

Queensland



Liquor Act 1992

LIQUOR REGULATION 1992

Reprinted as in force on 7 February 2001
(includes amendments up to SL No. 325 of 2000)

Reprint No. 7

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 7 February 2001. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



LIQUOR REGULATION 1992

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	5
1A	Definitions	5
PART 2—EXEMPTIONS		
2	Exemptions from application of Act	5
PART 3—APPLICATIONS		
3	Particulars to be stated fully	6
4	Particulars to accompany application for licence	6
5	Particulars to accompany application for transfer of licence	8
6	Time for making applications for permits	8
6A	Restrictions on grant of general purpose permit	9
PART 3A—APPROVED PREMISES		
6B	Definitions	9
6C	Restrictions on approval of premises	9
6D	Conditions on approval of premises	10
6E	Licensee's right to occupy approved premises ends	11
6F	Expiry of approval if business not conducted	11
6G	Sampling of liquor on approved premises	11
PART 4—APPLICATIONS CONCERNING AREA OF COUNCIL		
7	Application of part	12
8	Application of other provisions of regulation	12
9	Requirements for application	12
10	Additional requirements for application by council	12
11	Notice of application	13

Liquor Regulation 1992

12	Objection to grant of application	13
13	Requirements for objection by petition	14
14	Council to consider all objections	14
15	Council to make submission concerning application made by another person	15
16	Conference by chief executive	16
17	Decision by chief executive	17
	PART 5—OBLIGATIONS OF LICENSEES AND PERMITTEES	
18	Alteration of licensed premises	17
19	Particulars required in record of transactions	18
19A	Application of s 143 of the Act	19
19AB	Responsible practices in the service, supply and promotion of liquor	19
	PART 5A—OBLIGATIONS OF OTHER PARTIES	
19B	Monitoring of applications for designation	20
	PART 5B—ADULT ENTERTAINMENT PERMITS	
19C	Definitions for pt 5B	21
19D	Authority of permit	21
19E	Approved area to conform with requirements	22
19F	Application for permit	22
19G	Proposed management plan	22
19H	Suitability of applicant for permit	23
19I	Advertising in relation to adult entertainment	23
19J	Restriction on number of permits that may be issued	24
	PART 6—FEES	
20	Particulars required in returns	24
21	Liquor excluded from assessment of fees	25
22	Fees payable for specific purposes	25
23	Additional fee under s 204 of the Act	26
25	Fee payable where none is otherwise specified	26
	PART 7—MISCELLANEOUS	
26	Proof of age card	27
27	Proposed amendment to club rules	27

	SCHEDULE 1	28
	FEEES	
	SCHEDULE 2	31
	DICTIONARY	
	ENDNOTES	
1	Index to endnotes	32
2	Date to which amendments incorporated	32
3	Key	33
4	Table of earlier reprints	33
5	Tables in earlier reprints	34
6	List of legislation	34
7	List of annotations	35

LIQUOR REGULATION 1992

[as amended by all amendments that commenced on or before 7 February 2001]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Liquor Regulation 1992*.

Definitions

1A. The dictionary in schedule 2 defines particular words used in this regulation.

PART 2—EXEMPTIONS

Exemptions from application of Act

- 2.(1) The Act does not apply to—
 - (a) a sale in good faith of spirituous or distilled perfume as perfumery; or
 - (b) a sale of spirituous cooking essence, other than for use as a beverage or for manufacturing a beverage, if—
 - (i) the essence is sold in a container containing not more than—
 - (A) if the essence is vanilla essence—100 ml; or
 - (B) in any other case—50 ml; or
 - (ii) the sale is by wholesale; or
 - (c) a sale of liquor in a refreshment room of Parliament House by permission and under control of the Parliament; or

- (d) a sale of liquor in the lawful operation of an Australian Defence Force canteen; or
- (e) a sale in good faith by any apothecary, chemist or druggist of spirits or wine as medicine or for medicinal or chemical purposes; or
- (f) a sale at auction conducted by a licensed auctioneer—
 - (i) of liquor on behalf of a person who is authorised by the Act to sell the liquor; or
 - (ii) by order of a trustee under the *Bankruptcy Act 1966* (Cwlth), of liquor held by the trustee as trustee under that Act; or
 - (iii) by order of the executor, administrator or trustee of the estate of a deceased person, of liquor that is the property of the deceased's estate; or
 - (iv) by order of the public trustee, of liquor that is the property of an estate in course of administration by the public trustee; or
- (g) a sale during actual flight of an aircraft that is unlicensed premises of liquor to a passenger on the aircraft made by or on behalf of the operator of the aircraft and for consumption of the liquor during the flight.

(2) The Act does not apply to the carrying or exposure in an aircraft that is unlicensed premises of liquor for sale as permitted by subsection (1)(g).

PART 3—APPLICATIONS

Particulars to be stated fully

3. An application for a licence or permit must state fully the particulars required by the form approved by the chief executive as the form of application for the licence or permit concerned.

Particulars to accompany application for licence

4. An application for a licence must be accompanied by—

Liquor Regulation 1992

- (a) in the case of an application for a general licence, a residential licence or a special facility licence—a typical menu of meals provided or to be provided on the premises to which the application relates; and
- (b) in the case of an application for an on-premises licence for premises where meals are to be provided—a typical menu of the meals; and
- (c) in the case of an application for any licence other than a club licence or a producer/wholesaler licence—a description of the general nature and character of the premises to which the application relates; and
- (d) in the case of an application relating to premises on land—a copy of the registered plan of survey and of the instrument of title of the land, and a description of each proposed licensed area on the premises; and
- (e) in the case of an application relating to premises where entertainment is to be provided—details of the type and nature of the entertainment; and
- (f) in the case of an application for any licence other than a producer/wholesaler licence—evidence of the acoustic qualities of the premises to which the application relates; and
- (g) in the case of all applications for a licence—
 - (i) a plan (drawn to scale) of the premises to which the application relates, showing the general layout of the premises; and
 - (ii) a plan showing the location of the premises to which the application relates in relation to adjacent premises; and
 - (iii) verification of the identity of the applicant and the nominee, who, in either case, is a natural person by any means acceptable to the chief executive; and
 - (iv) evidence that conducting the proposed business on the premises is a permitted use under the relevant local government's planning scheme.

Particulars to accompany application for transfer of licence

5. An application for transfer of a licence must be accompanied by—

- (a) in the case of an application for transfer of a licence—
 - (i) if the current licensee is the holder of a licence to which section 205(2)¹ of the Act applies—a return of all liquor purchased or otherwise obtained for the licensed premises in the period—
 - (A) starting on the day on which the current licensee obtained the licence or 1 July before the day on which the application was made, whichever is later; and
 - (B) ending on the day on which the application is made; or
 - (ii) if the current licensee is the holder of a licence or certificate to which section 205(3) of the Act applies—a return of all liquor sold or supplied under authority of the licence or certificate in the period—
 - (A) starting on the day on which the current licensee obtained the licence or certificate or 1 July before the day on which the application was made, whichever is later; and
 - (B) ending on the day on which the application is made; and
- (b) in the case of all applications for transfer—
 - (i) the current licence; and
 - (ii) verification of the identity of the transferee and the nominee, who, in either case, is a natural person, in any way acceptable to the chief executive.

Time for making applications for permits

6.(1) An application for—

- (a) a general purpose permit; or
- (b) an extended hours permit (other than an extended hours permit

¹ Section 205 (Filing of returns) of the Act

that would extend trading hours on a regular basis); or

- (c) a permit for a temporary variation of trading hours for 1 occasion or event; or
- (d) a restricted club permit;

must be made at least 21 days before the day on which the permit is to take, or first take, effect.

(2) An application for an adult entertainment permit for 1 occasion must be made at least 8 weeks before the day on which the permit is to take effect.

Restrictions on grant of general purpose permit

6A. The chief executive may grant a general purpose permit only—

- (a) to a non-proprietary club; or
- (b) if the chief executive is satisfied all proceeds from the sale of liquor under the permit will be used for the benefit of the community.

PART 3A—APPROVED PREMISES

Definitions

6B. In this part—

“**approved premises**” means premises for which an approval is given under section 59(1)(d)² of the Act.

“**main licensed premises**” see section 6C.

Restrictions on approval of premises

6C.(1) The chief executive may approve premises under section 59(1)(d)

² Section 59 (Authority of general licence) of the Act

of the Act only if—

- (a) the applicant is the licensee of licensed premises (the “**main licensed premises**”); and
- (b) the applicant has no more than 2 approved premises for the main licensed premises; and
- (c) the proposed approved premises—
 - (i) are no more than 10 km by road from the main licensed premises; and
 - (ii) have a floor area of not more than 150 m²; and
 - (iii) do not have direct access from any other business premises; and
 - (iv) have direct access from a public place; and
 - (v) do not have a facility for drive-in service of liquor.

(2) Subsection (1)(c)(i) does not apply if the proposed approved premises are in a remote area that does not have premises from which liquor is sold to the public for consumption off the premises.

Example of subsection (2)—

A small rural community more than 10 km from the nearest premises from which takeaway liquor is sold to the public.

Conditions on approval of premises

6D.(1) An applicant for approval under section 59(1)(d) of the Act must satisfy the chief executive that—

- (a) conducting the proposed business on the premises (the “**new business**”) is a permitted use under the relevant local government’s planning scheme; and
- (b) if the applicant is not the owner of the proposed approved premises—the applicant has the owner’s written agreement to the application; and
- (c) only the applicant has a right to occupy the proposed approved premises; and
- (d) the same person or entity will have the financial benefit of both

the new business and the business conducted at the main licensed premises; and

- (e) the applicant will conduct the new business under the same business name as the business conducted at the main licensed premises; and
- (f) the licensee's principal place of business will be the main licensed premises.

(2) If there is a condition in the applicant's tenancy agreement for the premises that the owner will not grant anyone else the right to occupy another part of the premises as approved premises, the applicant must also satisfy the chief executive that the condition was not included in the agreement at the request of the applicant.

Licensee's right to occupy approved premises ends

6E. If a licensee's right to occupy the approved premises ends, the licensee must apply to the chief executive for approval under section 154(2)³ of the Act to change the area of the licensed premises.

Expiry of approval if business not conducted

6F.(1) If a licensee who has the chief executive's approval under section 59(1)(d) of the Act does not start to conduct business within 60 days after receiving the approval, the approval expires.

(2) However, if an appeal is made against the chief executive's decision and the tribunal's decision on the appeal allows the licensee to start to conduct the business, the licensee must start to conduct the business within 60 days after the day the appeal is decided.

(3) If the licensee does not start to conduct the business within 60 days after the appeal is decided, the approval expires.

Sampling of liquor on approved premises

6G. The holder of a general licence may supply liquor for consumption

³ Section 154 (Alteration and maintenance of licensed premises) of the Act

on approved premises only if—

- (a) the supply is for persons to sample the liquor; and
- (b) no charge is made for the liquor.

PART 4—APPLICATIONS CONCERNING AREA OF COUNCIL

Application of part

7. This part applies to an application for—

- (a) the grant of a licence or permit; or
- (b) a variation or transfer of a licence or permit;

in relation to premises in a community area of a council.

Application of other provisions of regulation

8. Parts 3 and 6 apply to an application to which this part applies.

Requirements for application

9. The application must be—

- (a) made in writing to the chief executive; and
- (b) signed by the applicant.

Additional requirements for application by council

10. If the application is made by the council, the application must be accompanied by—

- (a) particulars of any consultation with residents of the community area; and
- (b) particulars of any residents' opinions ascertained by the council in relation to the application.

Notice of application

11.(1) If the application is not an application for—

- (a) a general purpose permit; or
- (b) an extended hours permit (other than an extended hours permit that would extend trading hours on a regular basis); or
- (c) a permit for a temporary variation of trading hours for 1 occasion or event;

this section applies to the application.

(2) The applicant must—

- (a) cause notice of the application to be displayed, by way of a sign—
 - (i) on the premises to which the application relates; and
 - (ii) in at least 1 prominent place in the community area concerned; and
- (b) ensure that the notice is displayed in accordance with paragraph (a) conspicuously on the premises for 28 days immediately before the last day for making objections to the application.

(3) The notice must specify—

- (a) the type of the application; and
- (b) the location of the premises to which the application relates.

(4) The sign must be—

- (a) in a form approved by the chief executive; and
- (b) of such dimensions (including dimensions of the print) as are approved by the chief executive;

either generally or in a particular case.

(5) The applicant must give the chief executive evidence of the display of the sign.

Objection to grant of application

12.(1) If section 11 applies to the application, any adult resident of the

community area may object to the grant of the application.

(2) The objection must be made by writing given to the council on or before the last day for making objections to the application as specified in the notice under section 11.

(3) The objection may be made individually or by petition.

(4) The grounds on which the objection may be made are that, if the application were granted—

- (a) undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
- (b) the amenity, quiet or good order of the locality concerned would be lessened in some way.

(5) If the application is made by the council, the council must give to the chief executive a copy of each objection given to it within 14 days after the day mentioned in subsection (2).

Requirements for objection by petition

13. If an objection is by petition, the objection may be disregarded unless—

- (a) the first and each subsequent page of the petition bears an identical heading that clearly specifies the subject matter of the petition, so positioned as to be clearly legible to every person whose signature on the petition is sought; and
- (b) each signatory to the petition adds particulars of his or her address.

Council to consider all objections

14. The council must consider all objections properly made to it.

Council to make submission concerning application made by another person

15.(1) If the application is referred to the council for its consideration, the council must submit to the chief executive, in writing—

- (a) its recommendation as to whether or not the application should be granted; and
- (b) the reasons for its recommendation.

(2) If the application is for—

- (a) a licence other than a club licence; or
- (b) an extended hours permit that would extend trading hours on a regular basis;

the applicant must satisfy the council that, having regard to—

- (c) the number and condition of licensed premises already existing in the locality to which the application relates; and
- (d) the distribution of licensed premises already existing throughout the locality; and
- (e) the extent and quality of services provided, or to be provided, by licensed premises already existing; and
- (f) whether the services that would be provided, if the application is granted, could be adequately provided through licensed premises already existing by way of orders of the chief executive or requisitions of investigators; and
- (g) any other relevant matter as to which the council seeks to be satisfied;

the licence or permit applied for is necessary to provide for the reasonable requirements of the public in the locality to which the application relates for liquor and related services that would be provided if the application were granted.

(3) In considering what the requirements of the public in a locality may be, the council must take into account the matters mentioned in subsection (2) and must have regard to—

- (a) the population of the locality to which the application relates and

- the foreseeable population growth in the locality; and
- (b) the number and kinds of persons residing in, resorting to or passing through the locality, or likely in the foreseeable future to do so, and their respective expectations; and
 - (c) the extent to which any requirement or expectation—
 - (i) varies during different periods or at different times; and
 - (ii) is lawfully met by other premises, licensed or unlicensed; and
 - (d) the likely health and social impact that the grant of an application would have on the population of the locality to which the application relates.

(4) If the applicant fails to satisfy the council as prescribed by subsection (2), the council must recommend that the application should not be granted.

(5) The recommendation and reasons must be submitted by the council to the chief executive within 28 days after the application is referred to the council.

(6) In deciding the application, the chief executive must have regard to the recommendation and reasons.

(7) In this section—

“licensed premises already existing” includes premises in relation to which an application for a licence or permit to which subsection (2) applies has been granted.

Conference by chief executive

16.(1) If the chief executive considers it desirable that a conference of interested persons be held, the chief executive may participate in a conference with interested persons or their representatives.

(2) For the purposes of subsection (1), an interested person includes—

- (a) the council; and
- (b) a person who has properly made an objection to the application; and

- (c) any resident of the community area who has, or any body of residents of the community area that has, in the chief executive's opinion, a proper interest in the locality concerned or is likely to be affected by the grant of the application.

Decision by chief executive

17.(1) The chief executive may—

- (a) grant the application; or
- (b) refuse the application.

(2) If the chief executive grants the application, the licence is subject to the conditions (if any) specified in the licence or permit.

(3) If the chief executive refuses the application, the chief executive must notify the applicant in writing of—

- (a) the refusal; and
- (b) the reasons for the refusal.

PART 5—OBLIGATIONS OF LICENSEES AND PERMITTEES

Alteration of licensed premises

18.(1) A notice mentioned in section 154(1)⁴ of the Act or an application for the chief executive's approval under section 154(2) of the Act must be accompanied by—

- (a) a sketch of the layout of the licensed premises showing the alteration; and
- (b) a written description of the extent of the alteration.

(2) The licensee of licensed premises that have been altered, whether by the owner or the licensee, must give to the chief executive, within 14 days

⁴ Section 154 (Alteration and maintenance of licensed premises) of the Act

after completion of the alteration—

- (a) if the alteration, with the chief executive's approval, resulted in an increase or decrease in the area used for the conduct of business under the authority of the licence—the licence for endorsement; and
- (b) a sketch of the layout of the licensed premises showing the alteration; and
- (c) a written description of the extent of the alteration.

Maximum penalty—10 penalty units.

Particulars required in record of transactions

19. The particulars that a record of transactions must contain to satisfy the obligation prescribed for a licensee by section 217⁵ of the Act are—

- (a) in the case of all licensees—
 - (i) the quantity of liquor (expressed in litres) purchased or otherwise obtained for the licensed premises in each of the categories—
 - beer
 - wine
 - spirits; and
 - (ii) the name and business addresses of the persons from whom the liquor was purchased or obtained; and
 - (iii) the gross amount paid or payable for the liquor; and
- (b) in the case of a licensee who holds a producer/wholesaler licence, or a limited licence relating to premises used for conduct of a business selling wines by a person who holds a certificate of registration under the *Wine Industry Act 1974* as a vigneron-vintner—
 - (i) the quantity of liquor, expressed in litres and a dollar amount, sold or supplied under authority of the licence in

⁵ Section 217 (Records to be kept by licensee) of the Act

Liquor Regulation 1992

each of the following categories—

- (A) low strength beer;
 - (B) medium strength beer;
 - (C) heavy strength beer;
 - (D) brewed products other than beer, including, for example, brewed alcoholic lemonade and cider;
 - (E) bottled wine;
 - (F) cask wine;
 - (G) bulk wine;
 - (H) fortified wine;
 - (I) fermented products other than bottled, bulk, cask or fortified wine, including, for example, wine based soda;
 - (J) spirits mixed with other beverages;
 - (K) spirits that are not mixed with other beverages; and
- (ii) the name of the person to whom the liquor was sold or supplied; and
 - (iii) the gross amount paid or payable for the liquor.

Application of s 143 of the Act

19A. Section 143⁶ of the Act applies to the licensee of approved premises as if the approved premises were the main licensed premises.

Responsible practices in the service, supply and promotion of liquor

19AB.(1) The holder of a licence or permit must behave responsibly in the service, supply and promotion of liquor.

(2) The holder must not engage in a practice or promotion that may encourage rapid or excessive consumption of liquor.

⁶ Section 143 (Particulars to be displayed on premises) of the Act

Liquor Regulation 1992

Examples—

- promoting the consumption of drinks known as ‘laybacks’, ‘shooters’ or ‘test-tubes’
- promoting ‘free drinks for 2 hours’, ‘3 drinks for the price of 1’ or ‘all you can drink for \$10.00’.

(3) The holder must engage in practices and promotions that encourage the responsible consumption of liquor.

Examples—

- promoting the consumption of light or low alcohol drinks
- serving food with drinks to slow the rate of consumption of drinks and the absorption of alcohol
- supplying liquor in standard or recognisable quantities
- serving half measures of spirits on request.

(4) The holder must provide and maintain a safe environment in and around the licensed premises.

Examples—

- arranging the supply and convenient positioning of public telephones displaying taxi and emergency numbers
- providing lighting outside the external doors of the premises
- not promoting activities that might encourage harassment by patrons of the staff or other patrons.

PART 5A—OBLIGATIONS OF OTHER PARTIES

Monitoring of applications for designation

19B.(1) Each local government must give written notice to the chief executive of the number of applications received each year for designation of a public place under section 173C⁷ of the Act.

⁷ Section 173C (Local government may designate public places where liquor may be consumed) of the Act

(2) The notice must—

- (a) be given to the chief executive on or before 31 January of the year after the year to which the notice relates; and
- (b) contain—
 - (i) the name of each applicant; and
 - (ii) a description of the place for which the designation was sought; and
- (c) state whether a designation was made.

PART 5B—ADULT ENTERTAINMENT PERMITS

Definitions for pt 5B

19C. In this part—

“permit” means an adult entertainment permit.

“permittee” means the holder of an adult entertainment permit.

Authority of permit

19D. For section 103G(3)⁸ of the Act, it is a condition of a permit that—

- (a) the permittee must comply with the management plan submitted by the permittee with the application for the permit; and
- (b) the permit does not authorise adult entertainment on Christmas Day or Good Friday; and
- (c) the permittee must ensure that spruiking or touting for business must not occur at, outside or in the proximity of, the permittee’s premises; and
- (d) the permittee must keep a daily register of the name of the

⁸ Section 103G (Authority of adult entertainment permit) of the Act

controller for the permittee's premises and the controller's hours of duty.

Approved area to conform with requirements

19E.(1) For section 103H(c)⁹ of the Act, the area must consist of an open room or other area that allows a person attending the entertainment to view the entertainment from any part of the room or area.

(2) Without limiting subsection (1), the area must not—

- (a) have any walls or partitions, whether transparent or not, that separate or divide, or could be used to separate or divide, the area; or
- (b) contain furniture that screens, or could be used to screen, a part of the area from the remainder of the area.

Application for permit

19F. For section 105(c)¹⁰ of the Act, an application for a permit must be accompanied by the full name, and date and place of birth, of each of the following persons for the permit—

- (a) the applicant;
- (b) the nominee;
- (d) associates of the persons mentioned in paragraphs (a) and (b).

Proposed management plan

19G. For section 107A(d)¹¹ of the Act, a proposed management plan must provide for the following—

- (a) a layout plan of the proposed area, in a scale of 1:100, showing the following—

⁹ Section 103H (Approved area to conform with requirements) of the Act

¹⁰ Section 105 (Requirements for applications) of the Act

¹¹ Section 107A (Restriction on grant of adult entertainment permit) of the Act

- (i) the liquor service points;
 - (ii) how the area will be fully enclosed to prevent a person outside the area from seeing inside the area;
 - (iii) the audience seating area;
 - (iv) any stage area and how it will be separated from the audience;
 - (v) the performers' change rooms;
- (b) the minimum number of staff and security persons who will be on duty in the area during performances;
- (c) the name and contact details of the promoter of the adult entertainment.

Suitability of applicant for permit

19H.(1) For section 107B(1)(h), any previous conduct of the business of providing adult entertainment by the applicant is a relevant matter.

(2) In this section—

“**adult entertainment**” includes entertainment provided before this section commenced that would constitute adult entertainment if the entertainment were provided after the commencement.

Advertising in relation to adult entertainment

19I.(1) A person must not publish, or cause to be published, an advertisement in relation to adult entertainment if the advertisement—

- (a) contain graphics or a photograph; or
- (b) for an advertisement in the print media—is more than 8 cm x 5 cm in size.

Maximum penalty—10 penalty units.

(2) In this section—

“**advertisement**” includes a coaster, circular, flier, matchbox, napkin or sign.

Restriction on number of permits that may be issued

19J.(1) The chief executive may grant only 6 one-off permits in a year for particular premises.

(2) If a person provides, or intends to provide, adult entertainment at particular premises on more than 6 occasions in a year, the person must apply for an annual permit for the premises.

(3) In this section—

“**one-off permit**”, for licensed premises, means a permit to provide adult entertainment for 1 occasion at the premises.

PART 6—FEES**Particulars required in returns**

20. The particulars that a return under section 205¹² of the Act must contain are—

- (a) in the case of a return under section 205(2) of the Act—
 - (i) the quantity of liquor (expressed in litres) purchased or otherwise obtained for the licensed premises in each of the categories—
 - beer
 - wine
 - spirits; and
 - (ii) the name and business addresses of the persons from whom the liquor was purchased or obtained; and
 - (iii) the gross amount paid or payable for the liquor; and
- (b) in the case of a return filed under section 205(3) of the Act by the holder of a producer/wholesaler licence—

¹² Section 205 (Filing of returns) of the Act

- (i) the quantity of liquor, expressed in litres and a dollar amount, sold or supplied under authority of the licence in each of the following categories—
 - (A) low strength beer;
 - (B) medium strength beer;
 - (C) heavy strength beer;
 - (D) brewed products other than beer, including, for example, brewed alcoholic lemonade and cider;
 - (E) bottled wine;
 - (F) cask wine;
 - (G) bulk wine;
 - (H) fortified wine;
 - (I) fermented products other than bottled, bulk, cask or fortified wine, including, for example, wine based soda;
 - (J) spirits mixed with other beverages;
 - (K) spirits that are not mixed with other beverages; and
- (ii) the name of the persons to whom the liquor was sold or supplied; and
- (iii) the gross amount paid or payable for the liquor.

Liquor excluded from assessment of fees

21. Liquor that is sold or supplied by the holder of a producer/wholesaler licence to the operator of a liquor outlet at an airport controlled by or on behalf of the Commonwealth is a description of liquor to which section 206(d)¹³ of the Act applies.

Fees payable for specific purposes

22. The fees payable to the chief executive are the fees set out in schedule 1.

¹³ Section 206 (Factors affecting assessment of fees) of the Act

Additional fee under s 204 of the Act

23.(1) The additional fee under section 204¹⁴ of the Act for the current licence period is—

- (a) if the approval is for the whole licence period—\$540.00; and
- (b) if the approval is not for the whole licence period—calculated using the following formula—

$$\text{\$546.00} \quad \times \quad \frac{\text{number of months}}{12}.$$

(2) The additional fee is payable—

- (a) if subsection (1)(a) applies—at the beginning of the licence period; and
- (b) if subsection (1)(b) applies—on the day the approval takes effect.

(3) In this section—

“number of months” means the number of months from and including the month in which the approval takes effect to and including the following June.

Fee payable where none is otherwise specified

25.(1) A fee of \$75.50 is payable to the chief executive in relation to any application under the Act for which a fee is not otherwise specified by this regulation.

(2) Subsection (1) does not apply to an application for an on-premises licence in relation to premises of which the primary purpose is their use for the purpose mentioned in section 69(1)(g)¹⁵ of the Act.

¹⁴ Section 204 (Additional fee for bars in certain premises) of the Act

¹⁵ Section 69 (Restriction on grant of on-premises licence) of the Act

PART 7—MISCELLANEOUS

Proof of age card

26. For section 6(a)(i)(A)¹⁶ of the Act, the department that deals with matters arising under the *Transport Operations (Road Use Management) Act 1995* may issue a proof of age card that is acceptable evidence of a person's age.

Proposed amendment to club rules

27. Sections 88(1)(b)(i) and 103D(1)(b)(i)¹⁷ of the Act do not apply to amendments of the rules of a club other than amendments about—

- (a) eligibility for membership of the club; and
- (b) categories of membership of the club; and
- (c) eligibility for election to the club's management committee; and
- (d) voting rights of the club's members; and
- (e) functions of the club's management committee; and
- (f) payment to an officer or employee of the club; and
- (g) the club's non-proprietary status.

¹⁶ Section 6 (Acceptable evidence of age) of the Act

¹⁷ Sections 88 and 103D (Requirements of club and secretary) of the Act

SCHEDULE 1

FEES

section 22

\$

Licences

1.(1) Application for—

(a) a general licence	1 105.00
(b) a residential licence	1 105.00
(c) an on-premises licence	1 105.00
(d) a club licence	1 105.00
(e) a special facility licence	1 105.00
(f) a limited licence	116.50
(g) a producer/wholesaler licence	1 105.00

(2) However, no fee is payable under subitem (1)(c) if the primary purpose of the premises to which the licence relates is the purpose stated in section 69(1)(g) of the Act.

2. Application—

(a) for a temporary variation of the trading hours stated in a licence for 1 occasion	27.00
(b) to vary a licence in another way	106.50
(c) to transfer a licence	193.50
(d) for the chief executive’s approval to change the area of licensed premises	50.00
(e) for a duplicate licence	75.50
(f) for a temporary authority under section 125 of the Act	106.50

Permits

3. Application for—

(a) an extended hours permit—	
(i) that would extend trading hours on a regular basis	106.50
(ii) in any other case	27.00

SCHEDULE 1 (continued)

(b) a general purpose permit	27.00
(c) a restricted club permit (for each period of 3 months, or part of 3 months, for which the permit is sought)—	
(i) if the times for the sale of liquor under the permit total not more than 10 hours a week . . .	53.50
(ii) if the times for the sale of liquor under the permit total more than 10 hours but not more than 21 hours a week	107.50
(d) an adult entertainment permit—	
(i) to provide adult entertainment for an occasion of not more than 3 consecutive days	200.00
(ii) to provide adult entertainment for a year	1 200.00
(iii) to extend, on a regular basis, the hours during which adult entertainment may be provided . .	1 200.00
(iv) to change the controller for the permit	100.00
(v) to make another change to existing permit—	
(A) with site inspection	150.00
(B) without site inspection	50.00
4. Application to renew an extended hours permit	27.00
5. Application for a duplicate permit	75.50
Miscellaneous applications	
6. Application for—	
(a) acceptance of the nomination of a new or additional nominee	193.50
(b) approval to let, sublet or enter into a franchise or management agreement for all or part of licensed premises	193.50
(c) authority under section 131A of the Act to conduct business on licensed premises	193.50
(d) an extension of time to comply with a condition of the provisional grant of a licence	193.50
(e) approval under section 152 of the Act in relation to conducting a business or supplying a service on licensed premises	75.50
(f) approval to change the name of licensed premises .	50.00

SCHEDULE 1 (continued)

(g) an extension of the times stated in a restricted club permit for the sale and consumption of liquor	27.00
(h) approval of premises under section 59(1)(d) of the Act for the sale of liquor under authority of a general licence	584.50
Particulars of interest in licence	
7. Giving particulars of an interest in a licence to the chief executive under section 44A(2) of the Act	50.00
Summons to witness	
8. Application for a notice under section 27(1) of the Act	21.50
Inspection and search of records	
9. Inspection of the register	21.50
10. Provision of information from the register consisting of—	
(a) a list that gives information about—	
(i) up to 50 licensed premises	17.50
(ii) 51 to 1 500 licensed premises	50.00
(iii) more than 1 500 licensed premises	106.50
(b) names and addresses on self-adhesive labels, for—	
(i) up to 50 labels	107.50
(ii) 51 to 1 500 labels	246.50
(iii) more than 1 500 labels	508.50

SCHEDULE 2**DICTIONARY**

section 1A

“bottled wine” means wine sold in a bottle with a capacity of not more than 1.5 L.

“bulk wine” means wine sold for bottling elsewhere or for blending with another wine.

“cask wine” means wine sold in a container with a capacity of 2 L or more but not more than 20 L.

“fortified wine” includes frontignac, madeira, marsala, muscat, port, sherry and tokay.

“heavy strength beer” means beer in which the alcohol content by volume is 4% or more.

“low strength beer” means beer in which the alcohol content by volume is less than 3%.

“medium strength beer” means beer in which the alcohol content by volume is 3% or more but less than 4%.

“register” means the Register of Licences and Permits.

ENDNOTES**1 Index to endnotes**

	Page
2 Date to which amendments incorporated	32
3 Key	33
4 Table of earlier reprints	33
5 Tables in earlier reprints	34
6 List of legislation	34
7 List of annotations	35

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 7 February 2001. Future amendments of the Liquor Regulation 1992 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	1 August 1992
2	to SL No. 421 of 1992	22 April 1993
3	to SL No. 249 of 1993	27 July 1993
4	to SL No. 230 of 1994	6 September 1994
5	to SL No. 410 of 1994	22 December 1994
6	to SL No. 197 of 1995	28 July 1995
6A	to SL No. 156 of 1996	26 September 1996
6B	to SL No. 174 of 1997	5 August 1997
6C	to SL No. 297 of 1998	5 November 1999
6D	to SL No. 286 of 1999	2 December 1999
6E	to SL No. 72 of 2000	21 July 2000
6F	to SL No. 325 of 2000	12 December 2000

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Corrected minor errors	1, 5

6 List of legislation

Liquor Regulation 1992 SL No. 162

made by the Governor in Council on 18 June 1992
 pubd gaz 19 June 1992 pp 1431–48
 commenced on date of publication
exp 1 September 2002 (see SIA s 54)

as amended by—

Liquor Amendment Regulation (No. 2) 1992 SL No. 299

notfd gaz 16 October 1992 pp 672–5
 commenced on date of notification

Liquor Amendment Regulation (No. 3) 1992 SL No. 421

notfd gaz 18 December 1992 pp 1988–96
 commenced on date of notification

Liquor Amendment Regulation (No. 1) 1993 SL No. 249

notfd gaz 1 July 1993 pp 1129–30
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1993 (see s 2)

Liquor Amendment Regulation (No. 1) 1994 SL No. 230

notfd gaz 1 July 1994 pp 1170–7
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1994 (see s 2)

Liquor Amendment Regulation (No. 2) 1994 SL No. 410

notfd gaz 2 December 1994 pp 1435–7
 commenced on date of notification

Liquor Amendment Regulation (No. 1) 1995 SL No. 164

notfd gaz 9 June 1995 pp 1165–71
 commenced on date of notification

Liquor Amendment Regulation (No. 2) 1995 SL No. 197

notfd gaz 22 June 1995 pp 1281A–1281D
 commenced on date of notification

Liquor Amendment Regulation (No. 1) 1996 SL No. 156

notfd gaz 28 June 1996 pp 1164–70
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1996 (see s 2)

Liquor Amendment Regulation (No. 1) 1997 SL No. 174

notfd gaz 27 June 1997 pp 1004–1010
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1997 (see s 2)

Liquor Amendment Regulation (No. 1) 1998 SL No. 297

notfd gaz 13 November 1998 pp 982–3
 commenced on date of notification

Road Transport Reform Regulation 1999 SL No. 286 ss 1, 2(2), 4 sch 2

notfd gaz 19 November 1999 pp 1149–52
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 December 1999 (see s 2(2))

Liquor Amendment Regulation (No. 1) 2000 SL No. 72

notfd gaz 20 April 2000 pp 1533–6
 ss 5, 8, 10 commenced 1 July 2000 (see s 2)
 remaining provisions commenced on date of notification

Liquor Amendment Regulation (No. 2) 2000 SL No. 325

notfd gaz 8 December 2000 pp 1374–7
 commenced on date of notification

7 List of annotations

Definitions

s 1A ins 1996 SL No. 156 s 4
 sub 2000 SL No. 72 s 4

Exemptions from application of Act

s 2 amd 1994 SL No. 410 s 3; 1998 No. 297 s 3

Particulars to accompany application for licence

s 4 amd 1994 SL No. 410 s 4

Particulars to accompany application for transfer of licence

s 5 amd 1994 SL No. 410 s 5

Time for making applications for permits

s 6 sub 1992 SL No. 299 s 3
 amd 1994 SL No. 410 s 6; 2000 SL No. 72 s 5

Restrictions on grant of general purpose permit

s 6A ins 1994 SL No. 410 s 7

PART 3A—APPROVED PREMISES

pt hdg ins 1994 SL No. 410 s 8

Definitions

s 6B ins 1994 SL No. 410 s 8

Restrictions on approval of premises

s 6C ins 1994 SL No. 410 s 8
amd 2000 SL No. 325 s 3

Conditions on approval of premises

s 6D ins 1994 SL No. 410 s 8

Licensee's right to occupy approved premises ends

s 6E ins 1994 SL No. 410 s 8

Expiry of approval if business not conducted

s 6F ins 1994 SL No. 410 s 8
amd 2000 SL No. 72 s 6

Sampling of liquor on approved premises

s 6G ins 1994 SL No. 410 s 8

Notice of application

s 11 amd 1992 SL No. 299 s 4

Council to make submission concerning application made by another person

s 15 amd 1994 SL No. 410 s 9

Alteration of licensed premises

s 18 amd 1994 SL No. 410 s 10

Particulars required in record of transactions

s 19 amd 2000 SL No. 72 s 7

Application of s 143 of the Act

s 19A ins 1994 SL No 410 s 11

Responsible practices in the service, supply and promotion of liquor

s 19AB ins 1995 SL No. 164 s 3

PART 5A—OBLIGATIONS OF OTHER PARTIES

pt hdg ins 1994 SL No. 410 s 12

Monitoring of applications for designation

s 19B ins 1994 SL No. 410 s 12

PART 5B—ADULT ENTERTAINMENT PERMITS

pt 5B (ss 19C–19J) ins 2000 SL No. 72 s 8

Particulars required in returns

s 20 amd 2000 SL No. 72 s 9

Fees payable for specific purposes

s 22 amd 1992 SL No. 299 s 5
sub 1993 SL No. 249 s 4
amd 2000 SL No. 72 s 10

Additional fee under s 204 of the Act

s 23 sub 1992 SL No. 421 s 3
amd 1993 SL No. 249 s 5; 1994 SL No. 230 s 4
sub 1994 SL No. 410 s 13
amd 1995 SL No. 197 s 3; 1996 SL No. 156 s 5; 1997 SL No. 174 s 4

Minimum licence fee

s 24 om 1992 SL No. 299 s 6

Fee payable where none is otherwise specified

s 25 amd 1993 SL No. 249 s 6; 1994 SL No. 230 s 5; 1995 SL No. 197 s 4;
1996 SL No. 156 s 6; 1997 SL No. 174 s 5

PART 7—MISCELLANEOUS

pt hdg ins 1994 SL No. 410 s 14

Proof of age card

s 26 ins 1994 SL No. 410 s 14
amd 1999 SL No. 286 s 4 sch 2

Proposed amendment to club rules

s 27 ins 1994 SL No. 410 s 14

PART 8—TRANSITIONAL PROVISION

pt hdg ins 1994 SL No. 410 s 14
om R6 (see RA s 38)

Expiry of approval

s 28 ins 1994 SL No. 410 s 14
om R6 (see RA s 38)

SCHEDULE 1—FEES

sch hdg amd 2000 SL No. 72 s 11(1)

sch 1 ins 1993 SL No. 249 s 7
sub 1994 SL No. 230 s 6
amd 1994 SL No. 410 s 15
sub 1995 SL No. 197 s 5; 1996 SL No. 156 s 7; 1997 SL No. 174 s 6
amd 2000 SL No. 72 s 11(2)

SCHEDULE 2—DICTIONARY

ins 2000 SL No. 72 s 12