



ANNO TRICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1985

No. 94 of 1985

An Act to amend the Liquor Licensing Act, 1985.

[Assented to 25 October 1985]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. (1) This Act may be cited as the "Liquor Licensing Act Amendment Act (No. 2), 1985".

(2) The Liquor Licensing Act, 1985, is in this Act referred to as "the principal Act".

Insertion of new Division IIA.

2. The following Division is inserted after section 132 of the principal Act:

DIVISION IIA—REMOVAL OF CERTAIN RESTRICTIONS RELATING TO THE SALE AND CONSUMPTION OF LIQUOR DURING THE AUSTRALIAN FORMULA ONE GRAND PRIX

Interpretation.

132a. In this Division, unless the contrary intention appears—

"commissioned officer" means the Commissioner of Police, the Deputy Commissioner of Police and any commissioned officer within the meaning of the Police Regulation Act, 1952:

"declared period" means a declared period within the meaning of the Australian Formula One Grand Prix Act, 1984:

"prescribed period" means a period commencing 24 hours before the commencement of a declared period and ending 24 hours after the end of that period.

Removal of certain restrictions relating to the sale and consumption of liquor.

132b. (1) Subject to subsection (2), the following provisions apply during a prescribed period notwithstanding any other provision of this Act and the terms and conditions of a licence:

(a) the days on which and the hours during which liquor may be sold and consumed pursuant to a hotel licence, club

licence, retail liquor merchant's licence and general facility licence are unrestricted;

(b) a club licence authorizes the sale of liquor to an unlimited number of visitors introduced to the club premises by a member.

(2) Notwithstanding subsection (1), any terms and conditions of—

(a) a hotel licence;

or

(b) the general facility licence constituted by clause 13 (1) (k) of the schedule,

imposed by the licensing authority or by clause 16 of the schedule and that restrict the days on which, or the hours during which, liquor may be sold and consumed pursuant to the licence, remain in force.

132c. (1) Where, during a prescribed period—

(a) any activity on, or the noise emanating from, premises in respect of which a hotel licence, club licence, retail liquor merchant's licence or general facility licence is in force;

or

(b) the behavior of persons making their way to or from such premises,

is, in the opinion of a commissioned officer, unduly offensive, annoying, disturbing or inconvenient to any person who resides, works or worships in the vicinity of the licensed premises, the commissioned officer may issue directions prohibiting the activity, behaviour or noise or directing that the level of noise be reduced.

(2) A direction—

(a) may be verbal or in writing and may be issued to the licensee, the manager of the licensed premises or patrons of the business conducted at those premises;

(b) shall operate only during the prescribed period in which it was issued;

and

(c) may be revoked or varied at any time.

(3) A person who contravenes or fails to comply with a direction under this section is guilty of an offence.

132d. This Division expires on 30 June, 1986.

Control of noise,
etc., during
prescribed period.

Expiry of
Division.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor