

## LIQUOR (FURTHER AMENDMENT) BILL 1987\*

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to amend the Liquor Act 1982—

- (a) to make provision for the issue of caterers' licences so as to enable caterers to supply liquor at functions, occasions and events for which they provide catering services, both at premises conducted by them and at private premises;
- (b) to enable cash prizes to be awarded in connection with amusement devices operated in hotels;
- (c) to vary the provisions of that Act in relation to the supply of liquor by wholesalers and brewers to persons authorised to sell liquor and in relation to the assessment of the periodic licence fees to be paid in respect of such supply; and
- (d) to make other amendments of a minor, consequential or ancillary nature.

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Clause 1 specifies the short title of the proposed Act.

Clause 2 gives effect to the Schedules of amendments to the Principal Act.

Clause 3 gives effect to the Schedule of transitional provisions.

Schedule 1 contains amendments to the Principal Act with respect to caterers' licences.

Schedule 1 (1) inserts definitions of "caterer's licence" and "catering services" into section 4 (1) of the Principal Act.

Schedule 1 (2) amends section 18 (2) of the Principal Act to provide for the issue of caterers' licences.

Schedule 1 (3) amends section 20 of the Principal Act as a consequence of the other amendments effected by Schedule 1.

Schedule 1 (4) inserts a new section 23A into the Principal Act. This new section sets out certain conditions which will apply to caterers' licences.

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\* Amended in committee—see table at end of volume.

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Schedule 1 (5) inserts a new section 35B into the Principal Act. This new section fixes the hours between which liquor may be sold or supplied pursuant to a caterer's licence.

Schedule 1 (6) amends section 36 of the Principal Act to ensure that an application for a caterer's licence may not be made in respect of a vessel or an aircraft and to ensure that an application for a new caterer's licence may not be made in relation to premises for which an earlier caterer's licence has been cancelled during the period of 2 years following the cancellation.

Schedule 1 (7) inserts a new section 54B into the Principal Act. This new section sets out the requirements that must be satisfied before a caterer's licence may be granted.

Schedule 1 (8) amends section 56 of the Principal Act to provide for a fee of \$1,000 for the grant of a caterer's licence.

Schedule 1 (9) amends section 81 of the Principal Act to enable certain deductions to be made in respect of caterers' licences in the assessment of the periodic licence fees payable in respect of those licences.

Schedule 2 contains miscellaneous amendments to the Principal Act.

Schedule 2 (1) amends the definition of "person authorised to sell liquor" in section 4 (1) of the Principal Act to enable the regulations under that Act to prescribe persons and classes of persons for the purposes of that definition.

Schedule 2 (2), (3) and (4) (a) and (b) amend sections 20, 20A and 21A of the Principal Act to enable the Liquor Administration Board to deal with certain matters that are currently dealt with by the Licensing Court.

Schedule 2 (4) (c)-(g) amend section 21A of the Principal Act to enable cash prizes to be awarded in connection with amusement devices operated in hotels.

Schedule 2 (5) amends section 37A of the Principal Act as a consequence of the amendments made to the Principal Act by the Liquor (Amusement Devices) Amendment Act 1986.

Schedule 2 (6) amends section 38 of the Principal Act to require an application for an amusement device seller's licence to be accompanied by an affidavit of a kind referred to in that section.

Schedule 2 (7) amends section 53 of the Principal Act to ensure that an application for an on-licence relating to a restaurant shall not be granted unless the sanitary facilities that the premises of the restaurant are required to have are situated within the premises.

Schedule 2 (8) amends section 56 of the Principal Act to enable the Liquor Administration Board to deal with certain matters that are currently dealt with by the Licensing Court.

Schedule 2 (9) amends section 80 of the Principal Act in relation to the periodic licence fees payable by wholesalers and brewers who sell liquor to persons authorised to sell liquor.

Schedule 2 (10) inserts new sections 110A and 110B into the Principal Act. The effect of these sections is to give inspectors and other persons powers of entry and inspection similar to those that apply to registered clubs under the Registered Clubs Act 1976.

Schedule 2 (11) amends section 138B of the Principal Act to restrict the right of amusement device dealers to use components of old amusement devices in the manufacture or assembly of new amusement devices.

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Schedule 2 (12) amends section 138D of the Principal Act to ensure that components of old amusement devices are not used in connection with the repair of other amusement devices except with the approval of the Liquor Administration Board.

Schedule 2 (13) amends section 152A of the Principal Act to provide for the forfeiture to the Crown of money found in an amusement device that is itself forfeit to the Crown. The amendment brings the Principal Act into line with the Registered Clubs Act 1976.

Schedule 3 contains transitional provisions consequent upon the amendments to the Principal Act that are to be made by the proposed Act.

Clause 1 of Schedule 3 ensures that certain periodic licence fees under the Principal Act can be appropriately assessed and imposed in accordance with the requirements of the Principal Act, as amended by the proposed Act.

Clause 2 of Schedule 3 provides that certain conditions that are currently imposed on licences by the Licensing Court are to be deemed to have been imposed by the Liquor Administration Board in accordance with the provisions of the Principal Act, as amended by the proposed Act.

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