

Gaming and Liquor Administration Regulation 2008

[2008-216]



New South Wales

Status Information

Currency of version

Repealed version for 1 March 2016 to 31 August 2016 (accessed 27 December 2024 at 22:55)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Previously named**
Casino, Liquor and Gaming Control Authority Regulation 2008
- **Repeal**
This Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2016.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 September 2016

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Gaming and Liquor Administration Regulation 2008



New South Wales

1 Name of Regulation

This Regulation is the *Gaming and Liquor Administration Regulation 2008*.

2 Commencement

This Regulation commences on 1 July 2008.

3 Definition

In this Regulation:

the Act means the *Gaming and Liquor Administration Act 2007*.

4 Divulging of information

For the purposes of section 17 (2) (b) of the Act, the persons and bodies listed in Schedule 1 are prescribed.

5 Application for review by Authority of certain decisions

(1) An application to the Authority under section 36A (2) of the Act for a review of a decision must:

(a) be made within 28 days of the day on which:

(i) in the case of a decision of the Secretary—the decision was made, or

(ii) in any other case—notice of the decision was published on the website of the Department, and

(b) specify the grounds on which the application for review is made, and

(c) be accompanied by a copy of the decision (if the decision was provided in writing to the person making the application), and

(d) be accompanied by:

- (i) in the case of an application for review of a delegated decision (as referred to in paragraph (d) of the definition of **reviewable decision** in section 36A (1) of the Act) where the person lodging the application is the applicant under a provision of the *Liquor Act 2007*—a fee of an amount equivalent to the fee specified in Schedule 1 to the *Liquor Regulation 2008* in relation to the application the subject of the reviewable decision, or
 - (ii) in the case of an application for review of any such delegated decision where the person lodging the application for review is a person other than the applicant under a provision of the *Liquor Act 2007*—a fee of \$100, or
 - (iii) in any other case—a fee of \$500.
- (2) The applicant for review must provide the person who made the relevant decision with a copy of the application as soon as practicable after making the application to the Authority.

5A Decisions of designated Public Service employee made under delegation

For the purposes of paragraph (d) of the definition of **reviewable decision** in section 36A (1) of the Act, the following classes of applications made under a provision of the gaming and liquor legislation on or after 1 February 2016 are prescribed:

- (a) an application under the *Liquor Act 2007* for the granting or removal of:
 - (i) a small bar licence, or
 - (ii) an on-premises licence relating to a restaurant that, in the case of an application for the granting of the licence, includes an application for an authorisation under section 24 (3) of the *Liquor Act 2007*, or
 - (iii) an on-premises licence relating to a karaoke bar, a catering service or a vessel, or
 - (iv) a producer/wholesaler licence that, in the case of an application for the granting of the licence, includes an application for a drink on-premises authorisation under section 50 of the *Liquor Act 2007*, 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,
- (b) an application for an ongoing extended trading authorisation in relation to a licence referred to in paragraph (a) that would result in increased trading hours allowing trading after midnight.

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.

6 Certain decisions required to be published

For the purposes of section 36C (1) of the Act, the following decisions are prescribed:

- (a) a decision by the Authority under section 36A of the Act in relation to a reviewable decision within the meaning of that section,
- (b) a decision by the Secretary under section 81 of the *Liquor Act 2007*,
- (c) a decision by the Authority under section 82 or 84 of the *Liquor Act 2007*,
- (d) a decision by the Authority under section 141 of the *Liquor Act 2007*,
- (e) a decision by the Secretary under section 144D (2) of the *Liquor Act 2007*,
- (f) a decision by the Authority under section 144D (3) of the *Liquor Act 2007*,
- (g) a decision by the Authority under section 144I of the *Liquor Act 2007*,
- (h) a decision by the Authority under section 154 of the *Liquor Act 2007*,

- (i) any decision by the Authority under the *Liquor Act 2007* relating to the granting of a licence, authorisation or approval to which a relevant application (within the meaning of section 48 (2) of that Act) relates, but only if the relevant application is required to be accompanied by a category B CIS under clause 10 of the *Liquor Regulation 2008*,
- (j) a decision by the Authority made in respect of an application specified in clause 5A,
- (k) a decision of the Authority made by a designated Public Service employee acting under a delegation given by the Authority in respect of an application specified in clause 5A,
- (l) a decision by the Authority made in respect of an application specified in clause 5B (c)-(e).

7 Penalty notices

For the purposes of section 46 of the Act, an offence under section 34 (1) or (4) of the Act is prescribed as an offence for which a penalty notice may be issued and the prescribed penalty for any such offence is \$1,100.

Schedule 1 Persons and bodies to whom information may be divulged

(Clause 4)

1 New South Wales

Secretary of the Department of Trade and Investment, Regional Infrastructure and Services

Executive Director, Office of Liquor, Gaming and Racing, Department of Trade and Investment, Regional Infrastructure and Services

A local council or any other person or body exercising functions as a consent authority under the *Environmental Planning and Assessment Act 1979*

2 Other Australian jurisdictions

Queensland Office of Gaming Regulation

Victorian Commission for Gambling Regulation

Gaming and Wagering Commission of Western Australia

Western Australian Department of Racing, Gaming and Liquor

South Australian Independent Gambling Authority

South Australian Office of the Liquor and Gambling Commissioner

Tasmanian Gaming Commission

Tasmanian Department of Treasury and Finance (Revenue, Gaming and Licensing Division)

Northern Territory Treasury (Racing, Gaming and Licensing Division)

Australian Capital Territory Gambling and Racing Commission

Australian Transaction Reports and Analysis Centre (AUSTRAC)

3 New Zealand

Gambling Commission

Department of Internal Affairs

4 Great Britain

Gambling Commission

5 United States of America

Nevada Gaming Commission

Nevada Gaming Control Board

New Jersey Casino Control Commission

New Jersey Department of Law and Public Safety (Division of Gaming Enforcement)

Oregon Department of State Police (Gaming Enforcement Division)

6 Canada

Ontario Alcohol and Gaming Commission

Alberta Gaming and Liquor Commission

Manitoba Gaming Control Commission

Saskatchewan Liquor and Gaming Authority

7 Singapore

Ministry of Home Affairs

Casino Regulatory Authority