

Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015

Explanatory Notes

FOR

Amendments To Be Moved During Consideration In Detail By The Honourable Yvette D'Ath, Attorney-General and Minister for Justice and Minister for Training and Skills

Short title

The short title of the Bill is the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015.

Policy objectives and the reasons for them

The objective of the amendments is to further support the objectives of the Bill, as outlined in the original Explanatory Notes. This will be achieved by rectifying minor drafting errors in the Bill in relation to numbering and sectional references

Achievement of policy objectives

Objective: Rectifying minor drafting errors in relation to numbering and sectional references

Clause 18 amends section 4 (Definitions) of the Liquor Act by proposing to insert a number of new definitions into the Act. The new definition for a “lock out condition” (states) ‘for part 4, division 8, see section 142AB’. There is no part 4, division 8 in the current Liquor Act, as this division was omitted by section 46 of the *Safe Night Out Legislation Amendment Act 2014*, operative from 1 September 2014. Section 142AB is located in Part 5, Division 5 of the Liquor Act, making the reference to Part 4, Division 8 in the clause 4 definition of a “lock out condition” incorrect.

Clause 55 proposes to insert a new section 173NR into “new Part 7, division 1A”. New sections 173O, 173P and 173Q are in “new Part 6AB, division 5”. Given that 173NR precedes 173O-Q

alphabetically, it is necessary to amend the numbering of the new section, to ensure consistency in the numbering of the Liquor Act's provisions.

Alternative ways of achieving policy objectives

Legislative amendment is the only option available to correct these minor drafting errors.

Estimated cost for government implementation

Nil.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

The amendments are being progressed on the recommendation of the Legal Affairs and Community Safety Committee.

Consistency with legislation of other jurisdictions

Not applicable.

Notes on provisions

Clause 1 amends clause 18 of the Bill to change the reference to section "173NR" to section "173R".

Clause 2 amends clause 18 of the Bill to omit the reference to "for part 4, division 8".

Clause 3 amends clause 55 of the Bill to renumber section 173NR as section 173R.