



New South Wales

Gaming and Liquor Administration Amendment (Reviewable Decisions) Regulation 2016

under the

Gaming and Liquor Administration Act 2007

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

TROY GRANT, MP
Minister for Racing

Explanatory note

The objects of this Regulation are as follows:

- (a) to prescribe a further class of application in relation to which a decision made by certain Public Service employees under a delegation given by the Independent Liquor and Gaming Authority (the *Authority*) can be reviewed by the Authority,
- (b) to prescribe the classes of application under the gaming and liquor legislation in relation to which a person aggrieved by a decision of the Authority may apply to the Civil and Administrative Tribunal of New South Wales for administrative review,
- (c) to prescribe the administratively reviewable decisions of the Authority that must be published on the website of the Department of Justice.

This Regulation is made under the *Gaming and Liquor Administration Act 2007* (as amended by the *Gaming and Liquor Administration Amendment Act 2015*), including sections 13A (1), 36A (1) (d), 36C (1) and 47 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Gaming and Liquor Administration Amendment (Reviewable Decisions) Regulation 2016*.

2 Commencement

This Regulation commences on 1 March 2016 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Gaming and Liquor Administration Regulation 2008

[1] Clause 5A Decisions of designated Public Service employee made under delegation

Insert at the end of clause 5A (a) (iv):

or

- (v) a packaged liquor licence that is limited to the sale of liquor only by means of taking orders over the telephone, by facsimile or mail order, or through an internet site,

[2] Clause 5B

Insert after clause 5A:

5B Administratively reviewable decisions

For the purposes of section 13A of the Act, the following applications made on or after 1 March 2016 are prescribed:

- (a) an application for the granting or removal under the *Liquor Act 2007* of:
 - (i) a hotel licence, or
 - (ii) a club licence, or
 - (iii) an on-premises licence that relates to a public entertainment venue (other than a cinema or a theatre), or
 - (iv) a packaged liquor licence (other than a packaged liquor licence that is limited to the sale of liquor only by means of taking orders over the telephone, by facsimile or mail order, or through an internet site),
- (b) an application for an ongoing extended trading authorisation in relation to a licence referred to in paragraph (a) that would result in trading after midnight,
- (c) an application to vary or revoke a condition of a licence imposed by the Authority that would result in trading after midnight, in relation to a licence referred to in paragraph (a) (i)–(iii),
- (d) an application to increase a gaming machine threshold under section 34 of the *Gaming Machines Act 2001* that is required to be accompanied by a class 2 LIA under section 35 of that Act,
- (e) an application specified in clause 5A in respect of which a delegation given by the Authority to a designated Public Service employee to exercise the Authority's decision-making function is in force.

[3] Clause 6 Certain decisions required to be published

Insert after clause 6 (k):

- (l) a decision by the Authority made in respect of an application specified in clause 5B (c)–(e).