



Liquor Amendment (RSA) Regulation 2012

under the

Liquor Act 2007

Her Excellency the 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:

- (a) to provide that the licensee of licensed premises will no longer be committing an offence merely because a staff member is allowed to sell, supply or serve liquor on the premises after the expiry of the member's interim RSA certificate (being a certificate granted on completion of an approved RSA training course), if the certificate was granted within the previous 5 years, and
- (b) to allow training providers that, immediately before 1 July 2012, are approved to provide training in responsible service of alcohol, to apply for an additional approval to provide such courses online.

This Regulation is made under the *Liquor Act 2007*, including sections 99 and 159 (the general regulation-making power).

2012 No 284

Clause 1 Liquor Amendment (RSA) Regulation 2012

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1 Name of Regulation

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

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Liquor Regulation 2008

[1] Clause 40 Obligations of licensee as to responsible service of alcohol

Omit clause 40 (2) (including the penalty provision). Insert instead:

- (2) The licensee of licensed premises must not cause or permit a staff member to sell, supply or serve liquor by retail on the premises unless the staff member:
 - (a) holds a current recognised competency card or existing RSA certificate, or
 - (b) was granted an interim RSA certificate within the previous 5 years.

Maximum penalty:

- (a) if the staff member's recognised RSA certification has expired—25 penalty units, or
- (b) in any other case—50 penalty units.

[2] Clause 49A Additional approval to provide an approved RSA training course online

Omit "1 January 2007, an approved training provider under Part 7A of the former Regulation" from clause 49A (2).

Insert instead "1 July 2012, an approved training provider".

[3] Schedule 2 Penalty notice offences

Omit paragraph (a) of the matter relating to clause 40 (2) in Column 1.

Insert instead:

- (a) if the staff member's recognised RSA certification has expired, or