



New South Wales

Liquor Amendment (Transitional) Regulation 2014

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 object of this Regulation is to amend the *Liquor Regulation 2008* so that licensed premises affected by the enactment of the *Liquor Amendment Act 2014* will have until 24 February 2014 to make arrangements to comply with provisions inserted by that Act that prevent bottle shops and other take-away of alcohol for consumption venues from trading after 10 pm and so that provisions of that Regulation requiring certain licensed premises to “lock out” patrons after 1.30 am and cease serving alcohol to patrons at 3 am will apply from 24 February 2014.

This Regulation is made under the *Liquor Act 2007*, including section 159 and clause 1 of Schedule 1.

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1 Name of Regulation

This Regulation is the *Liquor Amendment (Transitional) Regulation 2014*.

2 Commencement

This Regulation commences on the date of assent to the *Liquor Amendment Act 2014* and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Liquor Regulation 2008

[1] **Clause 53C “Lock outs” for certain premises (as inserted by the Liquor Amendment Act 2014)**

Insert after clause 53C (4):

- (5) This clause commences on 24 February 2014.

[2] **Clause 53D Liquor sales cessation period (as inserted by the Liquor Amendment Act 2014)**

Insert after clause 53D (4):

- (5) This clause commences on 24 February 2014.

[3] **Clause 53V Declaration of prescribed precincts (as inserted by the Liquor Amendment Act 2014)**

Insert at the end of clause 53V:

- (2) This clause commences on 24 February 2014.

Note. The declaration of the Sydney CBD Entertainment precinct does not take effect until 24 February 2014. Accordingly, the special licence conditions prescribed by Part 5B of this Regulation with respect to “lock outs” and cessation of sales of liquor do not apply until that date.

[4] **Part 8**

Insert after Part 7:

Part 8 Transitional provisions consequent on Liquor Amendment Act 2014

81 Definitions

In this Part:

amending Act means the *Liquor Amendment Act 2014*.

bottle shop means premises or part of premises described in section 12 (1C) of the Act.

extended trading provision means section 14 (4A), 18 (3A), 26 (3A), 29 (3A) or 49 (4) (b) of, and clause 44 or 45 of Schedule 1 to, the Act.

transitional period means the period commencing on the date of assent to the amending Act and ending on 24 February 2014.

82 Exemption during transitional period: standard trading hours for bottle shops

- (1) A bottle shop is exempted from section 12 (1B) of the Act during the transitional period.
- (2) The standard trading period for a bottle shop during the transitional period is the standard trading period set out in section 12 (1) of the Act.
- (3) If trading outside of the standard trading period was authorised in relation to a bottle shop under section 14, 18, 26, 29 or 49 of the Act immediately before the date of assent to the amending Act (an *existing authorisation*), the bottle shop is exempted from any extended trading provision for the transitional period and may continue for that transitional period to trade outside the standard trading period in accordance with the existing authorisation.

83 Exemption: “lock outs” for declared premises

The licensee of any declared premises within the meaning of Schedule 4 to the Act is exempt from clause 3 (1) of that Schedule (as amended by the amending Act) during the transitional period if the licensee complies, during that period, with clause 3 (1) as in force immediately before its amendment by the amending Act.

84 Premises in Kings Cross precinct

Despite the amendments made to this Regulation by the amending Act, clauses 53B, 53C, 53D, 53F and 53G and 53H of this Regulation (as in force immediately before the date of assent to the amending Act) are taken to continue to apply to subject premises in the Kings Cross precinct until 24 February 2014.