

[Act 1995 No 37]



New South Wales

Registered Clubs Amendment Bill 1995

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament. This Bill is cognate with the *Liquor Amendment Bill 1995*.

Overview of Bill

The object of this Bill is to amend the *Registered Clubs Act 1976*:

- to require residents' noise complaints against clubs to be supported by at least 3 residents
 - to provide for interstate club members who visit a club in New South Wales to take part in organised sport or competitions to be given the status of temporary members of the local club
 - to make certain changes to that Act for the sake of statute law revision, particularly as a result of the administrative changes under which the Chief Secretary's Department became the Department of Gaming and Racing.
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Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the *Registered Clubs Act 1976*.

Schedule 1 Amendments

Residents' complaints

Schedule 1 (4) amends section 17AA to require a complaint relating to the quiet and good order of the neighbourhood of a club, if made by residents, to be supported by at least 3 of them (one of whom can be the actual complainant). At present, such a complaint may be brought by one resident alone. The amendment also introduces a list of persons who may complain (residents, the Commissioner of Police, a council representative, a person whose interests are affected and the Director of Liquor and Gaming). At present, section 17AA does not specify who may complain.

Variation of licence condition

Schedule 1 (5) amends section 17AA to enable a club subject to a trading hours restriction as a result of a noise complaint to apply for a variation or revocation of the condition at any time if the club can show that there has been a material change in circumstances. At present the club must wait 6 months before re-applying.

Interstate temporary members

Schedule 1 (6) and (7) amend section 30 to provide for interstate club members who visit a club in New South Wales to take part in organised sport or competitions to be given the status of temporary members of the local club.

Statute law revision

Schedule 1 (1)–(3), (8) and (11) amend references in the *Registered Clubs Act 1976* to the Chief Secretary's Department and the Secretary of that Department so that they become references to the Department of Gaming and Racing and the Director-General respectively. This amendment reflects changes already made in 1995 under the *Administrative Changes Act 1976*. Two continuing transitional provisions inserted by **Schedule 1 (9) and (10)** ensure that sections 59B and 59D (which impose restrictions on former key officials) apply equally to an official who would have been regarded as a former key official but for a change in the title of the relevant office.

Savings and transitional

Schedule 1 (12)–(15) make amendments of a savings and transitional nature as a consequence of the above amendments.