

LEGISLATIVE ASSEMBLY

Read 1° 2 November 1988

(Brought in by Mr Jolly and Mr Fordham)

A BILL

to amend the *Liquor Control Act 1987* and for other purposes.

Liquor Control (Amendment) Act 1988

The Parliament of Victoria enacts as follows:

Purpose.

1. The purpose of this Act is to make provision for BYO permits for certain unlicensed clubs and make provision for persons under 18 years to be on certain licensed premises with the approval of the Commission.

Commencement.

2. This Act comes into operation on the day on which it receives the Royal Assent.

10 **Principal Act.**

3. In this Act the *Liquor Control Act 1987* is called the Principal Act. No. 97/1987.

BYO permits.

4. The Principal Act is amended as follows:
- 15 (a) In section 3—
- (i) in the definition of “Owner” omit “licensed”; and
 - (ii) in the definition of “Permit” omit “restaurant”; and

- (iii) in the definition of “Permittee” omit “restaurant”;
- (b) In section 54 (1), omit “restaurant”;
- (c) After section 54 (1) (a) insert—
 - “(ab) a condition that the premises are a restaurant or a club
in respect of which a licence is not in force; and”;
- (d) In section 54 (2), omit “restaurant”;
- (e) In section 63, omit “restaurant” (where twice occurring);
- (f) In section 73 (1), after “licence” insert “or BYO permit”;
- (g) In section 83 (1), omit “restaurant”;
- (h) In section 113 (5), omit “restaurant”;
- (i) In section 171—
 - (i) omit “restaurant” (where first occurring); and
 - (ii) for “restaurant” (where secondly occurring) substitute
“premises”;
- (j) In Schedule 3, in Item 30, omit “restaurant”;
- (k) In Schedule 3, after Item 30, insert—
 - “30A 45B (3) Unlicensed Club Permit BYO Permit”.

Minors on certain premises.

- 5. (1) After section 128 (2) (c) of the Principal Act insert—
 - “; or
 - (d) to the presence on licensed premises or authorised premises
of a person under the age of 18 years in accordance with the
approval of the Commission and any conditions to which
that approval is subject.
- (3) If the Commission grants or revokes an approval for the
purposes of sub-section (2) (d), the Commission must cause the licence
or permit to be endorsed accordingly.”.
- (2) After section 131 (1) (c) (iii) of the Principal Act insert—
 - “; or
 - (iv) unless, in accordance with the approval of the
Commission under section 128 (2) (d) and any
conditions to which that approval is subject, the person
is authorised to be present on the licensed premises.”.

Miscellaneous amendments.

- 6. The Principal Act is amended as follows:
 - (a) In section 58 (1) (d), after “the Commissioner,” insert “the
Deputy Commissioner,”;

- (b) In section 140 (e), after “the Commissioner,” insert “the Deputy Commissioner,”;
- (c) In section 160(3)(b), for “cirmcumstance” substitute “circumstance”;
- 5 (d) In section 172 (2)—
 - (i) omit “or permit” (where first occurring); and
 - (ii) in paragraph (a), omit “or permit”; and
 - (iii) in paragraph (c), omit “*or permit*”;
- (e) In section 176 (3), for “99A” substitute “82A”;
- 10 (f) Section 177 is repealed.



