



## HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Wednesday, 25 August 1999

SALE OF LIQUOR AMENDMENT BILL (NO. 2)

### *Proposed Amendments*

Hon TONY RYALL, in Committee, to move the following amendments:

*Clause 1:* To omit from *subclause (2A) (c)* (as inserted by Supplementary Order Paper No. 205) the expression "13", and substitute the expression "13(1)".

To omit from *subclause (2A) (d)* (as inserted by Supplementary Order Paper No. 205) the expression "(A)", and substitute the expression "(1A)".

*Clause 13:* To omit this clause (which appears on page 8) and the amendments to it in Supplementary Order Papers No. 204 and No. 205, and substitute the following clause:

**13. Conditions of on-licences**—(1) Section 14 of the principal Act is amended by omitting subsection (2), and substituting the following subsection:

"(2) It is a condition of every on-licence granted in respect of a hotel or tavern that no liquor is to be sold or supplied on a Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person other than—

"(a) Any person who is for the time being living on the premises, whether as a lodger or an employee of the holder, or otherwise; or

"(b) Any person who is present on the premises for the purpose of dining.

(2) Section 14 of the principal Act is amended by repealing subsections (4) to (7), and substituting the following subsections:

"(4) On granting an application for an on-licence in respect of a hotel or a tavern, the Licensing Authority or District Licensing Agency, as the case may be, must designate the whole or 1 or more parts of the premises as restricted areas or supervised areas.

"(5) On granting an application for an on-licence, the Licensing Authority or District Licensing Agency, as the case may be, may impose conditions relating to the following matters:

- “(a) The days on which and the hours during which liquor may be sold:
- “(b) The provision of food for consumption on the premises or conveyance:
- “(c) The sale and supply of low-alcohol beverages:
- “(d) The provision of assistance with or information about alternative forms of transport from the licensed premises:
- “(e) Any other matter aimed at promoting the responsible consumption of liquor:
- “(f) The steps to be taken by the licensee to ensure that the provisions of this Act relating to the sale of liquor to prohibited persons are observed:
- “(g) The designation of the whole or any part or parts of the premises or conveyance as a restricted area or supervised area:
- “(h) The persons or types of persons to whom liquor may be sold or supplied.
- “(6) Different conditions may be imposed under **subsection (5) (a)** in respect of different parts of the premises or conveyance.
- “(7) In determining whether to impose conditions under **subsection (5) (a)** and, if so, what conditions, the Licensing Authority or District Licensing Agency, as the case may be, may have regard to the site of the premises in relation to neighbouring land use.
- “(8) **Subsection (5) (h)** applies subject to the Human Rights Act 1993.”

*Clause 97:* To omit from the *new section 229 (ec)* (as inserted by Supplementary Order Paper No. 205) the expression “(ea)”, and substitute the expression “(eb)”.

*Clause 102:* To insert, after *subclause 1 (a)* (as inserted by Supplementary Order Paper No. 205), the following paragraph:

- (aa) The licence contained a condition prohibiting the sale and supply of liquor before 1 pm on Anzac Day; and

To insert in *subclause (1) (b)*, after the words “Easter Sunday” (as inserted by Supplementary Order Paper No. 205), the words “and after 1 pm on Anzac Day”.

To insert, after *subclause (2) (a)* (as inserted by Supplementary Order Paper No. 205), the following paragraph:

- (aa) The licence contained a condition prohibiting the sale and delivery of liquor before 1 pm on Anzac Day; and

To insert in *subclause (2) (b)*, after the word “sale” (in line 3 on page 40), the words “and delivery”.

To insert in *subclause (2) (b)*, after the words “Easter Sunday” (as inserted by Supplementary Order Paper No. 205), the words “and after 1 pm on Anzac Day”.

*Clause 109: New section 116:* To omit the words “licence controller” (in line 10 on page 42), and substitute the word “manager”.

To omit the words “licence controller’s” (in line 12 on page 42), and substitute the word “manager’s”.

#### EXPLANATORY NOTE

The amendments in this Supplementary Order Paper—

- (a) Make 2 corrections to cross-references inserted by Supplementary Order Paper No. 205.

- (b) Recast *clause 13* so that its provisions relating to sales of alcohol on a Sunday can be brought into force before the other amendments in the clause.
- (c) Make amendments to the transitional provisions in *clause 102* in relation to Anzac Day.
- (d) Make amendments to *clause 109* to maintain consistency in terminology.