprises the following local government areas:

Ashfield, Auburn, Bankstown, Blacktown, Blue Mountains, Botany Bay, Burwood, Camden, Campbelltown, Canada Bay, Canterbury, Fairfield, Gosford, Hawkesbury, Holroyd, Hornsby, Hunter’s Hill, Hurstville, Kogarah, Ku-ring-gai, Lake Macquarie, Lane Cove, Leichhardt, Liverpool, Manly, Marrickville, Mosman, Newcastle, North Sydney, Parramatta, Penrith, Pittwater, Randwick, Rockdale, Ryde, Strathfield, Sutherland, Sydney, The Hills, Warringah, Waverley, Willoughby, Wollondilly, Wollongong, Woollahra, Wyong.

[7] Schedule 1 Application fees

Insert in Part 3 after the matter relating to applications under section 11A (5) of the Act:

Application under section 15A (2) of the Act for approval to cease selling liquor and to continue to provide other services and facilities	Nil	\$200	\$200
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Amendment of Liquor Regulation 2008

Schedule 1

[8] Schedule 2 Penalty notice offences

Insert after the matter relating to clause 42 (2):

Clause 47 (1A)	\$1,100
Clause 47A	\$1,100
Clause 49B	\$1,100