



*Liquor Act 1992*

# Liquor Regulation 2002

Reprinted as in force on 1 July 2011

Reprint No. 6A

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

**Also see endnotes for information about—**

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

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Queensland

# Liquor Regulation 2002

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# Liquor Regulation 2002

[as amended by all amendments that commenced on or before 1 July 2011]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Liquor Regulation 2002*.

### 2 Commencement

This regulation commences on 1 September 2002.

### 3 Definitions

The dictionary in schedule 15 defines particular words used in this regulation.

## Part 1A Extended trading hours application

### 3A Extended trading hours precinct—Act, s 89

- (1) For the Act, section 89, definition *extended trading hours precinct*, paragraph (b), the following are prescribed—
  - (a) the 2 areas shown by the crosshatching on the map of Brisbane CBD, Valley and Caxton Street in schedule 2;
  - (b) the area shown by the crosshatching on the map of Broadbeach CBD in schedule 3;

[s 3A]

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- (c) the area shown by the crosshatching on the map of Bundaberg CBD in schedule 4;
  - (d) the area shown by the crosshatching on the map of Cairns CBD in schedule 5;
  - (e) the area shown by the crosshatching on the map of Ipswich CBD in schedule 6;
  - (f) the area shown by the crosshatching on the map of Mackay CBD in schedule 7;
  - (g) the area shown by the crosshatching on the map of Rockhampton CBD in schedule 8;
  - (h) the area shown by the crosshatching on the map of Surfers Paradise CBD in schedule 9;
  - (i) the area shown by the crosshatching on the map of Toowoomba CBD in schedule 10;
  - (j) the area shown by the crosshatching on the map of Townsville CBD in schedule 11.
- (2) If a road or a section of a road forms part of the boundary of an area shown by crosshatching on a map in schedules 2 to 11, an area prescribed under this section includes premises on both sides of the road or section of the road that forms part of the boundary but only if the front of the premises face the road or section of the road.

*Example for subsection (2)—*

The front of a building faces a road that is not within a prescribed area. The building has a second entrance that opens to a road that forms part of a boundary of a prescribed area. The building is not included in the prescribed area.

- (3) In this section—

**road** see the *Land Act 1994*, section 93.

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## Part 1B Drink safe precincts

### 3B Drink safe precincts—Act, s 173P(1)

- (1) For the Act, section 173P(1), the following areas are prescribed as drink safe precincts—
  - (a) the area shown by the crosshatching on the map of Fortitude Valley in schedule 12;
  - (b) the area shown by the crosshatching on the map of Surfers Paradise in schedule 13;
  - (c) the area shown by the crosshatching on the map of Townsville CBD in schedule 14.
- (2) If a road or a section of a road forms part of the boundary of an area shown by crosshatching on a map in schedule 12, 13, or 14, the area prescribed under this section includes premises on both sides of the road or section of the road that forms part of the boundary.
- (3) In this section—

*road* see the *Land Act 1994*, section 93.

## Part 2 Requirements relating to various applications

### 4 Particulars to accompany applications relating to licences—Act, s 105(1)(c)

- (1) Each application for a licence must be accompanied by the following particulars—
  - (a) a plan of the premises to which the application relates drawn to a scale of 1:100 showing the general layout of the premises;

[s 4]

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- (b) a plan showing the location of the premises to which the application relates in relation to adjacent premises;
  - (c) for an applicant who is an individual, evidence, satisfactory to the chief executive, of the applicant's identity;
  - (d) evidence, satisfactory to the chief executive, that using the premises for the licence to which the application refers is permitted under the planning scheme of the relevant local government for the premises;
  - (e) evidence, satisfactory to the chief executive, that sanitary conveniences at the premises comply with the provisions of the Building Code of Australia relating to sanitary premises.
- (2) Each of the following applications must be accompanied by the particulars stated for the application—
- (a) for an application for a commercial hotel licence, or a subsidiary on-premises licence, for which the principal activity of the business conducted under the licence is the provision of meals prepared, and served to be eaten, on the licensed premises—a typical menu of the meals;
  - (b) for an application for a licence other than a community club licence, a community other licence or a producer/wholesaler licence—a description of the general nature and character of the premises to which the application relates;
  - (c) for an application for a licence relating to premises on land—
    - (i) a copy of the registered plan of survey for the land; and
    - (ii) a copy of the certificate of title for the land or other reasonable evidence, satisfactory to the chief executive, of the description of the land and identity of the registered owner or lessor of the land; and

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- (iii) a description of each proposed licensed area on the premises;
  - (d) for an application for a licence relating to premises where entertainment is to be provided—
    - (i) details of the type and nature of the entertainment; and
    - (ii) a written assessment about the expected acoustic qualities of the proposed premises;
  - (e) for an application for a transfer of a licence if the transferee is an individual—evidence, satisfactory to the chief executive, of the transferee’s identity;
  - (f) for an application for a transfer of a producer/wholesaler licence—a copy of the licensee’s transactions record for the period from the immediately preceding 1 July, or the day the licensee obtained the licence, whichever is later, to the day on which the application is made.
- (3) Despite subsection (2)(e), the chief executive may require an applicant for a licence to give the chief executive a report about the acoustic qualities of premises when the premises are completed if noise from any source is, or is likely to be made, at a level in excess of 75dB(C) fast response when measured about 3m from the source.
- (4) An assessment or report about the expected acoustic qualities, or acoustic qualities, of premises must—
- (a) be made by a person who has qualifications, training or experience in providing assessments or reports about the acoustic qualities of premises; and
  - (b) state the person’s qualifications, training or experience.
- (5) In this section—
- Building Code of Australia*** see the *Building Act 1975*, section 12.

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## **5 Timing for making applications**

- (1) An application for any of the following must be made at least 21 days before the day stated in the application as the day on which the permit or variation is proposed to take effect—
  - (a) a community liquor permit;
  - (b) an extended hours permit;
  - (c) a restricted liquor permit;
  - (d) a temporary variation of trading hours or licence conditions for 1 occasion or event.
- (2) An application for a commercial public event permit must be made at least 28 days before the day stated in the application as the day on which the permit is proposed to take effect.
- (3) An application for an adult entertainment permit for 1 occasion must be made at least 8 weeks before the day stated in the application as the day on which the permit is proposed to take effect.

# **Part 3 Detached bottle shops**

## **7 Circumstances in which chief executive may approve premises as detached bottle shop**

- (1) The chief executive may approve premises, as mentioned in section 60(1)(d) of the Act, only if—
  - (a) the applicant is the licensee of licensed premises (the *main licensed premises*); and
  - (b) the proposed detached bottle shop—
    - (i) is not more than 10km by road from the main licensed premises; and
    - (ii) has a floor area of not more than 150m<sup>2</sup>; and



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- (iii) does not have direct access from any other business premises; and
  - (iv) has direct access from a public place; and
  - (v) does not have a facility ordinarily known as a drive-in or drive through; and
- (c) the applicant has no more than 2 detached bottle shops for the main licensed premises; and
- (d) the applicant satisfies the chief executive that—
- (i) conducting the proposed detached bottle shop on the premises is permitted under the planning scheme of the relevant local government for the premises; and
  - (ii) if the applicant is not the owner of the premises—the applicant has the owner’s written agreement to the application; and
  - (iii) only the applicant has a right to occupy—
    - (A) if the detached bottle shop will occupy the entire premises—the premises; or
    - (B) if the detached bottle shop will occupy only part of the premises—the part of the premises; and
  - (iv) the same person or entity will have the financial benefit of the proposed detached bottle shop and the business conducted at the main licensed premises; and
  - (v) the applicant will conduct the proposed detached bottle shop under the same business name as the business conducted at the main licensed premises; and
  - (vi) the licensee’s principal place of business will be the main licensed premises.
- (2) For subsection (1)(b)(i), a proposed detached bottle shop is not more than 10km by road from the main licensed premises if either of the following distances is 10km or less—

[s 7]

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- (a) the distance measured between—
    - (i) the place of egress by road from the land on which the main licensed premises is located that is closest to the proposed detached bottle shop; and
    - (ii) the place of ingress by road to the land on which the premises is located that is, or includes, the proposed detached bottle shop that is closest to the main licensed premises;
  - (b) the distance measured between—
    - (i) the place of egress by road from the land on which the premises is located that is, or includes, the proposed detached bottle shop that is closest to the main licensed premises; and
    - (ii) the place of ingress by road to the land on which the main licensed premises is located that is closest to the proposed detached bottle shop.
- (3) A distance mentioned in subsection (2) must be measured using the shortest route that may be taken driving a motor vehicle in compliance with the relevant laws of the State and local laws.
- (4) Subsection (1)(b)(i) does not apply if the applicant satisfies the chief executive that—
- (a) the proposed detached bottle shop will—
    - (i) be in a locality in which there is no licensed premises at which liquor is sold for consumption off the premises; and
    - (ii) primarily service the residents of the locality; and
  - (b) because of the locality's population or projected population, the locality is not likely to attract the establishment of licensed premises other than a detached bottle shop.

*Example of a locality for subsection (4)—*

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

- (5) Subsection (6) applies if the proposed detached bottle shop will occupy only a part of the premises and there is a condition in the applicant's tenancy agreement for the part of the premises that the owner of the premises will not grant anyone else the right to occupy another part of the premises as a detached bottle shop.
- (6) The applicant must satisfy the chief executive that the applicant did not ask the owner to include the condition in the agreement.

## **8 Obligation to conduct business at detached bottle shop if no review**

- (1) This section applies if—
  - (a) a licensee applies to the chief executive for approval under section 60(1)(d) of the Act to sell liquor on premises; and
  - (b) the chief executive grants the approval; and
  - (c) no application is made for a review of the chief executive's decision to grant the approval.
- (2) The licensee must start to conduct business under the approval within 60 days after the last day on which an application for a review of the chief executive's decision to grant the approval may be made.
- (3) If the licensee fails to comply with subsection (2), the approval lapses at the end of 60 days after the last day on which an application for a review of the chief executive's decision to grant the approval may be made.

## **9 Obligation to conduct business at detached bottle shop after review**

- (1) This section applies if—
  - (a) a licensee applies to the chief executive for approval under section 60(1)(d) of the Act to sell liquor on premises; and

[s 10]

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- (b) an application has been made for a review of the chief executive's decision to grant the approval; and
  - (c) the tribunal's decision allows the licensee to start conducting business on the premises.
- (2) The licensee must start to conduct the business within 90 days after the licensee receives a copy of the tribunal's decision.
- (3) If the licensee fails to comply with subsection (2), the approval lapses at the end of 90 days after the licensee receives the copy of the tribunal's decision.

#### **10 Particulars to be displayed on detached bottle shop**

Section 143 of the Act applies to the licensee of a detached bottle shop as if the detached bottle shop were the main licensed premises.

#### **11 Prescription of amount and circumstances for consumption of liquor at a detached bottle shop—Act, s 60(1)(d)(ii)**

For section 60(1)(d)(ii) of the Act, the holder of a commercial hotel licence with an approval for a detached bottle shop may supply liquor for consumption at the detached bottle shop only if—

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

#### **12 Application for relocation of detached bottle shop—Act, s 154A**

The following must accompany an application for approval for the relocation of a detached bottle shop—

- (a) if the licensee is not the owner of the premises to which it is proposed to relocate the detached bottle shop—the owner's written agreement to the application;

- (b) evidence, satisfactory to the chief executive, that using the proposed premises as a detached bottle shop is permitted under the planning scheme of the relevant local government for the premises;
- (c) the fee prescribed in schedule 1 for the application.

### **13 Decision by chief executive for application under s 12**

- (1) If the chief executive approves the application under section 12, the approval is subject to conditions specified by the chief executive in the approval.
- (2) If the chief executive refuses the application, the chief executive must as soon as practicable give the applicant written notice of the refusal.
- (3) The written notice must comply with the tribunal Act, section 157(2).

### **14 Joint application for transfer of detached bottle shop—Act, s 154B**

- (1) A joint application for approval of a transfer of a detached bottle shop must be made in the approved form.

*Editor's note—*

Section 154B(2) of the Act—

- (2) The first and second licensees must make a joint application to the chief executive for approval of the transfer.
- (2) The joint application must be accompanied by—
  - (a) a copy of the assignment of the lease of, or new agreement for the use of, the premises; and
  - (b) the fee prescribed in schedule 1 for the application.

### **15 Decision by chief executive for application under s 14**

- (1) If the chief executive approves the joint application, the approval is subject to conditions specified by the chief executive in the approval.

[s 16]

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- (2) If the chief executive refuses the joint application, the chief executive must as soon as practicable give each applicant written notice of the refusal.
- (3) The written notice must comply with the tribunal Act, section 157(2).

## **Part 4                                      Community club licences and     other premises**

### **16            Definition for pt 4**

In this part—

***other premises*** see section 77(2) of the Act.

### **17            Application for inclusion of, or change to, statement     about other premises—Act, s 154C**

- (1) This section applies to a licensee's application mentioned in section 154C of the Act for the inclusion of, or change to, a statement in a community club licence that the licensed premises includes other premises.
- (2) The application must be made in the approved form and be accompanied by—
  - (a) a statement about the events for which the premises will be used infrequently, including, for example, home games or training sessions; and
  - (b) evidence, satisfactory to the chief executive, of the licensee's ownership of, or legal right to occupy, the other premises; and
  - (c) a description of the area proposed for the sale and consumption of liquor on the other premises for the events; and

- 
- (d) a statement about the hours for sale and consumption of liquor on the other premises for the events; and
  - (e) a statement about the nature of noise that will be made at the area described under paragraph (c), including, for example, noise from a public address system or playing recorded music for the events; and
  - (f) a plan of the site for the events, with details of the facilities that are to be provided, including, for example, car parking, fencing, food and drink stations, lighting, security stations and toilets; and
  - (g) a statement about how many persons are expected to attend the events, and the expected range of ages of the persons; and
  - (h) arrangements for liquor service at the events; and
  - (i) arrangements for security at the events; and
  - (j) the fee prescribed in schedule 1 for the application.
- (3) In this section—

*arrangements for liquor service* includes—

- (a) how the licensee will decide the number of staff to be employed in the service of liquor and how the staff are to be trained in the responsible service of alcohol; and
- (b) how the purchase of liquor is to be made by persons attending events, including, for example, whether ticketing is to be used; and
- (c) the type of containers to be used for dispensing liquor; and
- (d) hours a manager will be on duty and the names of persons who are to be on duty as managers.

*arrangements for security* includes the number of persons to be used for security purposes and their proposed location and role.

[s 18]

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**18 Decision by chief executive for application under s 17**

- (1) If the chief executive approves the application, the approval is subject to conditions specified by the chief executive in the approval.
- (2) If the chief executive refuses the application, the chief executive must as soon as practicable give the applicant written notice of the refusal.
- (3) The written notice must comply with the tribunal Act, section 157(2).

**19 Obligation for licensee to display copy of licence at other premises**

A licensee must, during every period the licensee is authorised to sell liquor on other premises, have a legible copy of the licensee's licence—

- (a) on display in a conspicuous place on the other premises;  
or
- (b) available for inspection by an investigator.

Maximum penalty—25 penalty units.

## **Part 5 Alteration of licensed premises**

### **Division 1 General**

**20 Definitions for pt 5**

In this part—

*occasion approval* means an approval under section 24 for a specified change for an event or occasion to be held at the premises whether the event or occasion is to be held—

- (a) on 1 day; or



- (b) on more than 1 day but on consecutive days; or
  - (c) on more than 1 day other than consecutive days.
- specified change* see section 21(1).

## **21 Application of part to applications for alteration of licensed premises**

- (1) This part applies to an application for an approval, as mentioned in section 154 of the Act, to alter, rebuild, change or increase the area of the licensee's licensed premises (a *specified change*).
- (2) The application must be in the approved form and made by—
  - (a) for a specified change to the licensed premises if the licensee is the owner of the premises—the licensee; or
  - (b) for a specified change to the licensed premises if the licensee is not the owner of the premises—the owner and the licensee; or
  - (c) for a specified change to a detached bottle shop—the licensee; or
  - (d) for a specified change to other premises included in a community club licence—the owner of the other premises and the licensee.
- (3) The application must be accompanied by—
  - (a) a written description of the specified change; and
  - (b) evidence of the real property description of the land on which the licensed premises are, or are to be, located; and
  - (c) if the specified change is that an area (the *new area*), not part of the licensed premises, is to be included in the licensed premises, evidence, satisfactory to the chief executive, of the licensee's ownership of, or legal right to occupy, the new area; and
  - (d) 2 copies of a plan of the premises drawn to a scale of 1:100 showing the specified change; and

[s 22]

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- (e) details of the nature of any entertainment that is, or is to be, provided on the licensed premises; and
  - (f) the fee prescribed in schedule 1 for the application.
- (4) If, after considering the application the chief executive considers there is, or is likely to be, a material change relating to the provision of entertainment on the licensed premises, the chief executive may, by written notice, require the applicant to provide a written assessment of the expected acoustic qualities of the premises.
- (5) A written assessment of the expected acoustic qualities of premises must—
- (a) be made by a person who has qualifications, training or experience in providing assessments of the acoustic qualities of premises; and
  - (b) state the person's qualifications, training or experience.
- (6) In this section—  
*other premises* see section 77(2) of the Act.

## **Division 2                      Applications other than    applications for an occasion    approval**

### **22            Decision by chief executive for application under s 21                  other than application for an occasion approval**

- (1) This section applies to an application for an approval under section 154 of the Act for a specified change, other than an application for an occasion approval.
- (2) If the chief executive approves the application, the approval is subject to the completion of any specified change within 2 years after the date of the approval.
- (3) The approval is also subject to conditions specified by the chief executive in the approval.

*Examples of conditions for subsection (3)—*

- 1 The specified change must be completed in accordance with the plans approved by the chief executive.
  - 2 The applicant must obtain all stated approvals or certifications, for use of the premises as licensed premises, as required under an Act other than the Act, including, for example, development approval under the *Sustainable Planning Act 2009*.
  - 3 The completed premises must have the acoustic qualities stated in the approval.
- (4) If the chief executive refuses the application, the chief executive must as soon as practicable give the applicant written notice of the refusal.
- (5) The written notice must comply with the tribunal Act, section 157(2).

**23 Production of licence after completion of specified change other than under an occasion approval**

- (1) This section applies if a licensee's application as mentioned in section 22(1) is approved.
- (2) After completing the specified change under the approval, the licensee must give the chief executive the licensee's licence for the licensed premises.
- (3) The chief executive must issue a new licence to the applicant with the altered, rebuilt, changed or increased area of the licensed premises only if the chief executive is reasonably satisfied the applicant complied with all the conditions to which the approval was subject.
- (4) To remove any doubt, it is declared that if an area is not part of licensed premises but is the subject of an approval under section 22, the licensee must not use the area as licensed premises until a licence is issued under subsection (2) that includes the area as part of the licensed premises.

[s 24]

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## **Division 3                      Applications for an occasion approval**

### **24            Decision by chief executive for application under s 21 for an occasion approval**

- (1) This section applies to an application for an occasion approval.
- (2) If the chief executive approves the application, the chief executive must give the applicant a written approval stating the day or days, and the hours, to which the approval applies, and any conditions applying to the approval.
- (3) If the chief executive refuses the application, the chief executive must as soon as practicable give the applicant written notice of the refusal.
- (4) The written notice must comply with the tribunal Act, section 157(2).

## **Part 6                                      Obligations of licensees and permittees**

### **25            Particulars required in transactions record for producer/wholesaler licence—Act, s 217(2)(b)(i)**

- (1) For section 217 of the Act, the particulars that a transactions record for a licensee who holds a producer/wholesaler licence must contain are as follows—
  - (a) the quantity of liquor, expressed in litres, acquired or supplied by the licensee in each of the following categories—
    - (i) low strength beer;
    - (ii) medium strength beer;
    - (iii) heavy strength beer;

- 
- (iv) brewed products other than beer, including, for example, brewed alcoholic lemonade and cider;
  - (v) fortified wine in bottles;
  - (vi) fortified wine in casks;
  - (vii) fortified wine in bulk;
  - (viii) wine, other than fortified wine, in bottles;
  - (ix) wine, other than fortified wine, in casks;
  - (x) wine, other than fortified wine, in bulk;
  - (xi) wine mixed with other beverages;
  - (xii) fermented products other than wine or fortified wine, including for example, sake or wine based soda;
  - (xiii) spirits mixed with other beverages;
  - (xiv) spirits that are not mixed with other beverages;
  - (xv) any other liquor mixed with other beverages;
- (b) for each supply of liquor—the name of the person to whom the liquor was supplied and the number of the person’s licence or permit.
- (2) In this section—

**bottle** means a bottle with a capacity of not more than 1.5L.

**bulk**, for an acquisition or supply of wine or fortified wine, means an acquisition or supply of wine—

- (a) in a container with a capacity of more than 20L; or
- (b) for bottling elsewhere or for blending with another wine.

**cask** means a container with a capacity of 2L or more but not more than 20L.

**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.

[s 25A]

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*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%.

*supplied* includes sold.

**25A Particulars required in transactions record for licence, other than producer/wholesaler licence—Act, s 217(2)(b)(i)**

- (1) For section 217(2)(b)(i) of the Act, the particulars that a transactions record for a licensee, other than a licensee who holds a producer/wholesaler licence, must contain are the quantity of liquor, expressed in litres, purchased or otherwise acquired by the licensee 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) fortified wine in bottles;
  - (f) fortified wine in casks;
  - (g) fortified wine in bulk;
  - (h) wine, other than fortified wine, in bottles;
  - (i) wine, other than fortified wine, in casks;
  - (j) wine, other than fortified wine, in bulk;
  - (k) wine mixed with other beverages;
  - (l) fermented products, other than wine or fortified wine, including for example, sake or wine based soda;
  - (m) spirits mixed with other beverages;
  - (n) spirits that are not mixed with other beverages;
  - (o) any other liquor mixed with other beverages.

(2) In this section—

**bottle** means a bottle with a capacity of not more than 1.5L.

**bulk**, for a purchase or other acquisition of wine or fortified wine, means a purchase or other acquisition of wine—

- (a) in a container with a capacity of more than 20L; or
- (b) for bottling elsewhere or for blending with another wine.

**cask** means a container with a capacity of 2L or more but not more than 20L.

**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%.

## 27 **Details about meals and beverages to be recorded by certain licensees**

- (1) Subject to subsection (2), a licensee who holds a subsidiary on-premises licence, for which the principal activity of the business conducted under the licence is the provision of meals prepared, and served to be eaten, on the licensed premises, must keep records of the following—
  - (a) for every day on which liquor is sold on the licensed premises—the amount and type of liquor sold and the sale price for each type;
  - (b) for every meal consumed on the premises—the details of the meal, the date and time the meal is ordered, and the sale price;

[s 27A]

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- (c) wages or other payments to workers involved in sales of liquor, or in the preparation, serving or sales of meals, for which records must be kept under this section.

Maximum penalty—20 penalty units.

*Examples of records to be kept—*

cash register tapes or table accounts

- (2) Also, a licensee must, for each financial year, keep records of the totals of beverages and food sales, and the costs of the sales, including, for example, purchases and wages.

Maximum penalty—20 penalty units.

## **27A Drinking water to be available**

- (1) Subsection (2) applies to a licensee if—
  - (a) the licensee holds one of the following licences for a licensed premises—
    - (i) a commercial hotel licence;
    - (ii) a community club licence;
    - (iii) a bar licence;
    - (iv) a commercial public event permit; or
  - (b) the licensee holds a relevant approval for a licensed premises and one of the following licences for the same premises—
    - (i) a subsidiary on-premises licence;
    - (ii) an industrial canteen licence;
    - (iii) a producer/wholesaler licence;
    - (iv) a commercial special facility licence; or
  - (c) the licensee holds a commercial special facility licence and the principal activity of the business conducted under the licence is a casino under the *Casino Control Act 1982*.



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- (2) The licensee must ensure cold drinking water is, if requested at a point of liquor sale, personally served by a member of staff—
- (a) to any patron of the licensed premises who requests drinking water; and
  - (b) free of charge; and
  - (c) at all times liquor is sold on the premises.

Maximum penalty—40 units.

- (3) A licensee, other than a licensee to whom subsection (2) applies, must ensure cold drinking water is, if requested at a point of liquor sale, personally served by a member of staff—
- (a) to any patron of the licensed premises who requests drinking water; and
  - (b) free of charge or at a reasonable cost; and
  - (c) at all times liquor is sold on the premises.

Maximum penalty—40 units.

- (4) In this section—

*point of liquor sale* means a place on licensed premises from which liquor is sold or supplied, other than a place from which liquor is sold only for consumption off the premises.

*relevant approval* means an extended trading hours approval authorising the sale of liquor on a regular basis after 12a.m.

## Part 7                      Adult entertainment permits

### 28            Definitions for pt 7

In this part—

*permit* means an adult entertainment permit.

*permittee* means the holder of an adult entertainment permit.

## **29 Prescribed conditions for permit**

For section 103P(2) of the Act, the following are conditions to which each permit is subject—

- (a) the permittee must comply with the management plan submitted by the permittee with the application for the permit;
- (b) the permittee must keep a daily record of the name of the controller for the permittee's premises and the controller's hours of duty;
- (c) the permittee must enter the controller's name and hours of duty into the daily record on every day on which adult entertainment may be performed under the permit;
- (d) the permittee must ensure that spruiking or touting for business involving adult entertainment occurs only on the permittee's premises and only on parts of the premises from which the spruiking or touting is not audible or visible to a person who is not on the premises;
- (e) the permit does not authorise adult entertainment on Christmas Day or Good Friday.

## **30 Approved area to conform with requirements**

- (1) For section 103Q(c) 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.

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### 31 Application for permit

For section 105(1)(c) of the Act, an application for a permit must specify the full name, and date and place of birth, of each of the following persons for the permit—

- (a) the applicant;
- (b) associates of the person mentioned in paragraph (a).

### 32 Proposed management plan

For section 107D(1)(d) of the Act, a proposed management plan must provide for the following matters—

- (a) a layout plan of the proposed area drawn to a scale of 1:100 showing—
  - (i) the liquor service points; and
  - (ii) how the area will be fully enclosed to prevent a person outside the area from seeing inside the area; and
  - (iii) the audience seating area; and
  - (iv) any stage area and how it will be separated from the audience; and
  - (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.

### 33 Suitability of applicant for permit

- (1) For section 107E(1)(h) of the Act, 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 the commencement of the *Liquor (Approval of Adult*

[s 34]

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*Entertainment Code) Regulation 2000* that would have constituted adult entertainment if the entertainment were provided after the *Liquor (Approval of Adult Entertainment Code) Regulation 2000* commenced.

### **34 Advertising in relation to adult entertainment**

- (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 8cm x 5cm in size.

Maximum penalty—10 penalty units.

- (2) In this section—

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

### **35 Restriction on number of permits that may be issued**

- (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.

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## Part 8 Fees

### Division 1 Licence fees and other fees

#### 36 Licence fees

- (1) The licence fee for a licence for a licence period is the total of the following—
  - (a) the base fee for the licence mentioned in section 36A;
  - (b) the fee, calculated under section 36B, 36C or 36CA, for each risk criterion applying to the licence.
- (2) Also, the licence fee for a new licence for the first licence period, is reduced on a pro-rata basis based on the number of whole months remaining in the licence period after the licence is granted.

*Example of reduced licence fee—*

If there is 6 months remaining in the licence period when a licence is granted, the licence fee for the licence for the first licence period is to be reduced by 50%.

- (3) The holder of a provisional licence is exempt from paying the licence fee for the licence for a licence period.
- (4) In this section—

*first licence period*, for a new licence, means the licence period in which the licence is granted.

*new licence* means a licence granted on or after the commencement of this section.

#### 36A Base fees for licences

- (1) For a commercial hotel licence, the base fee is the total of the following—
  - (a) \$2953.50;
  - (b) \$3281.30 for each detached bottle shop approved for the licence.

[s 36B]

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- (2) For a commercial special facility licence, the base fee is—
  - (a) if the licensee is not authorised under the licence to sell or supply liquor at any time between 5a.m. and 10a.m., the total of the following—
    - (i) \$8203.85;
    - (ii) \$1093.75 for each additional liquor outlet beyond 10 liquor outlets; or
  - (b) if the licensee is authorised under the licence to sell or supply liquor at any time between 5a.m. and 10a.m., the total of the following—
    - (i) \$10937.85;
    - (ii) \$1093.75 for each additional liquor outlet beyond 10 liquor outlets.
- (3) For a commercial other licence, the base fee is \$547.35.
- (4) For a community club licence, the base fee is—
  - (a) for a club with 2000 members or less—\$547.35; or
  - (b) for a club with more than 2000 members—\$2406.05.
- (5) For a community other licence, the base fee is \$273.65.
- (6) In this section—

*liquor outlet* means a part of the licensed premises where the holder of the commercial special facility licence has—

- (a) let or sublet the right to sell liquor; and
- (b) either—
  - (i) let or sublet the part of the licensed premises; or
  - (ii) entered into a franchise or management agreement for the part of the licensed premises.

### **36B Risk criterion—extended trading hours**

- (1) This section applies to a licence for a licence period if the licensee holds an extended trading hours approval for the licensed premises.

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- (2) The fee for the risk criterion of extended trading hours is—
- (a) if the approved extended trading hours for the licensed premises are between 7a.m. and 9a.m.—
    - (i) during weekends only—\$820; or
    - (ii) otherwise—\$1093.75; and
  - (b) if the approved extended trading hours for the licensed premises are between 9a.m. and 10a.m.—
    - (i) during weekends only—\$410.55; or
    - (ii) otherwise—\$547.35; and
  - (c) if the approved extended trading hours for the licensed premises are between 12a.m. and 3a.m.—
    - (i) during weekends only—\$6152.10; or
    - (ii) otherwise—\$8203.85; and
  - (d) if the approved extended trading hours for the licensed premises are between 3a.m. and 5a.m.—
    - (i) during weekends only—\$8203.85; or
    - (ii) otherwise—\$10937.85.

**36C Risk criterion—prepared food not available**

- (1) This section applies to a licence for a licence period if, on any day business is conducted on the licensed premises after 7p.m., prepared food is not available to patrons of the premises during all hours of trading for the day other than the last 2 hours of trading.
- (2) However, this section does not apply to a licence if—
  - (a) the licence is a community other licence; or
  - (b) the business conducted under the licence is of a type of business at which a person would not ordinarily expect liquor to be available for sale.

*Examples for paragraph (b)—*

cinemas, hospitals, retirement villages and TAFE institutions

[s 36CA]

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(3) The fee for the risk criterion of prepared food not available is \$1093.75.

(4) In this section—

***prepared food*** means—

- (a) a meal; or
- (b) other food usually needing preparation before it can be eaten, but not including snacks, or liquor or other beverages.

*Examples of prepared food—*

burger, falafel, hot potato chips and sandwich

### **36CA Risk criterion—compliance history**

(1) This section applies to a licence for a licence period if—

- (a) an infringement notice, for an offence against section 146(1), 155AA(2) or 156(1), (2) or (3), of the Act, was served on the licensee; and
- (b) the licensee paid the fine for the offence to the administering authority in the previous licence period.

(2) Also, this section applies to a licence for a licence period if—

- (a) the chief executive decided to take disciplinary action relating to the licence and, in the previous licence period—
  - (i) the licensee did not appeal against the decision of the chief executive to take the disciplinary action and the 30 days for the licensee to appeal ended; or
  - (ii) the licensee appealed against the decision of the chief executive to take disciplinary action and the tribunal—
    - (A) confirmed the decision; or
    - (B) set aside the decision and substituted another decision to take disciplinary action; or



- 
- (b) the licensee was convicted of an offence against the Act and, in the previous licence period—
    - (i) the time to appeal against the conviction ended; or
    - (ii) if an appeal was made against the conviction—the appeal was finally decided and the conviction was upheld on appeal.
  - (3) Also, this section applies to a licence for a licence period if—
    - (a) the licensee was convicted of a supply offence; and
    - (b) in the previous licence period, an act or omission of the licensee that was the supply offence was taken to have contributed to—
      - (i) the death of a person; or
      - (ii) a serious assault committed against a person on or near the licensed premises.
  - (4) For subsection (3), an act or omission of a licensee that was a supply offence is taken to have contributed to—
    - (a) the death of a person if the death is found by a court or tribunal to have been caused by—
      - (i) the consumption of liquor received by the person because of the supply offence; or
      - (ii) another person who, just before causing the death, received liquor because of the supply offence; or
    - (b) a serious assault committed against a person if—
      - (i) another person is convicted of the serious assault; and
      - (ii) the other person, just before committing the serious assault, received liquor because of the supply offence.
  - (5) The fee for the risk criterion of compliance history is the total of the following fees that apply to the licence—
    - (a) if subsection (1) applies—\$5304.50;
    - (b) if subsection (2) applies—\$10609;

[s 36D]

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- (c) if subsection (3) applies—\$21218.
- (6) If, as a result of an incident, this section applies to a licence for a licence period more than once, only the highest relevant fee mentioned in subsection (5) applies to the licence in relation to the incident.
- (7) In this section—

***administering authority*** see the *State Penalties Enforcement Act 1999*, schedule 2.

***fine*** see the *State Penalties Enforcement Act 1999*, schedule 2.

***incident*** means an act or omission by a licensee that was a contravention of the Act or a ground for taking disciplinary action against the licensee.

*Example of an incident—*

the sale of liquor to a minor

***infringement notice*** see the *State Penalties Enforcement Act 1999*, schedule 2.

***serious assault*** means an offence against the Criminal Code, section 320, 323, 340, 349 or 352.

***supply offence*** means an offence against section 155A or 156(1) of the Act.

### **36D Other fees**

- (1) The fees payable under the Act, other than the relevant fees, are stated in schedule 1.
- (2) If an application under the Act, other than in relation to the tribunal, is not mentioned in schedule 1, a fee of \$84.85 is payable for the application.
- (3) In this section—
- relevant fees*** means the following—
- (a) fees payable in relation to the tribunal;
- (b) the licence fee for a licence period.

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## **Division 2                      Day for payment of licence fee**

### **36E      Day for payment of licence fee—Act, s 208**

For section 208(2) of the Act, the day prescribed for payment of a licence fee for a licence for a licence period is—

- (a) on the grant of a licence—28 days after the applicant for the licence is given notice of the grant of the licence; or
- (b) otherwise—31 July in the licence period to which the licence fee relates.

## **Division 3                      Self-assessment of licence fee**

### **36F      Licence fee to be self-assessed—Act, s 202(1)**

For section 202(1) of the Act, the licence fee for a licence for a licence period must be self-assessed by the licensee.

### **36G      Prescribed information about a self-assessment to be given to chief executive—Act, s 202(2)(a)**

- (1) For section 202(2)(a) of the Act, a licensee must give the chief executive a completed self-assessment form.
- (2) In this section—

*self-assessment form* means a form, available from the department, showing a licensee's calculations for the licensee's self-assessment of the licence fee for the licence for a licence period.

## **Division 4                      Reassessment of licence fee**

### **36H    Purpose of div 4**

The purpose of this division is, for section 202(2)(b) of the Act, to provide for the reassessment of a licence fee for a licence for a licence period by the chief executive.

### **36I    Reassessment of licence fee by chief executive**

A reassessment of a licence fee for a licence for a licence period—

- (a) may be conducted by the chief executive on the chief executive's own initiative; or
- (b) must be conducted by the chief executive if the licensee for the licence applies to the chief executive for a reassessment of the fee.

### **36J    Application for reassessment of licence fee**

- (1) A licensee may, within the relevant period, apply to the chief executive for reassessment of the licence fee for the licence for a licence period only if—
  - (a) the licensee has made an error in calculating the licence fee; or
  - (b) the self-assessment by the licensee of the licence fee was based on incorrect or incomplete information; or
  - (c) within the relevant period there has been a change in the operation of the business conducted under the licence that would change the licence fee payable by the licensee if the change had happened before the licensee self-assessed the licence fee.
- (2) An application under subsection (1) must be accompanied by a revised self-assessment form.
- (3) In this section—

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*relevant period* means 3 months after—

- (a) for the first licence period for a licence—the day the licence was granted; or
- (b) otherwise—the beginning of the licence period to which the licence fee relates.

*self-assessment form* means a form, available from the department, showing a licensee's calculations for the licensee's self-assessment of the licence fee for the licence for a licence period.

### **36K Notice of reassessment of licence fee**

- (1) This section applies if the chief executive conducts a reassessment of a licence fee for a licence for a licence period and works out—
  - (a) an underpaid amount is payable by the licensee; or
  - (b) an overpaid amount is refundable to the licensee.
- (2) The chief executive must give written notice of the reassessment to the licensee.
- (3) If an underpaid amount is payable by the licensee—
  - (a) the licensee must pay the underpaid amount within 28 days of the licensee receiving the notice under subsection (2); and
  - (b) the notice must state the following—
    - (i) how the reassessment was calculated;
    - (ii) the amount payable by the licensee;
    - (iii) that the underpaid amount is payable within 28 days of the licensee receiving the notice;
    - (iv) the licensee may apply, as provided under the QCAT Act, to the tribunal for a review of a reassessment;

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- (v) how, and the time within which, the licensee may apply, as provided under the QCAT Act, to the tribunal for a review;
  - (vi) any right the licensee has to have the operation of the decision stayed under the QCAT Act, section 22(3).
- (4) If an overpaid amount is refundable to the licensee—
- (a) the chief executive must refund the overpaid amount to the licensee at the time of giving the notice to the licensee under subsection (2); and
  - (b) the notice under subsection (2) must state the following—
    - (i) how the reassessment was calculated;
    - (ii) the amount refunded to the licensee.
- (5) In this section—

***overpaid amount*** means the difference between the licence fee assessed by the chief executive and the licence fee assessed by the licensee, when the licence fee assessed by the chief executive is the lower fee.

***underpaid amount*** means the difference between the licence fee assessed by the chief executive and the licence fee assessed by the licensee, when the licence fee assessed by the chief executive is the higher fee.

## **Division 5                      Consequences of failing to pay licence fee**

### **36L      Consequences of failing to pay licence fee—Act, s 208**

- (1) This section prescribes, for section 208(3)(a) of the Act, the consequences of a licensee failing to pay—
- (a) the licence fee for the licence for a licence period; or
  - (b) an underpaid amount.

- 
- (2) The licence is—
    - (a) suspended for 28 days (the *suspension period*) if the licence fee or amount is not paid on or before the due date; and
    - (b) cancelled if the licence fee or amount is not paid within the suspension period.
  - (3) Subsection (2)(b) applies subject to section 36N.
  - (4) Payment of the licence fee, or underpaid amount, during the suspension period ends the suspension of the licence.
  - (5) In this section—

*due date* means—

    - (a) for a licence fee—the day prescribed under section 36E; or
    - (b) for an underpaid amount—28 days after the licensee receives the notice under section 36K(2) stating the underpaid amount is payable by the licensee.

*underpaid amount* see section 36K(5).

## **Division 6                      Application to tribunal about failure to pay licence fee**

### **36M      Purpose of div 6**

The purpose of this division is to make provision, for section 208(3)(b) of the Act, for a licensee to apply to the tribunal about the failure to pay the licence fee for the licence for a licence period.

### **36N      Application to tribunal about failure to pay licence fee or underpaid amount**

- (1) This section applies if a person is aggrieved by the suspension and impending cancellation of a licence because of a failure to pay the licence fee for the licence for a licence period, or an

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underpaid amount, under section 36L(2) (the *outstanding amount*).

- (2) The person may apply, as provided under the QCAT Act, to the tribunal for an extension of time to pay the outstanding amount on the ground the failure was due to—
  - (a) the business conducted under authority of the licence having been adversely affected by a natural disaster; or
  - (b) the licensee ceasing to conduct business on the licensed premises under authority of the licence; or
  - (c) the owner, lessee or mortgagee of the licensed premises starting a proceeding for possession of the premises; or
  - (d) a personal hardship for the licensee.
- (3) Financial hardship is not a personal hardship for subsection (2)(d).
- (4) The application to the tribunal under subsection (2) may only be made during the suspension period.
- (5) If an application is made to the tribunal under subsection (2), the licence will not be cancelled under section 36L(2)(b), but continues to be suspended until the suspension ends, or licence is cancelled, under section 36O.
- (6) In this section—  
*suspension period* see section 36L(2)(a).

### **36O Powers of tribunal on applications under this division**

- (1) In deciding the application, the tribunal may—
  - (a) grant the application on condition that the licence fee or underpaid amount is paid to the department within a period stated by the tribunal (the *time allowed*); or
  - (b) refuse the application.
- (2) The time allowed must be at least 7 days, and not more than 28 days, after the day on which the application is granted.



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- (3) The continued suspension of the licence under section 36N(5) ends if—
    - (a) the application is granted and the licence fee or underpaid amount is paid to the department within the time allowed; or
    - (b) the application is refused and the licence fee or underpaid amount is paid within 1 day of the application being refused.
  - (4) The licence is cancelled if—
    - (a) the application is granted but the licence fee or underpaid amount is not paid within the time allowed; or
    - (b) the application is refused and the licence fee or underpaid amount is not paid within 1 day of the application being refused.
  - (5) If the licence is cancelled under subsection (4)—
    - (a) the part of the licence fee for the licence for the licence period in which it was suspended that is proportionate to the part of the licence period that had ended before the suspension started is a debt payable to the State; or
    - (b) the underpaid amount is a debt payable to the State.

## **Division 7                      Exemption from payment of certain application fees**

### **36P      Exemption for certain Anzac Day related applications**

- (1) This section applies to an applicant who makes an application for a community liquor permit, a commercial public event permit, an extended hours permit or an approval to alter, change or increase the area of licensed premises for an activity on Anzac Day that relates to the commemoration of Anzac Day.
- (2) The applicant is exempt from payment of a fee for the application if—

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- (a) the applicant is an RSL or Services Club; or
- (b) the applicant has been asked by an RSL or Services Club to provide catering services for the activity for the RSL or Services Club.

## **Part 8A                      Restricted areas**

### **37A      Declaration of restricted area—Act, s 173G(1)**

An area stated in a relevant schedule is a restricted area.

### **37B      Declaration of prohibition of possession of liquor in restricted area—Act, s 173H**

- (1) Each restricted area is an area to which section 168B of the Act applies.
- (2) The prescribed quantity of a type of liquor for a restricted area is the quantity of the type stated for the area in a relevant schedule.

## **Part 8B                      Provisions about conditions of licences and permits for Brisbane City Council area**

### **37C      Number of crowd controllers—Act, s 142AG**

For section 142AG(a) of the Act, the number of crowd controllers prescribed for premises is the number stated for the following number of patrons of the premises—

- (a) not more than 100 patrons—1;
- (b) more than 100 but not more than 200 patrons—2;

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- (c) more than 200 but not more than 300 patrons—3;
  - (d) more than 300 but not more than 400 patrons—4;
  - (e) more than 400 but not more than 500 patrons—5;
  - (f) more than 500 patrons—5, plus at least 1 crowd controller for each 250 patrons, or part of 250, more than 500.

### **37D Minimum requirements for closed-circuit television equipment—Act, s 142AH**

For section 142AH(c)(i) of the Act, the minimum requirements for closed-circuit television equipment are—

- (a) the equipment must be installed in a way that clearly records, at each entrance and exit of the premises providing access for patrons—
  - (i) all patrons entering or leaving the premises; and
  - (ii) interaction between the patrons and a crowd controller or staff of the premises; and
- (b) each recording made by the equipment must display on the recording the time and date of the recording.

### **37E Information for incident register—Act, s 142AI**

For section 142AI(1)(a) of the Act, the following information is prescribed for an incident at licensed premises or premises to which a permit relates—

- (a) the date and time the incident happened;
- (b) a description of the place at the premises where the incident happened;
- (c) a description of each person involved in the incident and, if known, the person's name;
- (d) details of the incident, including, for example, information about whether a patron was removed from the premises because of the incident;

[s 37F]

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- (e) details of injuries sustained by persons involved in the incident;
- (f) details of action taken by a crowd controller or member of staff of the premises in response to the incident.

### **37F Information for training register—Act, s 142AI(2)(a)**

For section 142AI(2)(a) of the Act, the expiry date of each current training course certificate kept by the licensee under section 142AG(c) of the Act is the information.

### **37H Prescribed activities—Act, s 142AJ(b)**

- (1) For section 142AJ(b) of the Act, the following activities are prescribed for licensed premises—
  - (a) the holding of an event or occasion in or on which a person's membership of a group, or participation in the event or occasion, entitles the person to free or discounted liquor;

*Examples—*

a 'blondes' night', 'students' night', 'nurses' night' or other theme night

- (b) a promotional or other activity that offers a person, as a reward, free or discounted liquor for consumption on the premises;

*Example—*

a raffle in which a person might win free or discounted liquor for a day

- (c) a promotional or other activity that offers a person a reward, other than free or discounted liquor, if the person would need to drink more than 4 standard drinks on any day to win the reward.

*Example—*

A promotional activity in which a 'drinks card' is given to a person at a particular time, and to win a T-shirt by using the card the person would need to drink more than 4 standard drinks on any day.

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- (2) Also, for section 142AJ(b) of the Act, all of the following activities are prescribed for licensed premises—
- (a) for the period from 7a.m. on a day to 9p.m. on the day—having a happy hour that is more than 2 hours;
  - (b) for the period from 9p.m. in the trading period to 1a.m. in the period—having a happy hour that is more than 1 hour;
  - (c) for the period after 1a.m. in the trading period—having a happy hour or part of a happy hour;
  - (d) if the premises have more than 1 happy hour on a day—having the happy hours without at least 1 hour between the end of each happy hour and the start of the following happy hour;
  - (e) on any day—having a happy hour that starts before 9p.m. and ends after 9p.m.

- (3) In this section—

*happy hour* means a set period, commonly called a ‘happy hour’, during which liquor is generally available on the premises during the period for free or at a discounted price.

*standard drink* means the quantity of any kind of alcoholic drink that, if consumed, is equivalent to drinking 12.5mL of alcohol.

## Part 9 Miscellaneous

### 38A Matters for risk-assessed management plan—Act, s 50, definition *risk-assessed management plan*

- (1) For section 50 of the Act, definition *risk-assessed management plan*, the following matters are prescribed—
- (a) responsible service of liquor at the premises;

[s 38A]

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- (b) matters addressed in a liquor accord to which the licensee or permittee for the premises is a party;
  - (c) arrangements for the following at the premises—
    - (i) lighting;
    - (ii) noise mitigation;
    - (iii) security;
    - (iv) transport provided for the use of patrons of the premises;
  - (d) provision of food at the premises;
  - (e) training staff of the premises;
  - (f) dealing with minors on the premises;
  - (g) dealing with unduly intoxicated and disorderly patrons of the premises;
  - (h) how any impact the business conducted at the premises has on the amenity of the surrounding area will be mitigated;
  - (i) consultation with community and liquor industry groups about the conduct of business at the premises;
  - (j) ensuring the conduct of business at the premises complies with the Act and other laws;
  - (k) if the licence for the premises is a commercial other licence—the principal activity of the business conducted under the licence.
- (2) In this section—

*liquor accord* see section 224(2) of the Act.

*premises* means licensed premises or premises to which a restricted liquor permit relates.

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**39 Proposed amendment to club rules**

Sections 79(2) and 83(2) of the Act do not apply to amendments of the rules of a club other than amendments about the following—

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

**39A Information for training register—Act, s 141C(3)(a)**

For section 141C(3)(a) of the Act, the expiry date of each current training course certificate kept by the licensee under section 141C(4) of the Act is the information.

**40 Prescription of limits for noise that if exceeded constitute unreasonable noise**

For the definition *unreasonable noise* in section 187(5) of the Act, the limits for noise are as follows—

- (a) between 6a.m. and 10p.m.—the adjusted maximum sound pressure level LA10, plus adjustments for tonal and impulse components, exceeding the background level LA90 by more than 10dB(A);
- (b) between 10p.m. and 6a.m.—the sound pressure level LOCT10, in a full octave band with centre frequencies from 63HZ to 2000HZ, exceeding the background level LOCT90 by more than 8dB in any octave band.

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**41 Acceptable and unacceptable practices and promotions for the service, supply and promotion of liquor—Act, s 148A**

(1) The following are examples of unacceptable practices or promotions that, for section 148A(2) of the Act, may encourage rapid or excessive consumption of liquor—

- (a) promoting or conducting an activity that encourages rapid or excessive consumption of liquor or discourages a patron from monitoring or controlling the patron's consumption of liquor;

*Examples for paragraph (a)—*

- promoting or conducting skolling games
- promoting the consumption of drinks known as 'laybacks'
- promoting the consumption of liquor from a water pistol

- (b) supplying liquor to a person on condition that the person is required to promote or conduct an activity that encourages rapid or excessive consumption of liquor or discourages a patron from monitoring or controlling the patron's consumption of liquor;

- (c) serving, supplying or promoting liquor in a container that encourages rapid or excessive consumption of liquor or discourages a patron from monitoring or controlling the patron's consumption of liquor;

*Examples for paragraph (c)—*

- serving liquor in a yard glass for consumption at 1 draught
- serving liquor in a test tube shaped glass without providing a stand on which the glass can be placed

- (d) serving, supplying or promoting liquor without taking appropriate action to discourage rapid or excessive consumption of liquor;

*Example for paragraph (d)—*

promoting free or discounted liquor without providing an appropriate number of staff or security persons to monitor and control patrons' consumption of liquor



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- (e) serving or supplying liquor to a patron while holding the patron's financial institution access card or other property pending payment for the liquor, in a way that discourages the patron from monitoring or controlling the patron's purchase of liquor.

*Example for paragraph (e)—*

holding a patron's financial institution access card and serving liquor to the patron on account over several days pending payment when the patron next receives social security benefits

- (2) The following are examples of acceptable practices or promotions that encourage, for section 148A(3) of the Act, the responsible consumption of liquor—

- (a) deterring the rapid or excessive consumption of liquor;

*Example for paragraph (a)—*

detering patrons from taking part in skolling games

- (b) having non-alcoholic and low alcohol beverages available;

- (d) supplying liquor in standardised quantities that can be recognised by patrons;

*Examples for paragraph (d)—*

- serving spirits in measured nips
- serving liquor in glasses or jugs marked with measured quantities
- supplying liquor in prepacked containers labelled with measured quantities

- (e) serving patrons half measures of spirits on request.

- (3) The following are examples of acceptable practices for providing and maintaining, for section 148A(4) of the Act, a safe environment in and around premises—

- (a) helping patrons to arrange transport from the premises;

*Examples for paragraph (a)—*

- arranging the supply and convenient positioning of public telephones displaying telephone numbers for taxis and emergency services

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- allowing staff to make telephone calls to arrange transport for patrons
  - (b) providing appropriate lighting inside and outside the premises.
- (4) An example of an unacceptable practice for providing and maintaining, for section 148A(4) of the Act, a safe environment in and around premises, is promoting or conducting an activity that encourages harassment of patrons or staff.

*Example for subsection (4)—*

A licensee promotes and conducts a ‘wet T-shirt’ competition during which discounted liquor is served to patrons. The licensee does not provide adequate staff or security persons to monitor or control patrons’ behaviour and some patrons become intoxicated and harass other patrons and staff.

#### **42 Prescribed sports for sporting clubs—Act, ss 86(5)(b) and 103I(5)(b)**

For sections 86(5)(b) and 103I(5)(b) of the Act, the following sports are prescribed—

- (a) golf;
- (b) lawn bowls.

#### **42A Undesirable liquor product—Act, s 156B**

- (1) For the Act, section 156B(1), a product containing liquor in a flexible tube bearing a name that includes either or both of the words ‘go’ or ‘vodka’, whether in lower case, upper case or a combination of both, is declared to be an undesirable liquor product.
- (2) In this section—

*flexible tube* means a flexible metal, plastic or laminate container sealed permanently at one end and having a cap at the other end.

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**43 Prescribed public places where consumption of liquor is prohibited—Act, s 173B(1)(a)(iii)**

(1) For section 173B(1)(a)(iii) of the Act, South Bank Parklands is prescribed.

(2) In this section—

*corporation* see the *South Bank Corporation Act 1989*, section 3.

*corporation area* see the *South Bank Corporation Act 1989*, section 3.

*public authority* see the *South Bank Corporation Act 1989*, section 3.

*South Bank Parklands* means the corporation area, other than the following land—

- (a) land within the corporation area leased from the corporation under the *South Bank Corporation Act 1989*, section 26;
- (b) land within the corporation area held in fee simple by a person, other than a public authority.

## **Part 11 Transitional and repeal provisions**

### **54 Definitions for pt 11**

In this part—

*commencement day* means the day this regulation commences.

*repealed regulation* means the *Liquor Regulation 1992*.

[s 55]

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## 55 References to repealed provision

A reference in an instrument to the repealed regulation or a provision of the repealed regulation may, if the context permits, be taken as a reference to this regulation or a provision of this regulation.

## 56 Pending applications

- (1) A pending application under a section of the repealed regulation mentioned in column 1 of the following table is taken to be an application under the section of this regulation mentioned in column 2 of the table shown opposite the column 1 section—

**Table**

<b>Column 1</b>	<b>Column 2</b>
1 section 6H (application for approval to relocate a detached bottle shop)	section 12
2 section 6J (application for approval to transfer a detached bottle shop)	section 14
3 section 6M (application for the inclusion of, or change to, a statement in a club licence that the licensed premises includes other premises)	section 17
4 section 18 (application for approval to alter, rebuild, change or increase the area of licensed premises)	section 21

- (2) Also, a pending application under section 9 of the repealed regulation for the grant of a licence, or an extended hours permit that would extend trading hours on a regular basis, in relation to premises in a community area of a Council is taken to be an application under section 44.

- (3) In this section—

***pending application*** means an application made under the repealed regulation and not decided immediately before the commencement day.

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**57 Production of licence after alteration, rebuilding, change or increase after approval under section 18A of repealed regulation**

- (1) This section applies if—
  - (a) a licensee received an approval under section 18A of the repealed regulation; and
  - (b) the approval was an approval to alter, rebuild, change or increase the area of the licensee's licensed premises other than for an event or occasion to be held at the licensee's licensed premises; and
  - (c) the licensee has not given the licensee's licence to the chief executive under section 18B of the repealed regulation before the commencement day.
- (2) For the licensee and the chief executive, section 23 applies to the approval as if it were an approval under section 22.

**58 Repeal**

The Liquor Regulation 1992 is repealed.

## **Part 12 Transitional provisions for the Liquor and Other Acts Amendment Act 2008**

**59 Initial licence fees**

- (1) Subsection (2) applies to a licensee who, under section 289(2) of the Act, is taken to hold a column 2 licence.
- (2) The licence fee for the licence for the licence period ending on 30 June 2009, is one-half of the licence fee calculated under section 36.
- (3) To remove any doubt, it is declared that section 36(2) does not apply to the licence.

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- (4) Despite section 36E(b), the day for payment of the licence fee for the licence for the licence period is 2 March 2009.
- (5) Despite section 36L(2)(a), the suspension period for the licence period ending on 30 June 2009 is extended to 30 June 2009.

*Note—*

Under section 36L(4), payment of the licence fee during the suspension period ends the suspension of the licence.

- (6) In this section—  
*column 2 licence* see section 289(2) of the Act.

## **60 Exemption from payment of application fees**

- (1) Subsection (2) applies to a licensee who, under section 289(2) of the Act, is taken to hold a commercial special facility licence.
- (2) The licensee is exempt from paying the application fee mentioned in schedule 1, item 1(c) if the licensee applies for a commercial other licence for the whole or part of the licensed premises before 1 January 2010.
- (3) Subsection (4) applies to a licensee who, under section 289(2) of the Act, is taken to hold a community club licence.
- (4) The licensee is exempt from paying the application fee mentioned in schedule 1, item 1(e) if the licensee applies for a community other licence for the whole or part of the licensed premises before 1 January 2010.

## Schedule 1      Fees

section 36D

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### Application fee

1	Application under section 105 of the Act for—	
	(a) a commercial hotel licence . . . . .	5 468.90
	(b) a commercial special facility licence . . . . .	5 468.90
	(c) a commercial other licence . . . . .	1 093.75
	(d) a community club licence . . . . .	2 406.05
	(e) a community other licence . . . . .	547.35
2	Application—	
	(a) for a temporary variation, under section 111 of the Act, for 1 occasion . . . . .	55.15
	(b) to vary a licence, under section 111 of the Act, in another way . . . . .	164.40
	(c) to transfer a licence under section 113 of the Act . . . . .	274.75
	(d) for a duplicate licence mentioned in section 127 of the Act . . . . .	105.00
	(e) for a temporary authority mentioned in section 125 of the Act . . . . .	72.10
	(f) for the extension of a temporary authority mentioned in section 125 of the Act . . . . .	72.10
	(g) for the chief executive's approval mentioned in section 154 of the Act to alter, rebuild, change or increase the area of licensed premises, unless paragraph (h) applies . . . . .	72.10
	(h) for the chief executive's approval mentioned in section 154 of the Act to temporarily change, for 1 occasion, licensed premises . . . . .	55.15
	(i) to renew a provisional licence under section 123B(2) of the Act . . . . .	72.10

## Schedule 1

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(j) to renew a staged development approval under section 123B(4) of the Act . . . . .	72.10
(k) for an extended trading hours approval under section 85 of the Act . . . . .	164.40
<b>Permits</b>	
3 Application under section 105 of the Act for—	
(a) an extended hours permit . . . . .	55.15
(b) each day of the event or occasion for a community liquor permit . . . . .	55.15
(c) a restricted liquor 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 . . . . .	98.60
(ii) if the times for the sale of liquor under the permit total more than 10 hours but not more than 25 hours a week . . . . .	190.95
(d) an adult entertainment permit—	
(i) to provide adult entertainment for 1 occasion . . . . .	656.65
(ii) to provide adult entertainment for a year . . . . .	1 694.20
(iii) to vary, on a regular basis, the hours during which adult entertainment may be provided . . . . .	164.40
(iv) to change the controller for the permit . . . . .	218.50
(v) to make another change to an existing permit . . . . .	213.20
(vi) to vary the hours during which adult entertainment may be provided for 1 occasion . . . . .	55.15
(e) a commercial public event permit—	
(i) for the first day of a public event . . . . .	547.35
(ii) for each additional day of the public event . . . . .	55.15
(f) a variation of a commercial public event permit . . . . .	55.15
5 Application for a duplicate permit mentioned in section 127 of the Act . . . . .	105.00



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**Miscellaneous applications**

6	Application for—	
	(a) approval of premises, mentioned in section 60(1)(d) of the Act, for the sale of liquor under authority of a commercial hotel licence . . . . .	820.00
	(b) approval as an approved manager under section 142Q of the Act . . . . .	398.85
	(c) renewal of approval as an approved manager under section 142U of the Act . . . . .	398.85
	(d) authority under section 129 of the Act to conduct business on licensed premises . . . . .	274.75
	(e) approval, mentioned in section 144 of the Act, to change the name of licensed premises . . . . .	72.10
	(f) approval, mentioned in section 148(d) of the Act, for the gratuitous supply of liquor for a particular event or occasion in any part of licensed premises . . . . .	55.15
	(g) approval, mentioned in section 152 of the Act, to conduct a business or supply a service on licensed premises . . . . .	72.10
	(h) approval, mentioned in section 153 of the Act, to let or sublet all or part of, or enter into a franchise or management agreement for all of, a licensed premises . . . . .	274.75
	(i) approval under section 154A of the Act for the relocation of a detached bottle shop . . . . .	141.05
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	(k) inclusion in a licence, mentioned in section 154C of the Act, of a statement that the licensed premises includes other premises . . . . .	72.10
	(l) a change, under section 154C of the Act, of a statement in a community club licence that the licensed premises includes other premises . . . . .	72.10

		\$
	(m) inclusion in a commercial hotel licence or commercial other licence of a statement that the licensee may sell liquor on premises other than the licensed premises described in the licence for consumption on the premises on which the liquor is sold. . . . .	72.10
	(n) a change of an approved risk-assessed management plan under section 52(1) of the Act . . . . .	72.10
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8	Inspection of the register under section 44(b) of the Act . .	30.70
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9	Application under section 142B of the Act for approval as a trainer for the licensee's course for 1 year . . . . .	2 050.65
10	Application under section 142F of the Act for renewal of approval as a trainer for the licensee's course for 1 year. . .	1 679.35
 <b>Trainers for approved training course</b>		
11	Application under section 142B of the Act for approval as a trainer for the approved training course . . . . .	350.20
12	Application under section 142F of the Act for renewal of approval as a trainer for the approved training course. . . . .	350.20

## **Schedule 1A    Aurukun**

sections 37A and 37B

### **1        Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the area of the Shire of Aurukun;
- (b) the foreshore of the area of the shire.

### **2        Prescribed quantity**

The prescribed quantity of liquor of any type for each restricted area is zero.

## **Schedule 1B    Doomadgee**

sections 37A and 37B

### **1        Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Doomadgee Shire Council, other than the land described as lot 1 on crown plan PK3, known as Old Doomadgee, and roads situated within the external boundaries of the lot;
- (b) the bed and banks of the part of the Nicholson River that adjoins the community area of the Doomadgee Shire Council, including the Nicholson River weir.

### **2        Prescribed quantity**

The prescribed quantity of liquor for each restricted area is—

- (a) for beer in which the concentration of alcohol is less than 4%—22.5L; and
- (b) for any other liquor—zero.

### **3        Public road and public facility—Act, s 168B(3A)**

- (1) For section 168B(3A) of the Act, the part of The Savannah Way situated within the community area of the Doomadgee Shire Council is a public road.
- (2) For section 168B(3A)(c)(i) of the Act, the Doomadgee roadhouse area is a public facility.
- (3) In this section—

***Doomadgee roadhouse area*** means the area at the corner of The Savannah Way and Goodeedawa Road, situated within the community area of the Doomadgee Shire Council, to the north of—

- (a) the roadhouse building; and

(b) the fences abutting 2 sides of the roadhouse building.

***The Savannah Way*** means the road known as The Savannah Way.

## **Schedule 1C Napranum**

sections 37A and 37B

### **1 Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Napranum Shire Council, other than the part of the road known as the Peninsula Development Road within the external boundaries of the land described as lot 2 on crown plan WP50;
- (b) the foreshore of the community area of the Napranum Shire Council.

### **2 Prescribed quantity**

The prescribed quantity of liquor of any type for each restricted area is zero.

## **Schedule 1D Lockhart River**

sections 37A and 37B

### **1 Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Lockhart River Shire Council;
- (b) the foreshore of the community area of the Lockhart River Shire Council;
- (c) the Lockhart River Airport.

### **2 Prescribed quantity**

The prescribed quantity of liquor of any type for each restricted area is zero.

### **3 Public road—Act, s 168B(3A)**

For section 168B(3A) of the Act, the parts of the roads known as Frenchmen's Road and Portland Roads Road situated within the external boundaries of the land described as lot 16 on plan 104551 are public roads.

## **Schedule 1E     Woorabinda**

sections 37A and 37B

### **1     Area declared to be restricted area**

The community area of the Woorabinda Shire Council, other than the following areas—

- (a) the part of the road known as Fitzroy Development Road within the external boundaries of the land described as lot 6 on plan WNA141;
- (b) the part of the road known as Aphis Creek Road within the external boundaries of the land described as lot 1 on plan LR146;
- (c) the part of the road known as the Dawson Highway within the external boundaries of the land described as lot 9 on plan BH194.

### **2     Prescribed quantity**

The prescribed quantity of liquor of any type for the restricted area is zero.



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# Schedule 1F Wujal Wujal

sections 37A and 37B

## 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) the community area of the Wujal Wujal Shire Council;
- (b) the foreshore of the community area of the Wujal Wujal Shire Council;
- (c) the part of the foreshore, on the southern side of the Bloomfield River, that is between—
  - (i) the foreshore of the community area downstream of the Bloomfield Crossing; and
  - (ii) the foreshore of the community area upstream of the Bloomfield Crossing;
- (d) all land between the part of the foreshore described in paragraph (c) and the land described as lot 42 on plan SR837, other than the land described as lot 12 on plan BK15783;

*Note—*

The area described in paragraph (d) includes the following—

- the land described as lot 8 on RP903515;
  - the land described as lot 9 on RP903516;
  - the land described as lot 10 on RP903517;
  - parts of Bloomfield Road;
  - parts of the Esplanade.
- (e) the Bloomfield Crossing.

## 2 Prescribed quantity

The prescribed quantity of liquor of any type for each restricted area is zero.

**3 Public road and public facility—Act, s 168B(3A)**

- (1) For section 168B(3A) of the Act, the following are public roads—
  - (a) the part of the road known as Bloomfield Road (also known as the Bloomfield Track) that is within the areas described in section 1(a) and (d);
  - (b) the parts of the roads known as Douglas Street and the Rossville-Bloomfield Road situated within the external boundaries of the land described as lot 4 on plan SR836;
  - (c) the road, situated within the community area of the Wujal Wujal Shire Council, directly connecting the road known as Douglas Street and the Bloomfield Falls;
  - (d) the part of the Esplanade, adjoining the land described as lot 12 on plan BK15783, that is used as a road;
  - (e) the road used to access the land described as lot 12 on plan BK15783 leading from the road known as the Zig Zag Track;
  - (f) the Bloomfield Crossing.
- (2) To remove any doubt it is declared that the road mentioned in subsection (1)(c) does not include the road that is known as the service road for Douglas Street.
- (3) For section 168B(3A)(c)(i) of the Act, the following are public facilities—
  - (a) the car park near the Bloomfield Falls;
  - (b) the car park for the Wujal Wujal Arts and Cultural Centre.

## **Schedule 1G Kowanyama**

sections 37A and 37B

### **1 Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Kowanyama Shire Council;
- (b) lot 4 on SP215744, known as Mitchell-Alice Rivers National Park;
- (c) lot 5 on SP215744, known as Errk Oykangand National Park (Cape York Peninsula Aboriginal Land);
- (d) the foreshore of the community area.

### **2 Prescribed quantity**

The prescribed quantity of liquor of any type for each restricted area is zero.

## **Schedule 1H Pormpuraaw**

sections 37A and 37B

### **1 Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Pormpuraaw Shire Council;
- (b) the foreshore of the community area.

### **2 Prescribed quantity**

The prescribed quantity of liquor for each restricted area is—

- (a) for wine—
  - (i) if the wine is to be used for sacramental purposes for a religious entity—4L; or
  - (ii) otherwise—zero; and
- (b) for any other liquor—zero.

## **Schedule 11      Mornington**

sections 37A and 37B

### **1      Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Council of the Shire of Mornington;
- (b) the foreshore of the community area.

### **2      Prescribed quantity**

The prescribed quantity of liquor of any type for each restricted area is zero.

## Schedule 1J Yarrabah

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) the community area of the Yarrabah Shire Council;
- (b) the foreshore of the community area.

### 2 Prescribed quantity

(1) The prescribed quantity of liquor for each restricted area is—

- (a) for beer or wine, 1 only of the following—
  - (i) for beer in which the concentration of alcohol is less than 4%—11.25L;
  - (ii) for wine, other than fortified wine—750mL; and
- (b) for any other liquor—zero.

(2) In this section—

*fortified wine* includes muscat, port and sherry.

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## Schedule 1K Bamaga

sections 37A and 37B

### 1 Area declared to be restricted area

Division 3 of the area of the Northern Peninsula Area Regional Council.

### 2 Prescribed quantity

- (1) The prescribed quantity of liquor for the restricted area is—
  - (a) for beer or diluted spirit, 1 only of the following—
    - (i) 11.25L of beer;
    - (ii) 9L of diluted spirit; and
  - (b) for wine, other than fortified wine—2L; and
  - (c) for any other liquor—zero.
- (2) In this section—

*diluted spirit* means a spirit mixed with a beverage in which the concentration of alcohol is not more than 5.5% of the beverage at 20°C.

*fortified wine* includes muscat, port and sherry.

## Schedule 1L Injinoo

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) division 1 of the area of the Northern Peninsula Area Regional Council, other than—
  - (i) lot 43 on SP 104552, known as Somerset; and
  - (ii) lots 101 and 102 on SP 120089; and
  - (iii) lot 2 on crown plan SO23, known as Crab Island;
- (b) the airport known as the Injinoo/Bamaga Airport.

### 2 Prescribed quantity

- (1) The prescribed quantity of liquor for each restricted area is—
  - (a) for beer or diluted spirit, 1 only of the following—
    - (i) 11.25L of beer;
    - (ii) 9L of diluted spirit; and
  - (b) for wine, other than fortified wine—2L; and
  - (c) for any other liquor—zero.
- (2) In this section—

*diluted spirit* means a spirit mixed with a beverage in which the concentration of alcohol is not more than 5.5% of the beverage at 20°C.

*fortified wine* includes muscat, port and sherry.



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## Schedule 1M New Mapoon

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) division 4 of the area of the Northern Peninsula Area Regional Council;
- (b) the foreshore of the division 4 area.

### 2 Prescribed quantity

(1) The prescribed quantity of liquor for each restricted area is—

- (a) for beer or diluted spirit, 1 only of the following—
  - (i) 11.25L of beer;
  - (ii) 9L of diluted spirit; and
- (b) for wine, other than fortified wine—2L; and
- (c) for any other liquor—zero.

(2) In this section—

*diluted spirit* means a spirit mixed with a beverage in which the concentration of alcohol is not more than 5.5% of the beverage at 20°C.

*fortified wine* includes muscat, port and sherry.

### 3 Designated public place—Act, s 173L(2)

(1) For section 173L(2) of the Act, Loyalty Beach Camping Ground is designated as a public place where permitted liquor may be consumed.

(2) In this section—

*Loyalty Beach Camping Ground* means the camping ground by that name situated at Loyalty Beach Road, New Mapoon.

## Schedule 1N Seisia

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) division 5 of the area of the Northern Peninsula Area Regional Council;
- (b) the Seisia wharf;
- (c) the foreshore of the division 5 area.

### 2 Prescribed quantity

(1) The prescribed quantity of liquor for each restricted area is—

- (a) for beer or diluted spirit, 1 only of the following—
  - (i) 11.25L of beer;
  - (ii) 9L of diluted spirit; and
- (b) for wine, other than fortified wine—2L; and
- (c) for any other liquor—zero.

(2) In this section—

*diluted spirit* means a spirit mixed with a beverage in which the concentration of alcohol is not more than 5.5% of the beverage at 20°C.

*fortified wine* includes muscat, port and sherry.

### 3 Designated public place—Act, s 173L(2)

(1) For section 173L(2) of the Act, Seisia Camping Ground is designated as a public place where permitted liquor may be consumed.

(2) In this section—

***Seisia Camping Ground*** means the camping ground by that name situated at 5 Koraba Road, Seisia, other than the camping ground's car park.

## Schedule 10 Umagico

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) division 2 of the area of the Northern Peninsula Area Regional Council;
- (b) the foreshore of the division 2 area.

### 2 Prescribed quantity

(1) The prescribed quantity of liquor for each restricted area is—

- (a) for beer or diluted spirit, 1 only of the following—
  - (i) 11.25L of beer;
  - (ii) 9L of diluted spirit; and
- (b) for wine, other than fortified wine—2L; and
- (c) for any other liquor—zero.

(2) In this section—

*diluted spirit* means a spirit mixed with a beverage in which the concentration of alcohol is not more than 5.5% of the beverage at 20°C.

*fortified wine* includes muscat, port and sherry.

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## Schedule 1P Hope Vale

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) the community area of the Hope Vale Shire Council other than the parts of the following roads within the external boundaries of the land described as lot 35 on plan BS222—
  - (i) Isabella Creek-McIvor River Road;
  - (ii) Barrett Creek Road;
  - (iii) Cameron Creek Road;
- (b) the foreshore of the community area.

### 2 Prescribed quantity

- (1) The prescribed quantity of liquor for each restricted area is—
  - (a) for beer or wine, 1 only of the following—
    - (i) for beer in which the concentration of alcohol is less than 4%—11.25L;
    - (ii) for wine, other than fortified wine—750mL; and
  - (b) for any other liquor—zero.
- (2) In this section—
  - fortified wine* includes muscat, port and sherry.

## Schedule 1Q Mapoon

sections 37A and 37B

### 1 Areas declared to be restricted areas

Each of the following areas is a restricted area—

- (a) the community area of the Mapoon Shire Council;
- (b) the foreshore of the community area.

### 2 Prescribed quantity

(1) The prescribed quantity of liquor for each restricted area is—

- (a) for beer and diluted spirit, 1 only of the following—
  - (i) 33.75L of beer in which the concentration of alcohol is less than 4% and zero diluted spirit;
  - (ii) 22.5L of beer in which the concentration of alcohol is less than 4% and 9L of diluted spirit; and
- (b) for wine, other than fortified wine—2L; and
- (c) for any other liquor—zero.

(2) In this section—

*diluted spirit* means a spirit mixed with a beverage in which the concentration of alcohol is not more than 5.5% of the beverage at 20°C.

*fortified wine* includes muscat, port and sherry.

## **Schedule 1R Palm Island**

sections 37A and 37B

### **1 Areas declared to be restricted areas**

Each of the following areas is a restricted area—

- (a) the community area of the Palm Island Shire Council;
- (b) any foreshore of the community area of the Palm Island Shire Council;
- (c) the jetty on Greater Palm Island known as Palm Island jetty.

### **2 Prescribed quantity**

The prescribed quantity of liquor for each restricted area is—

- (a) for beer in which the concentration of alcohol is less than 4%—11.25L; and
- (b) for any other liquor—zero.

## **Schedule 1S    Cherbourg**

sections 37A and 37B

### **1        Area declared to be restricted area**

The community area of the Cherbourg Shire Council is a restricted area.

### **2        Prescribed quantity**

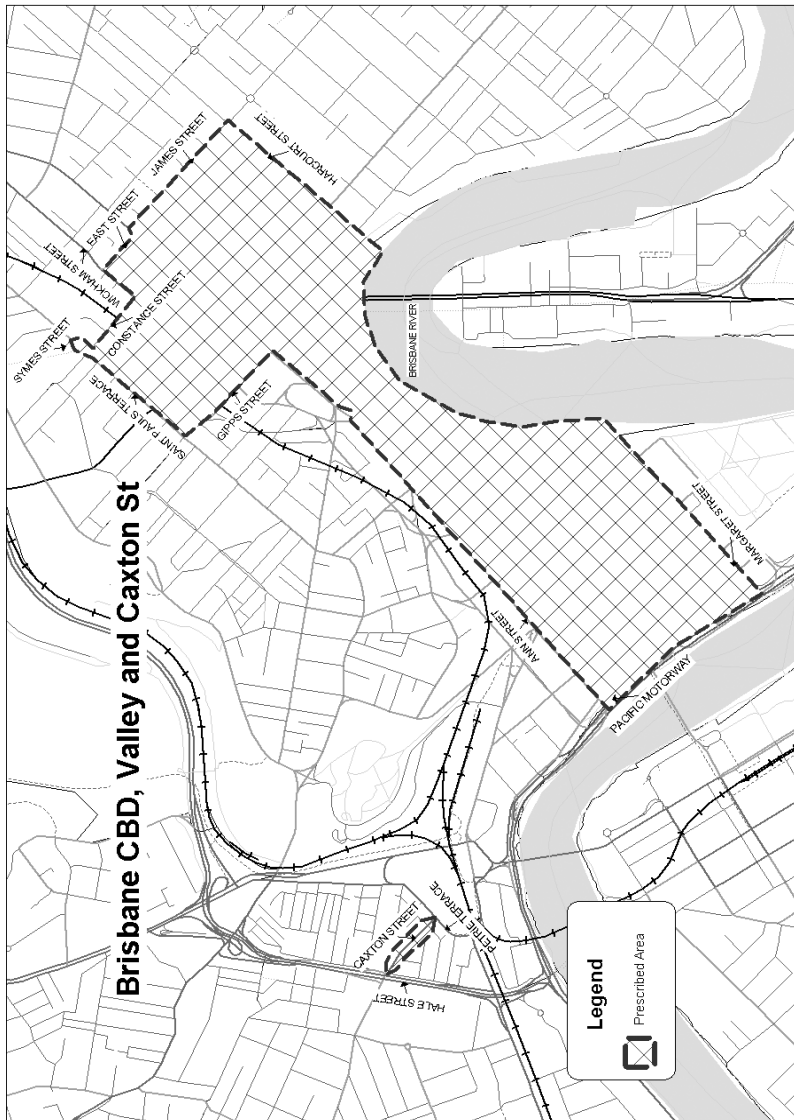
The prescribed quantity for the restricted area is—

- (a) for beer in which the concentration of alcohol is less than 4%—11.25L; and
- (b) for any other liquor—zero.



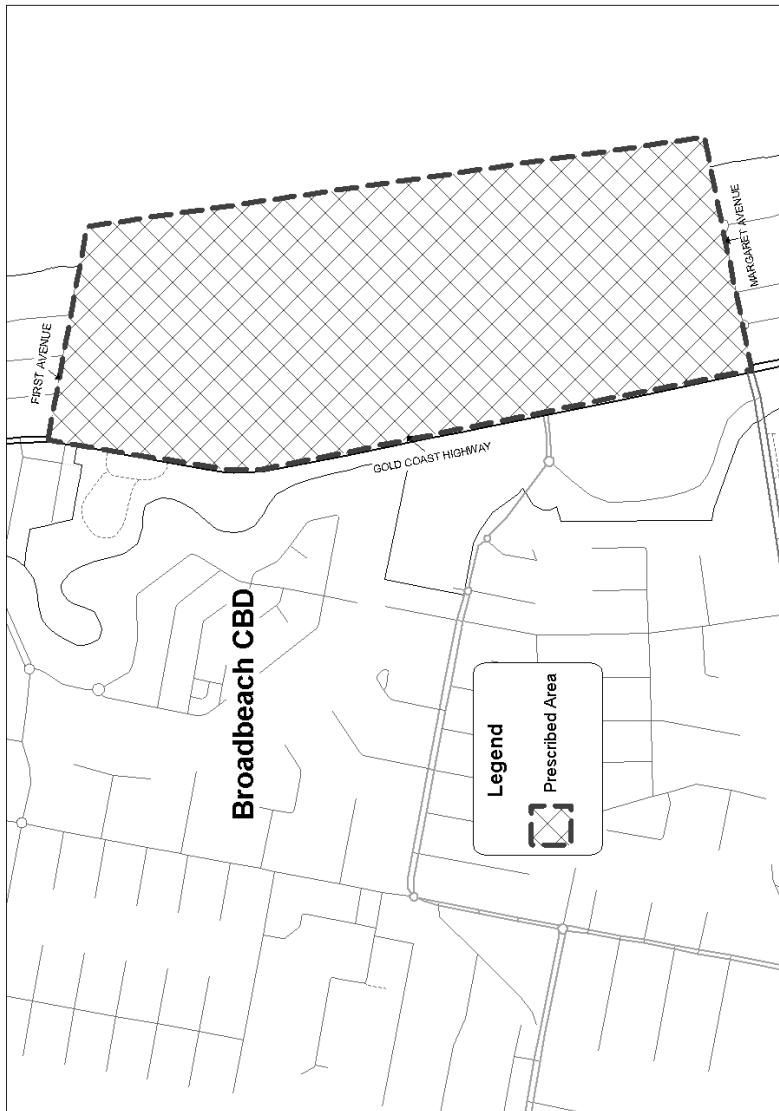
# Schedule 2 Brisbane CBD, Valley and Caxton Street

section 3A(a)



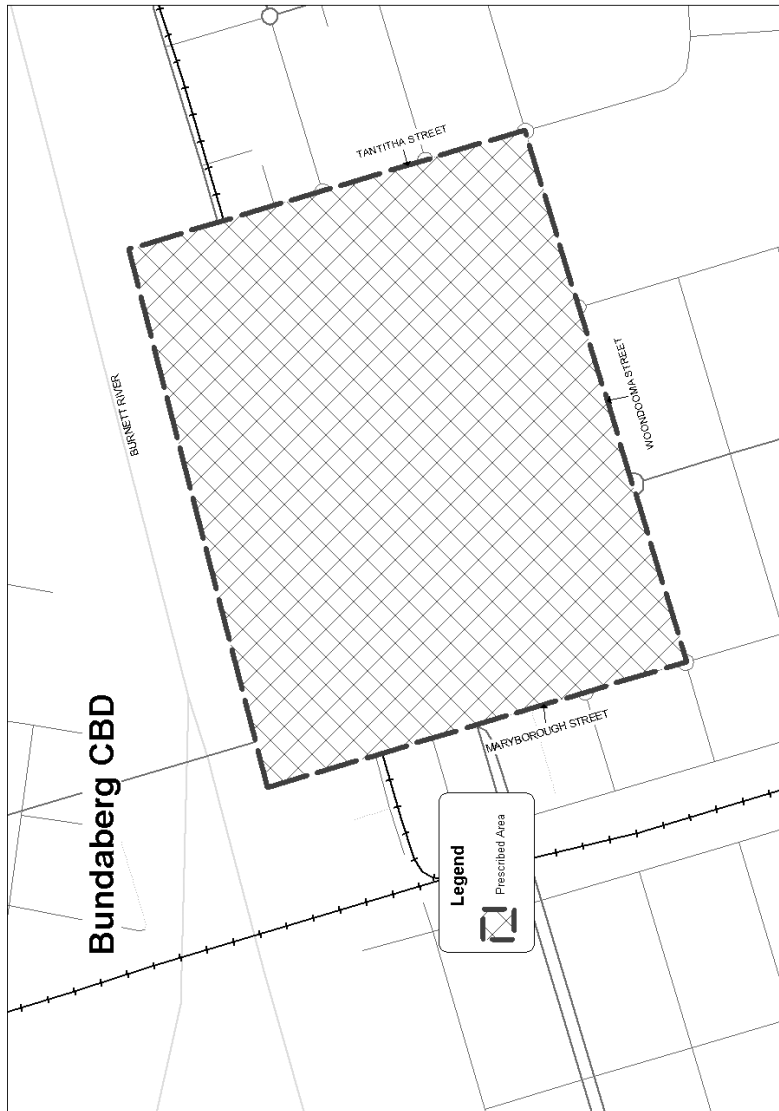
# Schedule 3 Broadbeach CBD

section 3A(b)



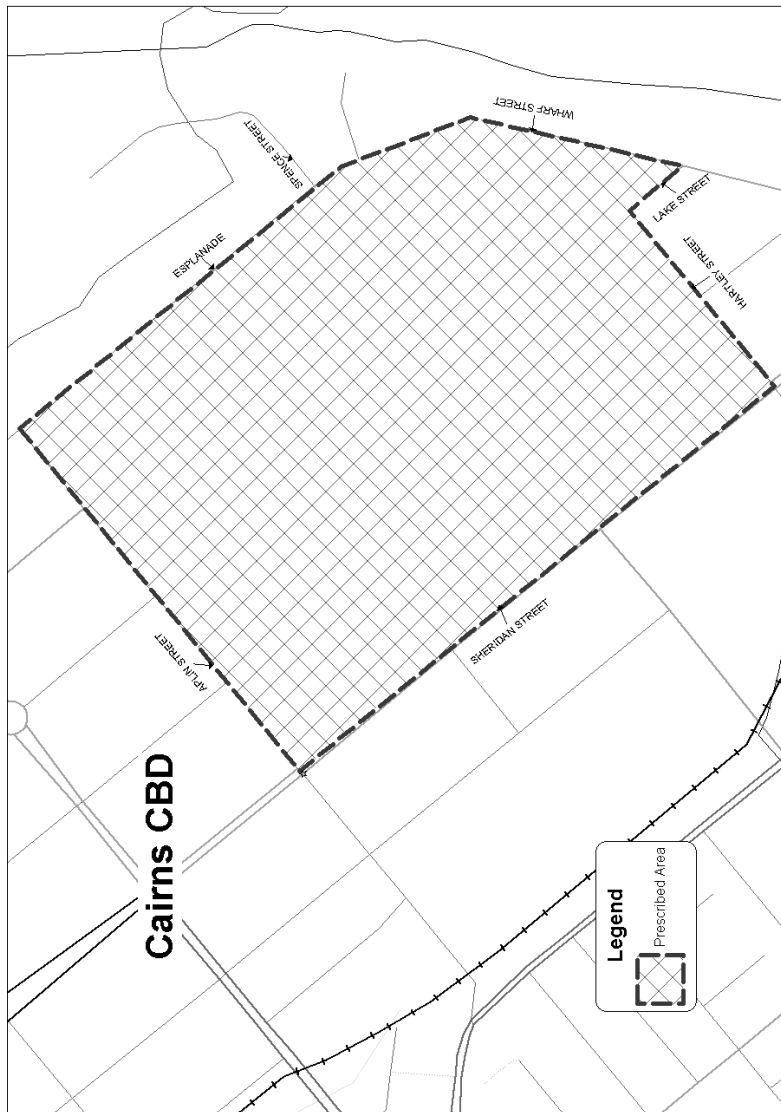
# Schedule 4 Bundaberg CBD

section 3A(c)



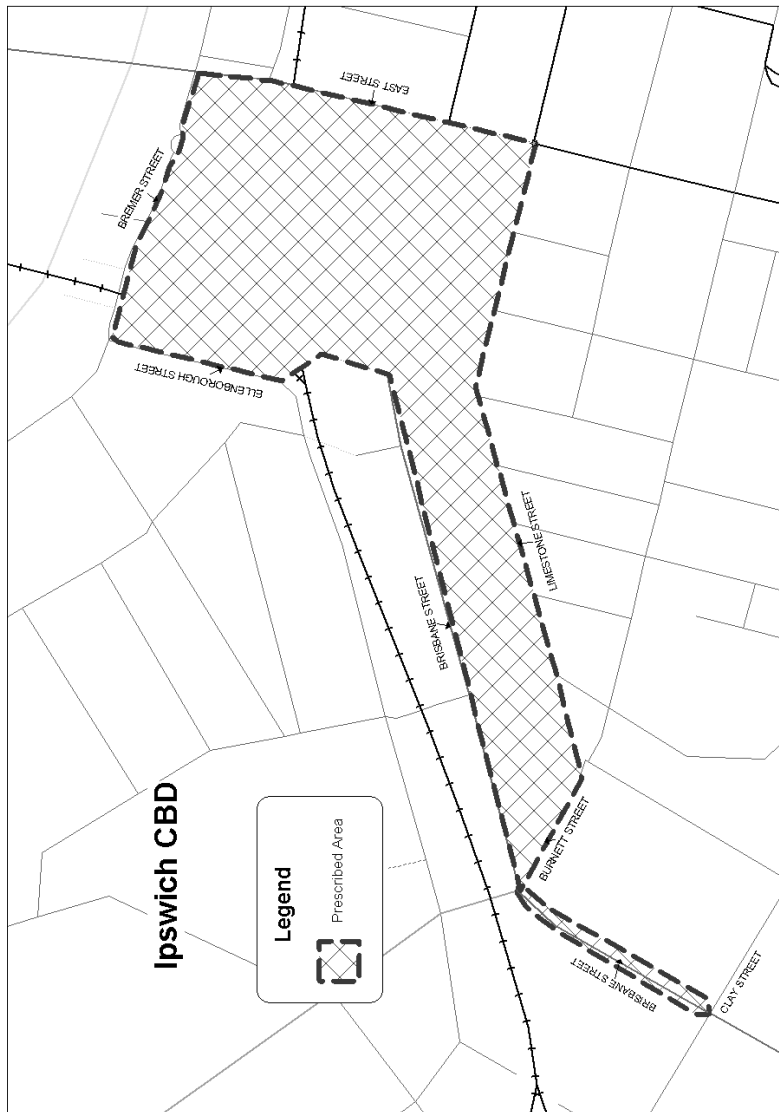
# Schedule 5 Cairns CBD

section 3A(d)



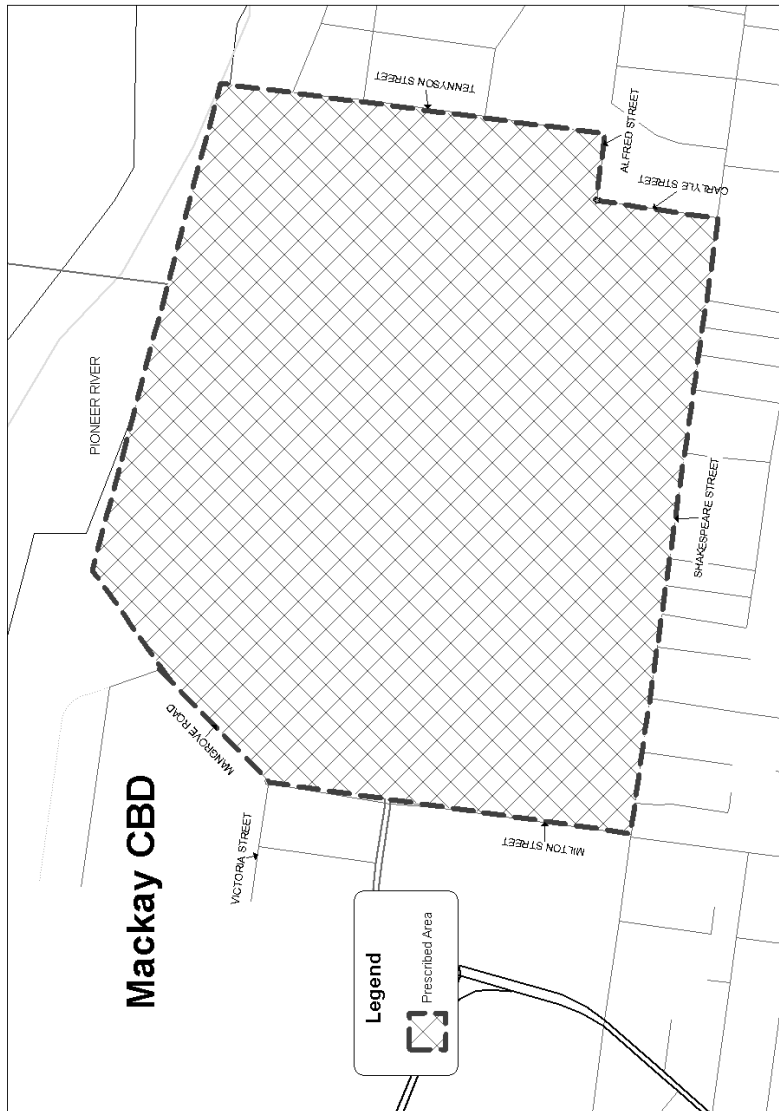
# Schedule 6 Ipswich CBD

section 3A(e)



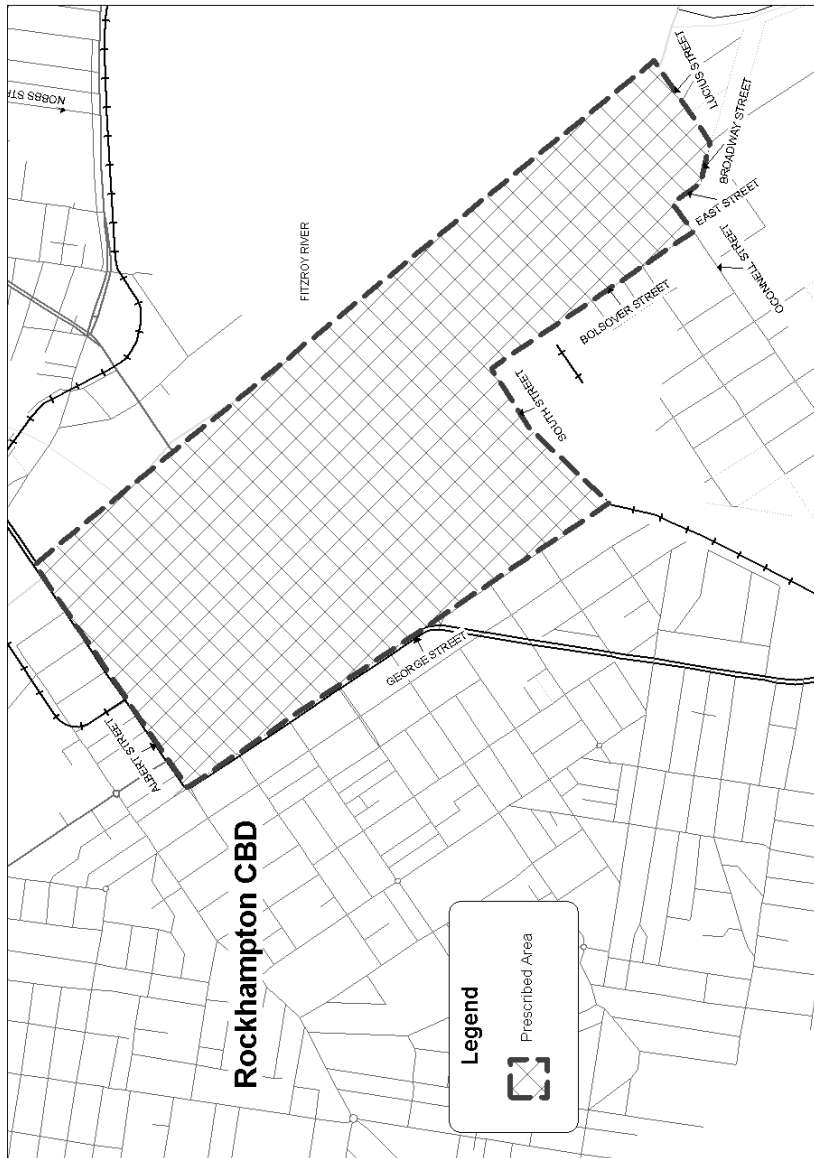
# Schedule 7 Mackay CBD

section 3A(f)



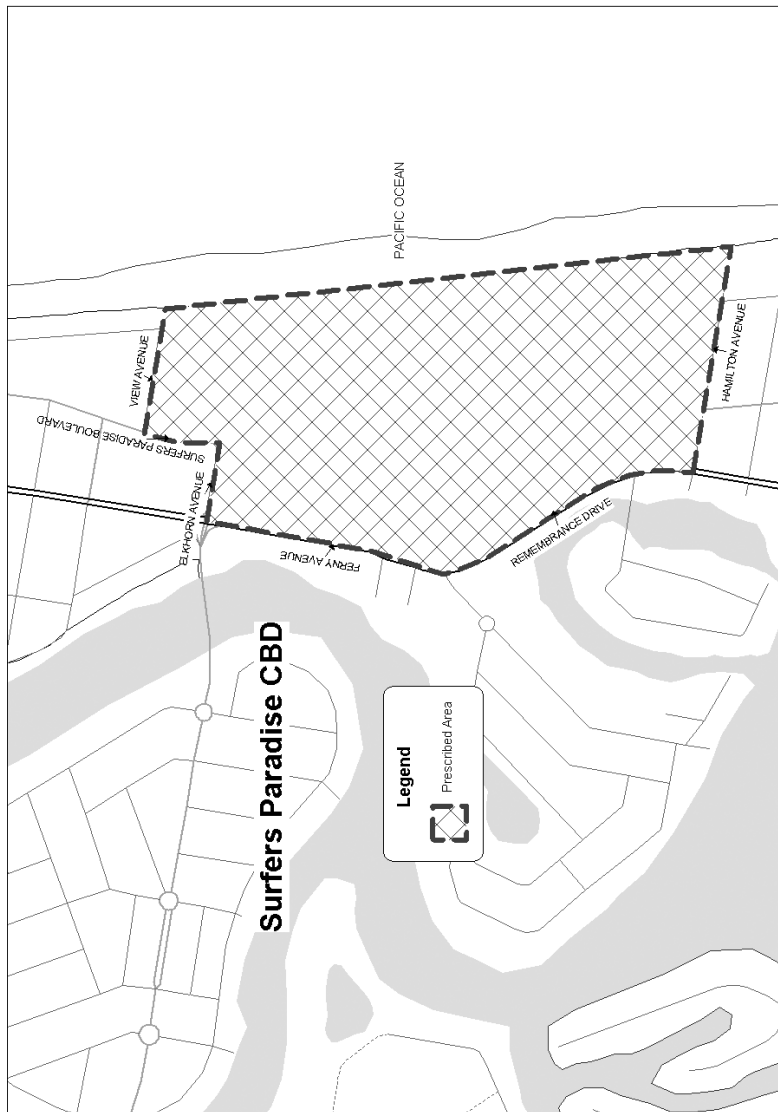
# Schedule 8 Rockhampton CBD

section 3A(g)



# Schedule 9 Surfers Paradise CBD

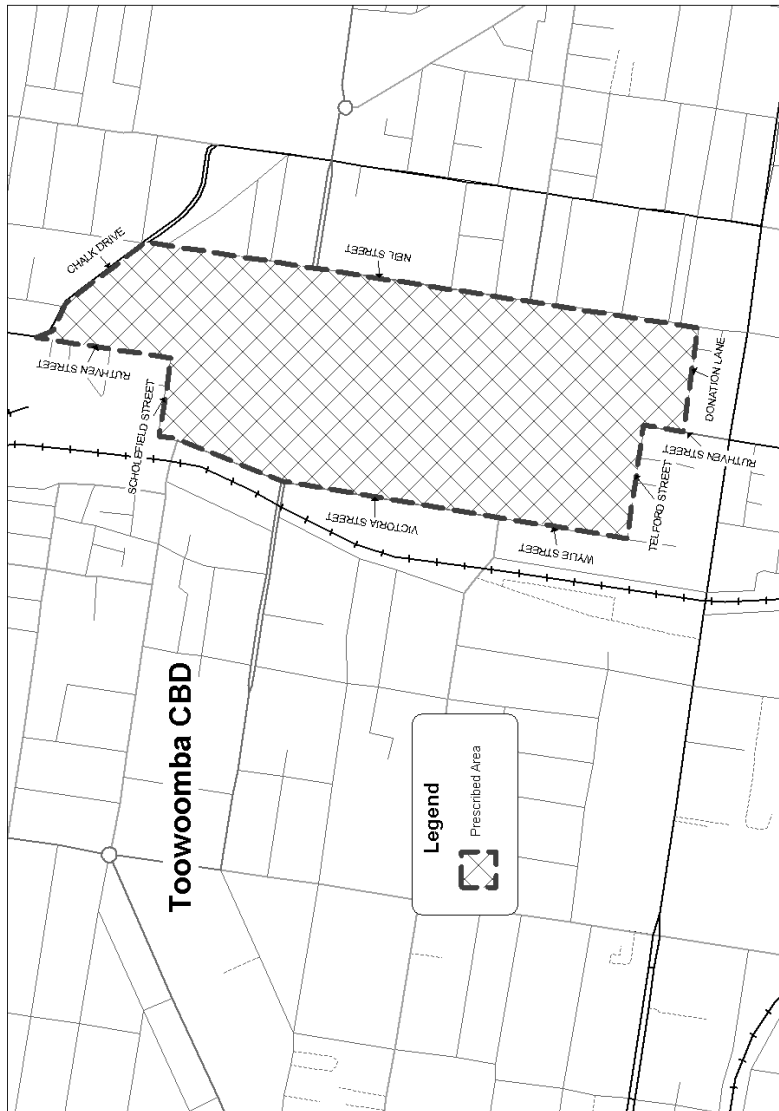
section 3A(h)





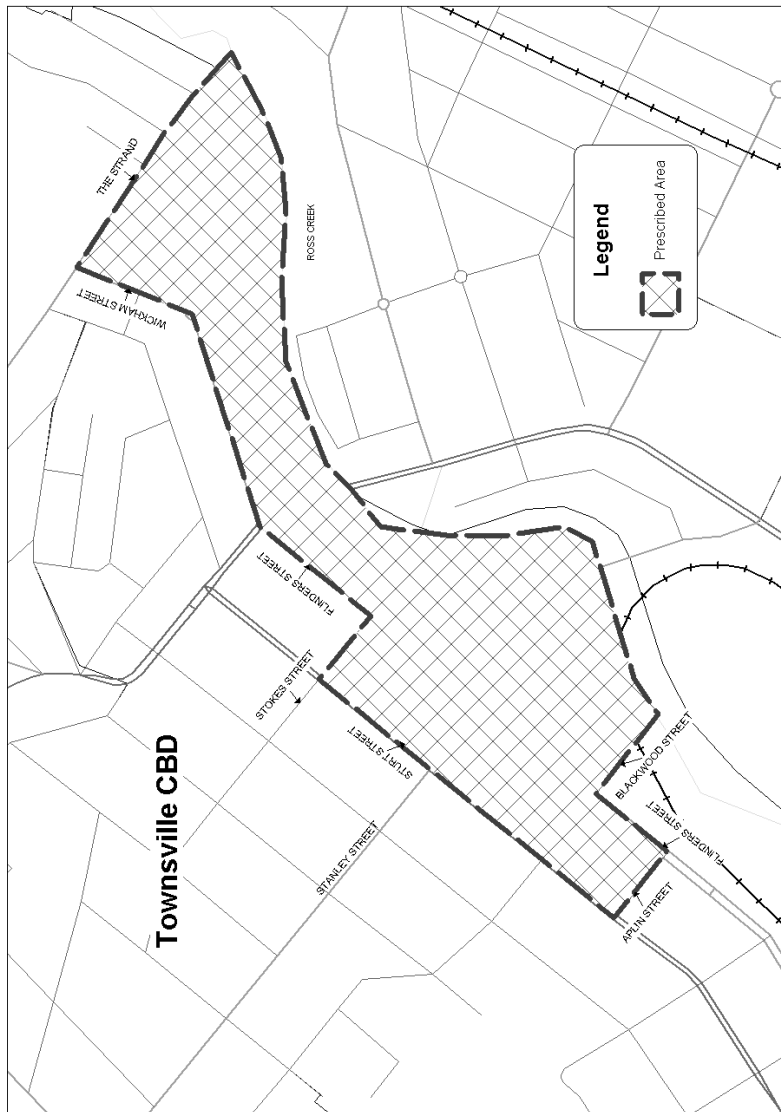
# Schedule 10 Toowoomba CBD

section 3A(i)



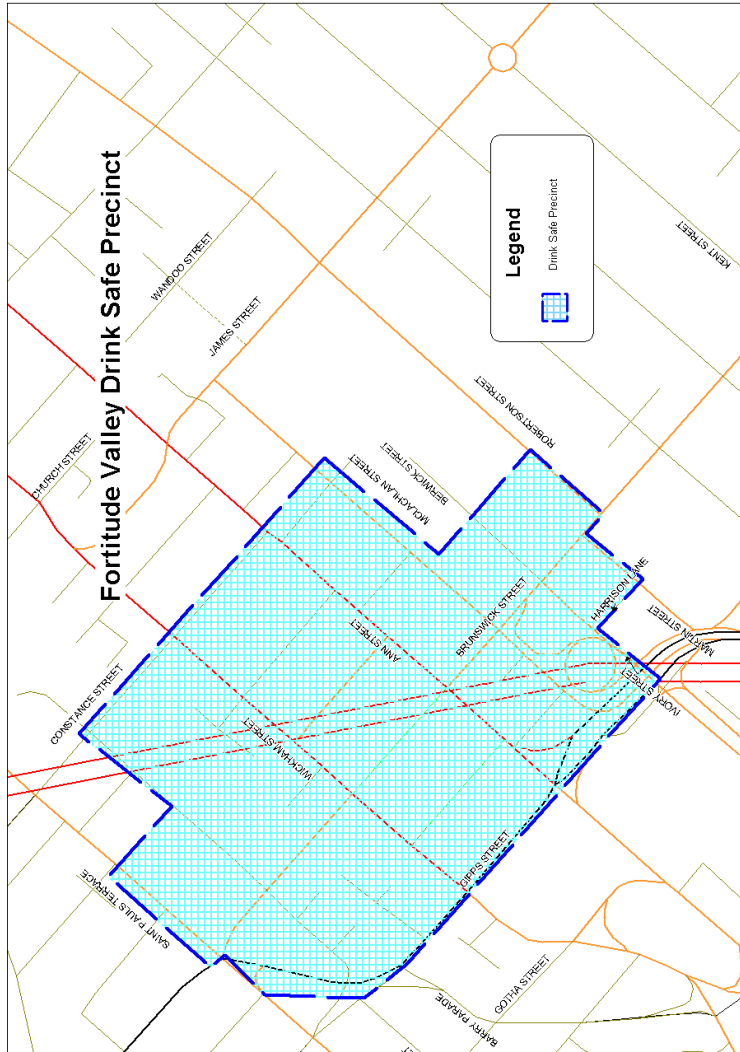
# Schedule 11 Townsville CBD

section 3A(j)



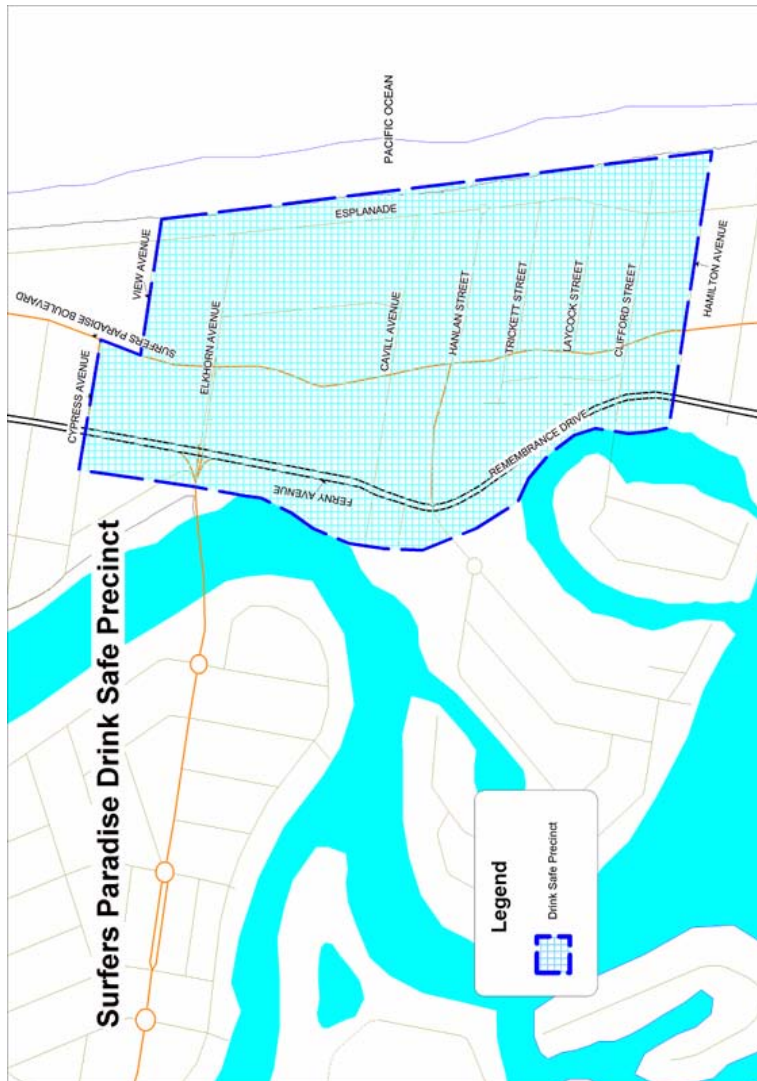
# Schedule 12 Fortitude Valley

section 3B(1)(a)



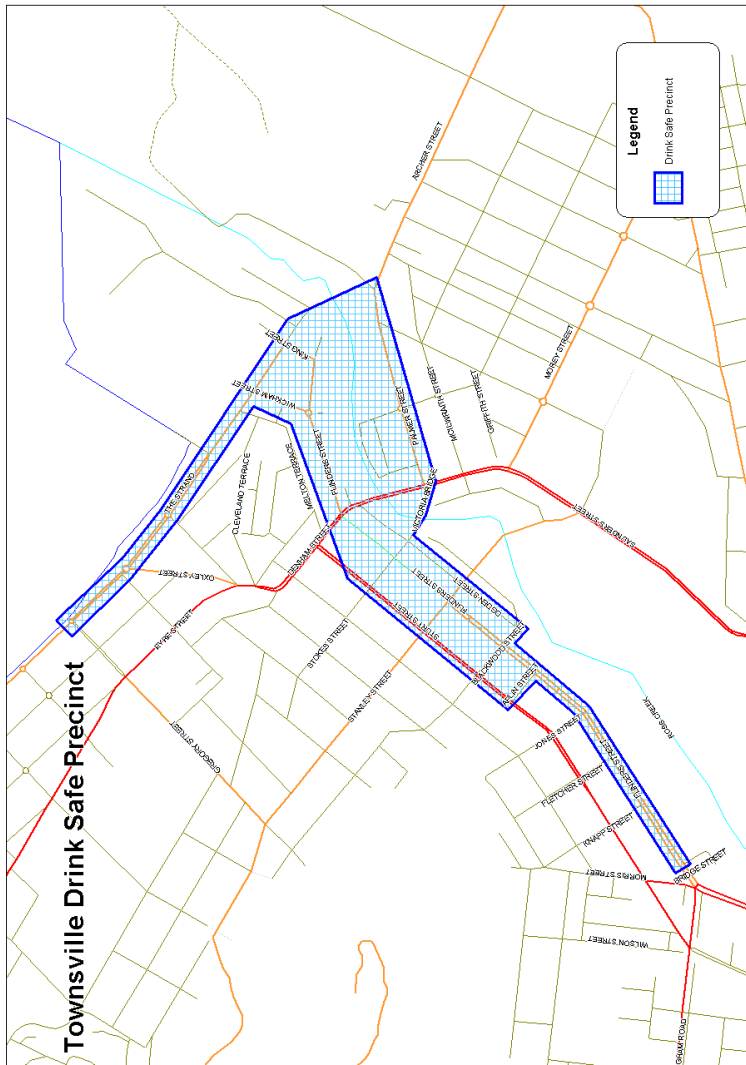
# Schedule 13 Surfers Paradise

section 3B(1)(b)



# Schedule 14 Townsville CBD

section 3B(1)(c)



## Schedule 15 Dictionary

### section 3

***division***, of the area of the Northern Peninsula Area Regional Council, means one of the divisions into which the area is divided for electoral purposes under the *Local Government Act 1993*.

*Editor's note—*

*Local Government Act 1993—see the Local Government Act 2009, section 282.*

***foreshore***, of an area, means land that—

- (a) is adjacent to a boundary of the area formed by waters that are subject to tidal influence; and
- (b) lies between high-water mark and low-water mark at ordinary spring tides.

***main licensed premises*** see section 7(1)(a).

***occasion***, for a permit to provide adult entertainment, means a period of not more than 3 consecutive days.

***planning scheme*** see the *Integrated Planning Act 1997*, section 2.1.1.

*Editor's note—*

*Integrated Planning Act 1997—see the Sustainable Planning Act 2009, section 870.*

***relevant local government***, for premises, means the local government for the area in which the premises are located.

***relevant schedule*** means a schedule other than schedule 1 or 2.

***transactions record*** see section 217 of the Act.

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## Endnotes

### 1 Index to endnotes

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### 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 1 July 2011. Future amendments of the Liquor Regulation 2002 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

Key	Explanation	Key	Explanation
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	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 September 2002	
1A	2002 SL No. 326	6 December 2002	
1B rv	2002 SL No. 356	30 December 2002	
1C	2003 SL No. 98	9 June 2003	
1D	2003 SL No. 143	1 July 2003	
1E	2003 SL No. 231	26 September 2003	
1F	—	1 October 2003	provs exp 30 September 2003
1G	2003 SL No. 167	3 October 2003	
1H	2003 SL No. 240	28 November 2003	
1I	2003 SL No. 230	5 December 2003	
1J	2003 SL No. 382	19 December 2003	
1K	2003 SL No. 304	6 February 2004	



Reprint No.	Amendments included	Effective	Notes
1L	2003 SL No. 380 (amd 2004 SL No. 8) 2003 SL No. 381 (amd 2004 SL No. 8)	14 April 2004	
2	2004 SL No. 39	23 April 2004	
2A	2004 SL No. 103	1 July 2004	
2B rv	2004 SL No. 184	10 September 2004	
2C	2004 SL No. 319	1 January 2005	
2D	2005 SL No. 135	1 July 2005	
2E	2005 SL No. 317	1 January 2006	
3	2006 SL No. 22	1 March 2006	
3A	2006 SL No. 66	28 April 2006	
3B	2006 SL No. 67 (amd 2006 SL No. 113)	5 June 2006	
3C	2006 SL No. 79	19 June 2006	
3D	2006 SL No. 162	1 July 2006	
3E	2006 SL No. 67 (amd 2006 SL No. 113)	24 July 2006	
3F	2006 SL No. 283	24 November 2006	
3G	2006 SL No. 269	21 December 2006	R3G withdrawn, see R4
4	—	21 December 2006	
4A	2007 SL No. 58	4 June 2007	
4B	2007 SL No. 149	1 July 2007	
4C	2007 SL No. 271	21 December 2007	
4D	2008 SL No. 29	15 March 2008	
4E	2008 SL No. 28 2008 SL No. 181	1 July 2008	
4F	2008 SL No. 181 2008 SL No. 418	1 January 2009	
4G	2008 SL No. 364	2 January 2009	
4H	2008 SL No. 415	12 March 2009	
4I	2009 SL No. 23	20 March 2009	
4J	2009 SL No. 94	19 June 2009	
4K	2009 SL No. 84 2009 SL No. 94	1 July 2009	R4K withdrawn, see R5
5	—	1 July 2009	
5A	2009 SL No. 215	15 October 2009	
5B	2009 SL No. 272	27 November 2009	
5C	2009 Act No. 24	1 December 2009	
5D	2009 SL No. 280	18 December 2009	
5E	2010 SL No. 128	1 July 2010	
5F	2010 SL No. 189	24 July 2010	
5G	2010 SL No. 255	17 September 2010	
5H	2010 SL No. 290	15 November 2010	
5I	2010 SL No. 327	29 November 2010	
5J	2010 Act No. 51	1 December 2010	R5J withdrawn, see R6

## Endnotes

Reprint No.	Amendments included	Effective	Notes
6	—	1 December 2010	
6A	2011 SL No. 115	1 July 2011	

## 5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	1, 3, 6

## 6 List of legislation

### Liquor Regulation 2002 SL No. 212

made by the Governor in Council on 22 August 2002

notfd gaz 23 August 2002 pp 1478–81

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2002 (see s 2)

exp 1 September 2012 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

### Liquor (Tribunal) Regulation 2002 SL No. 326 pts 1, 3

notfd gaz 6 December 2002 pp 1162–6

ss 1–2 commenced on date of notification

remaining provisions commenced 6 December 2002 (see s 2)

### Liquor Amendment Regulation (No. 2) 2002 SL No. 356

notfd gaz 13 December 2002 pp 1266–9

ss 1–2 commenced on date of notification

remaining provisions commenced 30 December 2002 (see s 2)

### Liquor Amendment Regulation (No. 1) 2003 SL No. 98

notfd gaz 30 May 2003 pp 371–6

ss 1–2 commenced on date of notification

remaining provisions commenced 9 June 2003 (see s 2)

Note—An explanatory note was prepared.

### Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2003 SL No. 143 ss 1–3 sch

notfd gaz 27 June 2003 pp 749–56

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

**Liquor Amendment Regulation (No. 4) 2003 SL No. 231**

notfd gaz 26 September 2003 pp 298–9  
commenced on date of notification

**Liquor Amendment Regulation (No. 2) 2003 SL No. 167**

notfd gaz 3 October 2003 pp 382–5  
commenced on date of notification  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 5) 2003 SL No. 240**

notfd gaz 28 November 2003 pp 1032–5  
commenced on date of notification  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 6) 2003 SL No. 304**

notfd gaz 28 November 2003 pp 1032–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 6 February 2004 (see s 2)  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 3) 2003 SL No. 230**

notfd gaz 5 December 2003 pp 1114–17  
commenced on date of notification  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 7) 2003 SL No. 380 (this SL is amended, see amending legislation below)**

notfd gaz 19 December 2003 pp 1307–13  
ss 1–2 commenced on date of notification  
remaining provisions commenced 14 April 2004 (see s 2)  
Note—An explanatory note was prepared.

amending legislation—

**Liquor Amendment Regulation (No. 1) 2004 SL No. 8 pts 1–2 (amends 2003 SL No. 380 above)**

notfd gaz 27 February 2004 pp 808–9  
commenced on date of notification

**Liquor Amendment Regulation (No. 8) 2003 SL No. 381 (this SL is amended, see amending legislation below)**

notfd gaz 19 December 2003 pp 1307–13  
ss 1–2 commenced on date of notification  
remaining provisions commenced 14 April 2004 (see s 2)  
Note—An explanatory note was prepared.

amending legislation—

**Liquor Amendment Regulation (No. 1) 2004 SL No. 8 pts 1, 3 (amends 2003 SL No. 381 above)**

notfd gaz 27 February 2004 pp 808–9  
commenced on date of notification

**Liquor Amendment Regulation (No. 9) 2003 SL No. 382**

notfd gaz 19 December 2003 pp 1307–13  
commenced on date of notification

**Liquor Amendment Regulation (No. 2) 2004 SL No. 39**

notfd gaz 23 April 2004 pp 1543–4  
commenced on date of notification

**Tourism, Fair Trading and Wine Industry Development (Fees) Amendment Regulation (No. 1) 2004 SL No. 103**

notfd gaz 25 June 2004 pp 573–81  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2004 (see s 2)

**Liquor Amendment Regulation (No. 3) 2004 SL No. 184**

notfd gaz 10 September 2004 pp 173–7  
commenced on date of notification

**Local Government (Community Government Areas) Regulation 2004 SL No. 319 ss 1–2, 23 sch 1**

notfd gaz 17 December 2004 pp 1277–85  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2005 (see s 2)

**Tourism, Fair Trading and Wine Industry Development (Fees) Amendment Regulation (No. 1) 2005 SL No. 135**

notfd gaz 24 June 2005 pp 639–45  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2005 (see s 2)

**Liquor Amendment Regulation (No. 1) 2005 SL No. 317**

notfd gaz 16 December 2005 pp 1490–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2006 (see s 2)

**Liquor Amendment Regulation (No. 1) 2006 SL No. 22**

notfd gaz 24 February 2006 pp 798–801  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 March 2006 (see s 2)  
Note—A regulatory impact statement and explanatory note were prepared.

**Liquor Amendment Regulation (No. 2) 2006 SL No. 66**

notfd gaz 21 April 2006 pp 1544–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 28 April 2006 (see s 2)  
Note—A regulatory impact statement and explanatory note were prepared.

**Liquor Amendment Regulation (No. 3) 2006 SL No. 67 (this SL is amended, see amending legislation below)**

notfd gaz 21 April 2006 pp 1544–5

ss 1–2 commenced on date of notification

s 18 commenced 24 July 2006 (see s 2(2))

remaining provisions commenced 5 June 2006 (see s 2)

Note—An explanatory note was prepared.

amending legislation—

**Liquor Amendment Regulation (No. 5) 2006 SL No. 113 (amends 2006 SL No. 67 above)**

notfd gaz 2 June 2006 pp 572–6

commenced on date of notification

Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 4) 2006 SL No. 79**

notfd gaz 5 May 2006 pp 76–7

ss 1–2 commenced on date of notification

remaining provisions commenced 19 June 2006 (see s 2)

Note—An explanatory note was prepared.

**Tourism, Fair Trading and Wine Industry Development (Fees) Amendment Regulation (No. 1) 2006 SL No. 162**

notfd gaz 30 June 2006 pp 1060–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

**Liquor Amendment Regulation (No. 6) 2006 SL No. 269**

notfd gaz 10 November 2006 pp 1211–12

ss 1–2 commenced on date of notification

remaining provisions commenced 21 December 2006 (see s 2)

**Liquor Amendment Regulation (No. 7) 2006 SL No. 283**

notfd gaz 24 November 2006 pp 1476–9

commenced on date of notification

**Liquor Amendment Regulation (No. 1) 2007 SL No. 58**

notfd gaz 20 April 2007 pp 1793–5

ss 1–2 commenced on date of notification

remaining provisions commenced 4 June 2007 (see s 2)

Note—An explanatory note was prepared.

**Tourism, Fair Trading and Wine Industry Development (Fees) Amendment Regulation (No. 1) 2007 SL No. 149 ss 1, 2(2), 3 sch**

notfd gaz 29 June 2007 pp 1157–65

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2(2))

**Liquor Amendment Regulation (No. 2) 2007 SL No. 271**

notfd gaz 9 November 2007 pp 1355–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 21 December 2007 (see s 2)  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 1) 2008 SL No. 28**

notfd gaz 22 February 2008 pp 852–3  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2008 (see s 2)  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 2) 2008 SL No. 29**

notfd gaz 22 February 2008 pp 852–3  
ss 1–2 commenced on date of notification  
remaining provisions commenced 15 March 2008 (see s 2)  
Note—An explanatory note was prepared.

**Liquor and Another Regulation Amendment Regulation (No. 1) 2008 SL No. 181 pts 1–2**

notfd gaz 27 June 2008 pp 1268–78  
ss 1–2 commenced on date of notification  
pt 2 div 3 commenced 1 January 2009 (see s 2(2))  
remaining provisions commenced 1 July 2008 (see s 2(1))

**Liquor Amendment Regulation (No. 3) 2008 SL No. 364**

notfd gaz 7 November 2008 pp 1319–21  
ss 1–2 commenced on date of notification  
remaining provisions commenced 2 January 2009 (see s 2)  
Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 4) 2008 SL No. 415**

notfd gaz 19 December 2008 pp 2179–80  
ss 1–2 commenced on date of notification  
remaining provisions commenced 12 March 2009 (see s 2)  
Note—An explanatory note was prepared.

**Liquor and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 418 pts 1–2**

notfd gaz 12 December 2008 pp 2044–53  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2009 (see s 2)  
Note—A regulatory impact statement and explanatory note were prepared.

**Liquor Amendment Regulation (No. 1) 2009 SL No. 23**

notfd gaz 20 March 2009 pp 1291–2  
commenced on date of notification

**Gambling and Other Legislation Amendment Regulation (No. 1) 2009 SL No. 84 pts 1, 7**

notfd gaz 12 June 2009 pp 619–21  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2009 (see s 2)

**Liquor and Other Legislation Amendment Regulation (No. 1) 2009 SL No. 94 pts 1–2**

notfd gaz 19 June 2009 pp 707–11  
ss 1–2 commenced on date of notification  
ss 6–8 commenced 1 July 2009 (see s 2)  
remaining provisions commenced on date of notification  
Note—A regulatory impact statement and explanatory note were prepared.

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 5 pt 44**

date of assent 26 June 2009  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 December 2009 (2009 SL No. 252)

**Liquor Amendment Regulation (No. 2) 2009 SL No. 215**

notfd gaz 9 October 2009 pp 445–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 15 October 2009

**Liquor Amendment Regulation (No. 3) 2009 SL No. 272**

notfd gaz 27 November 2009 pp 1001–6  
commenced on date of notification

**Sustainable Planning Regulation 2009 SL No. 280 ss 1–2, pt 9 div 12**

notfd gaz 27 November 2009 pp 1001–6  
ss 1–2 commenced on date of notification  
s 90 commenced 18 December 2009 (see s 2) (amdt could not be given effect)  
remaining provisions commenced 18 December 2009 (see s 2)

**Fair Trading and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 128 pts 1, 17**

notfd gaz 18 June 2010 pp 529–35  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2010 (see s 2)

**Transport Legislation (New Queensland Driver Licensing) and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 189 ss 1, 2(1), pt 10**

notfd gaz 23 July 2010 pp 1196–9  
ss 1–2 commenced on date of notification  
remaining provisions commenced 24 July 2010 (see s 2(1))

**Liquor Amendment Regulation (No. 1) 2010 SL No. 255**

notfd gaz 17 September 2010 pp 159–60  
commenced on date of notification

**Liquor Amendment Regulation (No. 2) 2010 SL No. 290**

notfd gaz 15 October 2010 pp 431–2

ss 1–2 commenced on date of notification

remaining provisions commenced 15 November 2010 (see s 2)

Note—An explanatory note was prepared.

**Liquor Amendment Regulation (No. 3) 2010 SL No. 327**

notfd gaz 26 November 2010 pp 810–13

ss 1–2 commenced on date of notification

remaining provisions commenced 29 November 2010 (see s 2)

**Liquor and Other Legislation Amendment Act 2010 No. 51 s 1, pt 6**

date of assent 1 December 2010

commenced on date of assent

**Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115**

notfd gaz 1 July 2011 pp 589–96

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2011 (see s 2)

Note—An explanatory note was prepared.

## **7 List of annotations**

### **Definitions**

**s 3** amd 2009 SL No. 272 s 3; 2010 Act No. 51 s 50

### **PART 1A—EXTENDED TRADING HOURS APPLICATION**

**pt 1A (s 3A)** ins 2009 SL No. 272 s 4

### **PART 1B—DRINK SAFE PRECINCTS**

**pt 1B (s 3B)** ins 2010 Act No. 51 s 51

### **Particulars to accompany applications relating to licences—Act, s 105(1)(c)**

**s 4** amd 2008 SL No. 29 s 4; 2008 SL No. 418 s 4

### **Timing for making applications**

**s 5** amd 2008 SL No. 418 s 5

### **Proposed event management plan as part of application for catering away permit**

**s 6** om 2008 SL No. 418 s 6

### **Circumstances in which chief executive may approve premises as detached bottle shop**

**s 7** amd 2008 SL No. 418 s 7

### **Obligation to conduct business at detached bottle shop if no review**

**prov hdg** amd 2009 Act No. 24 s 633(1)

**s 8** amd 2004 SL No. 103 s 3 sch; 2008 SL No. 418 s 8; 2009 SL No. 94 s 4; 2009 Act No. 24 s 633(2)–(3)



**Obligation to conduct business at detached bottle shop after review****prov hdg** amd 2009 Act No. 24 s 634(1)**s 9** amd 2008 SL No. 418 s 9; 2009 SL No. 94 s 5; 2009 Act No. 24 s 634(2)**Prescription of amount and circumstances for consumption of liquor at a detached bottle shop—Act, s 60(1)(d)(ii)****prov hdg** amd 2008 SL No. 418 s 10(1)**s 11** amd 2008 SL No. 418 s 10(2)**Application for relocation of detached bottle shop—Act, s 154A****s 12** amd 2004 SL No. 103 s 3 sch**Decision by chief executive for application under s 12****s 13** amd 2009 Act No. 24 s 635**Decision by chief executive for application under s 14****s 15** amd 2009 Act No. 24 s 636**PART 4—COMMUNITY CLUB LICENCES AND OTHER PREMISES****pt hdg** amd 2008 SL No. 418 s 11**Definition for pt 4****s 16** def “other premises” amd 2008 SL No. 418 s 12**Application for inclusion of, or change to, statement about other premises—Act, s 154C****s 17** amd 2008 SL No. 418 s 13**Decision by chief executive for application under s 17****s 18** amd 2009 Act No. 24 s 637**Application of part to applications for alteration of licensed premises****s 21** amd 2008 SL No. 418 s 14**Decision by chief executive for application under s 21 other than application for an occasion approval****s 22** amd 2003 SL No. 167 s 3; 2009 Act No. 24 s 638; 2009 SL No. 280 s 89**Decision by chief executive for application under s 21 for an occasion approval****s 24** amd 2009 Act No. 24 s 639**Particulars required in transactions record for producer/wholesaler licence—Act, s 217(2)(b)(i)****s 25** amd 2008 SL No. 418 s 15**Particulars required in transactions record for licence, other than producer/wholesaler licence—Act, s 217(2)(b)(i)****s 25A** ins 2008 SL No. 418 s 16**Annual return to chief executive for producer/wholesaler licences****s 26** om 2008 SL No. 418 s 17**Details about meals and beverages to be recorded by certain licensees****s 27** amd 2008 SL No. 418 s 18

**Drinking water to be available**

s 27A ins 2010 SL No. 327 s 4

**Prescribed conditions for permit**

prov hdg amd 2008 SL No. 418 s 19(1)

s 29 amd 2008 SL No. 418 s 19(2)

**Approved area to conform with requirements**

s 30 amd 2008 SL No. 418 s 20

**Application for permit**

s 31 amd 2008 SL No. 418 s 21

**Proposed management plan**

s 32 amd 2004 SL No. 103 s 3 sch

**Suitability of applicant for permit**

s 33 amd 2003 SL No. 167 s 4; 2004 SL No. 103 s 3 sch

**PART 8—FEES**

pt hdg sub 2008 SL No. 418 s 22

**Division 1—Licence fees and other fees**

div hdg ins 2008 SL No. 418 s 22

**Licence fees**

s 36 sub 2002 SL No. 326 s 7; 2008 SL No. 418 s 22  
amd 2009 SL No. 94 s 6

**Base fees for licences**

s 36A ins 2008 SL No. 418 s 22  
amd 2009 SL No. 84 s 15; 2010 SL No. 128 s 36; 2011 SL No. 115 s 3 sch

**Risk criterion—extended trading hours**

s 36B ins 2008 SL No. 418 s 22  
amd 2009 SL No. 84 s 16; 2010 SL No. 128 s 37; 2011 SL No. 115 s 3 sch

**Risk criterion—prepared food not available**

s 36C ins 2008 SL No. 418 s 22  
sub 2009 SL No. 94 s 7  
amd 2010 SL No. 128 s 38; 2011 SL No. 115 s 3 sch

**Risk criterion—compliance history**

s 36CA ins 2009 SL No. 94 s 7  
amd 2010 SL No. 128 s 39; 2011 SL No. 115 s 3 sch

**Other fees**

s 36D ins 2008 SL No. 418 s 22  
amd 2010 SL No. 128 s 40; 2011 SL No. 115 s 3 sch

**Division 2—Day for payment of licence fee**

div 2 (s 36E) ins 2008 SL No. 418 s 22

**Division 3—Self-assessment of licence fee**

div 3 (ss 36F–36G) ins 2008 SL No. 418 s 22

**Division 4—Reassessment of licence fee****div hdg** ins 2008 SL No. 418 s 22**Purpose of div 4****s 36H** ins 2008 SL No. 418 s 22**Reassessment of licence fee by chief executive****s 36I** ins 2008 SL No. 418 s 22**Application for reassessment of licence fee****s 36J** ins 2008 SL No. 418 s 22**Notice of reassessment of licence fee****s 36K** ins 2008 SL No. 418 s 22  
amd 2009 Act No. 24 s 640**Division 5—Consequences of failing to pay licence fee****div 5 (s 36L)** ins 2008 SL No. 418 s 22**Division 6—Application to tribunal about failure to pay licence fee****div hdg** ins 2008 SL No. 418 s 22  
amd 2009 Act No. 24 s 641**Purpose of div 6****s 36M** ins 2008 SL No. 418 s 22  
amd 2009 Act No. 24 s 642**Application to tribunal about failure to pay licence fee or underpaid amount****s 36N** ins 2008 SL No. 418 s 22  
sub 2009 Act No. 24 s 643**Powers of tribunal on applications under this division****prov hdg** amd 2009 Act No. 24 s 644(1)  
**s 36O** ins 2008 SL No. 418 s 22  
amd 2009 Act No. 24 s 644(2)–(8)**Division 7—Exemption from payment of certain application fees****div 7 (s 36P)** ins 2008 SL No. 418 s 22**Exemption for certain Anzac Day related applications****s 37** om 2008 SL No. 418 s 22**PART 8A—RESTRICTED AREAS****pt hdg** ins 2002 SL No. 356 s 4**Declaration of restricted area—Act, s 173G(1)****s 37A** ins 2002 SL No. 356 s 4**Declaration of prohibition of possession of liquor in restricted area—Act, s 173H****s 37B** ins 2002 SL No. 356 s 4  
amd 2008 SL No. 181 s 4**PART 8B—PROVISIONS ABOUT CONDITIONS OF LICENCES AND PERMITS  
FOR BRISBANE CITY COUNCIL AREA****pt hdg** ins 2006 SL No. 22 s 4

**Number of crowd controllers—Act, s 142AG**

s 37C ins 2006 SL No. 22 s 4

**Minimum requirements for closed-circuit television equipment—Act, s 142AH**

s 37D ins 2006 SL No. 22 s 4

**Information for incident register—Act, s 142AI**

s 37E ins 2006 SL No. 22 s 4

**Information for training register—Act, s 142AI(2)(a)**

s 37F ins 2006 SL No. 22 s 4  
sub 2008 SL No. 418 s 23

**Matters for house policy—Act, s 142AJ**

s 37G ins 2006 SL No. 22 s 4  
om 2008 SL No. 418 s 24

**Prescribed activities—Act, s 142AJ(b)**

prov hdg amd 2008 SL No. 418 s 25(1)  
s 37H ins 2006 SL No. 66 s 4  
amd 2008 SL No. 418 s 25(2)–(3)

**Proof of age card**

s 38 om 2010 SL No. 189 s 117

**Matters for risk-assessed management plan—Act, s 50, definition “risk-assessed management plan”**

s 38A ins 2008 SL No. 418 s 26  
amd 2009 SL No. 94 s 8

**Proposed amendment to club rules**

s 39 amd 2008 SL No. 418 s 27

**Information for training register—Act, s 141C(3)(a)**

s 39A ins 2008 SL No. 418 s 28

**Acceptable and unacceptable practices and promotions for the service, supply and promotion of liquor—Act, s 148A**

s 41 sub 2003 SL No. 231 s 3  
amd 2005 SL No. 317 s 4; 2008 SL No. 29 s 5; 2010 SL No. 327 s 5

**PART 10—APPLICATIONS CONCERNING AREA OF COUNCIL**

pt hdg exp 30 September 2003 (see s 53)

**Prescribed sports for sporting clubs—Act, ss 86(5)(b) and 103I(5)(b)**

s 42 prev s 42 exp 30 September 2003 (see s 53)  
pres s 42 ins 2008 SL No. 418 s 29

**Undesirable liquor product—Act, s 156B**

s 42A ins 2009 SL No. 215 s 4

**Prescribed public places where consumption of liquor is prohibited—Act, s 173B(1)(a)(iii)**

s 43 prev s 43 exp 30 September 2003 (see s 53)  
pres s 43 ins 2008 SL No. 418 s 29

**Additional requirements for applications to which this part applies**

s 44 exp 30 September 2003 (see s 53)

**Notice of application**

s 45 exp 30 September 2003 (see s 53)

**Objection to grant of application**

s 46 exp 30 September 2003 (see s 53)

**Requirements for objection by petition**

s 47 exp 30 September 2003 (see s 53)

**Council to consider all objections properly made**

s 48 exp 30 September 2003 (see s 53)

**Council to make submission concerning application made by another person**

s 49 exp 30 September 2003 (see s 53)

**Conference by chief executive**

s 50 exp 30 September 2003 (see s 53)

**Decision by chief executive**

s 51 exp 30 September 2003 (see s 53)

**Chief executive to give notice of decision**

s 52 exp 30 September 2003 (see s 53)

**Expiry of part**

s 53 exp 30 September 2003 (see s 53)

**PART 12—TRANSITIONAL PROVISIONS FOR THE LIQUOR AND OTHER ACTS AMENDMENT ACT 2008**

pt hdg ins 2008 SL No. 418 s 30

**Initial licence fees**

s 59 ins 2008 SL No. 418 s 30  
amd 2009 SL No. 23 s 3

**Exemption from payment of application fees**

s 60 ins 2008 SL No. 418 s 30

**SCHEDULE 1—FEES**

amd 2002 SL No. 326 s 8  
sub 2003 SL No. 143 s 3 sch  
amd 2003 SL No. 382 s 3  
sub 2004 SL No. 103 s 3 sch; 2005 SL No. 135 s 3 sch; 2006 SL No. 162 s 3  
sch; 2007 SL No. 149 s 3 sch; 2008 SL No. 418 s 31; 2009 SL No. 84 s 17;  
2010 SL No. 128 s 41  
amd 2010 SL No. 255 s 3  
sub 2011 SL No. 115 s 3 sch

**SCHEDULE 1A—AURUKUN**

sch 1A ins 2002 SL No. 356 s 6  
sub 2006 SL No. 67 s 4

**Areas declared to be restricted areas**

- prov hdg** sub 2008 SL No. 181 s 5(1)  
**s 1** ins 2002 SL No. 356 s 6  
sub 2006 SL No. 67 s 4

**Prescribed quantity**

- s 2** ins 2002 SL No. 356 s 6  
sub 2006 SL No. 67 s 4; 2008 SL No. 181 s 5(2)

**SCHEDULE 1B—DOOMADGEE**

- sch 1B** ins 2003 SL No. 98 s 4

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 98 s 4  
amd 2004 SL No. 319 s 23 sch 1  
sub 2007 SL No. 271 s 4(1)  
amd 2008 SL No. 181 s 19(1)

**Prescribed quantity**

- s 2** ins 2003 SL No. 98 s 4  
amd 2007 SL No. 271 s 4(2)–(3)  
sub 2008 SL No. 364 s 4

**Public road and public facility—Act, s 168B(3A)**

- s 3** ins 2008 SL No. 181 s 19(2)

**SCHEDULE 1C—NAPRANUM**

- sch 1C** ins 2003 SL No. 98 s 4  
sub 2006 SL No. 67 s 5

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 98 s 4  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 5

**Prescribed quantity**

- s 2** ins 2003 SL No. 98 s 4  
sub 2006 SL No. 67 s 5; 2008 SL No. 181 s 6

**SCHEDULE 1D—LOCKHART RIVER**

- sch 1D** ins 2003 SL No. 167 s 5

**Areas declared to be restricted areas**

- prov hdg** sub 2008 SL No. 181 s 7(1)  
**s 1** ins 2003 SL No. 167 s 5  
amd 2004 SL No. 319 s 23 sch 1; 2006 SL No. 67 s 6(1)–(2); 2006 SL No. 283  
s 3; 2008 SL No. 181 s 20(1)

**Prescribed quantity**

- s 2** ins 2003 SL No. 167 s 5  
amd 2006 SL No. 67 s 6(3)–(4)  
sub 2008 SL No. 181 s 7(2)

**Public road—Act, s 168B(3A)**

s 3 ins 2008 SL No. 181 s 20(2)

**SCHEDULE 1E—WOORABINDA**

sch 1E ins 2003 SL No. 167 s 5

**Area declared to be restricted area**

s 1 ins 2003 SL No. 167 s 5  
amd 2004 SL No. 319 s 23 sch 1; 2008 SL No. 28 s 4(1)–(2)

**Prescribed quantity**

s 2 ins 2003 SL No. 167 s 5  
amd 2006 SL No. 67 s 7  
sub 2008 SL No. 28 s 4(3); 2008 SL No. 364 s 5

**SCHEDULE 1F—WUJAL WUJAL**

sch 1F ins 2003 SL No. 167 s 5

**Areas declared to be restricted areas**

s 1 ins 2003 SL No. 167 s 5  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 8(1)  
amd 2008 SL No. 181 s 21(1)–(2); 2010 SL No. 290 s 4(1)

**Prescribed quantity**

s 2 ins 2003 SL No. 167 s 5  
amd 2006 SL No. 67 s 8(2); 2008 SL No. 181 s 8

**Public road and public facility—Act, s 168B(3A)**

s 3 ins 2008 SL No. 181 s 21(3)  
amd 2010 SL No. 290 s 4(2)–(4)

**SCHEDULE 1G—KOWANYAMA**

sch 1G ins 2003 SL No. 230 s 3

**Areas declared to be restricted areas**

s 1 ins 2003 SL No. 230 s 3  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 9(1)  
amd 2010 SL No. 290 s 5

**Prescribed quantity**

s 2 ins 2003 SL No. 230 s 3  
amd 2006 SL No. 67 s 9(2); 2006 SL No. 283 s 4  
sub 2008 SL No. 181 s 9

**SCHEDULE 1H—PORMPURA AW**

sch 1H ins 2003 SL No. 230 s 3

**Areas declared to be restricted areas**

s 1 ins 2003 SL No. 230 s 3  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 10(1)

Endnotes

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**Prescribed quantity**

- s 2** ins 2003 SL No. 230 s 3  
amd 2006 SL No. 67 s 10(2)–(3); 2007 SL No. 58 s 4; 2008 SL No. 29 s 6;  
2008 SL No. 181 s 10  
sub 2008 SL No. 364 s 6

**SCHEDULE 1I—MORNINGTON**

- sch 1I** ins 2003 SL No. 240 s 3

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 240 s 3  
sub 2006 SL No. 67 s 11(1)

**Prescribed quantity**

- s 2** ins 2003 SL No. 240 s 3  
amd 2006 SL No. 67 s 11(2)–(3); 2006 SL No. 283 s 4; 2008 SL No. 29 s 7  
sub 2008 SL No. 181 s 11

**SCHEDULE 1J—YARRABAH**

- sch 1J** ins 2003 SL No. 304 s 4

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 304 s 4  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 12(1)

**Prescribed quantity**

- s 2** ins 2003 SL No. 304 s 4  
amd 2006 SL No. 67 s 12(2); 2008 SL No. 181 s 12  
sub 2008 SL No. 364 s 7

**SCHEDULE 1K—BAMAGA**

- sch 1K** ins 2003 SL No. 380 s 4

**Area declared to be a restricted area**

- s 1** ins 2003 SL No. 380 s 4  
sub 2008 SL No. 29 s 8

**Prescribed quantity**

- s 2** ins 2003 SL No. 380 s 4  
amd 2006 SL No. 269 s 4; 2008 SL No. 181 s 13; 2008 SL No. 364 s 8

**SCHEDULE 1L—INJINOO**

- sch 1L** ins 2003 SL No. 380 s 4  
sub 2006 SL No. 269 s 5

**Areas declared to be restricted areas**

- prov hdg** sub 2008 SL No. 181 s 14  
**s 1** ins 2003 SL No. 380 s 4  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 13(1); 2006 SL No. 269 s 5  
amd 2008 SL No. 29 s 9



**Prescribed quantity**

- s 2** ins 2003 SL No. 380 s 4  
 amd 2006 SL No. 67 s 13(2)  
 sub 2006 SL No. 269 s 5  
 amd 2008 SL No. 364 s 9

**SCHEDULE 1M—NEW MAPOON**

- sch 1M** ins 2003 SL No. 380 s 4

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 380 s 4  
 amd 2004 SL No. 319 s 23 sch 1  
 sub 2006 SL No. 67 s 14(1)  
 amd 2008 SL No. 29 s 10

**Prescribed quantity**

- s 2** ins 2003 SL No. 380 s 4  
 amd 2006 SL No. 67 s 14(2); 2006 SL No. 269 s 6; 2008 SL No. 364 s 10

**Designated public place—Act, s 173L(2)**

- s 3** ins 2008 SL No. 181 s 15

**SCHEDULE 1N—SEISIA**

- sch 1N** ins 2003 SL No. 380 s 4  
 amd 2004 SL No. 39 s 3

**Areas declared to be restricted areas**

- prov hdg** sub 2008 SL No. 181 s 16(1)  
**s 1** ins 2003 SL No. 380 s 4  
 amd 2006 SL No. 67 s 15(1); 2008 SL No. 29 s 11

**Prescribed quantity**

- s 2** ins 2003 SL No. 380 s 4  
 amd 2006 SL No. 67 s 15(2); 2006 SL No. 269 s 6; 2008 SL No. 364 s 11

**Designated public place—Act, s 173L(2)**

- s 3** ins 2008 SL No. 181 s 16(2)

**SCHEDULE 1O—UMAGICO**

- sch 1O** ins 2003 SL No. 380 s 4

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 380 s 4  
 amd 2004 SL No. 319 s 23 sch 1  
 sub 2006 SL No. 67 s 16(1)  
 amd 2008 SL No. 29 s 12(1)

**Prescribed quantity**

- s 2** ins 2003 SL No. 380 s 4  
 amd 2006 SL No. 67 s 16(2); 2006 SL No. 269 s 7; 2008 SL No. 29 s  
 12(2)–(3); 2008 SL No. 181 s 17; 2008 SL No. 364 s 12

**SCHEDULE 1P—HOPE VALE**

- sch 1P** ins 2003 SL No. 381 s 4

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 381 s 4  
amd 2004 SL No. 319 s 23 sch 1  
sub 2006 SL No. 67 s 17(1)

**Prescribed quantity**

- s 2** ins 2003 SL No. 381 s 4  
amd 2006 SL No. 67 s 17(2)  
sub 2008 SL No. 364 s 13

**SCHEDULE 1Q—MAPOON**

- sch 1Q** ins 2003 SL No. 381 s 4  
sub 2006 SL No. 67 s 18

**Areas declared to be restricted areas**

- s 1** ins 2003 SL No. 381 s 4  
sub 2004 SL No. 184 s 3; 2004 SL No. 319 s 23 sch 1; 2006 SL No. 67 s 18

**Prescribed quantity**

- s 2** ins 2003 SL No. 381 s 4  
sub 2006 SL No. 67 s 18 (amd 2006 SL No. 113 s 4)  
amd 2008 SL No. 364 s 14

**SCHEDULE 1R—PALM ISLAND**

- sch 1R** ins 2006 SL No. 79 s 4

**Areas declared to be restricted areas**

- s 1** ins 2006 SL No. 79 s 4

**Prescribed quantity**

- s 2** ins 2006 SL No. 79 s 4  
amd 2008 SL No. 181 s 18; 2008 SL No. 364 s 15

**SCHEDULE 1S—CHERBOURG**

- sch 1S** ins 2008 SL No. 415 s 4

**Area declared to be restricted area**

- s 1** ins 2008 SL No. 415 s 4

**Prescribed quantity**

- s 2** ins 2008 SL No. 415 s 4

**SCHEDULE 2—BRISBANE CBD, VALLEY AND CAXTON STREET**

- ins 2009 SL No. 272 s 6  
amd 2009 SL No. 280 s 90 (amdt could not be given effect)

**SCHEDULE 3—BROADBEACH CBD**

- ins 2009 SL No. 272 s 6

**SCHEDULE 4—BUNDABERG CBD**

- ins 2009 SL No. 272 s 6

**SCHEDULE 5—CAIRNS CBD**

- ins 2009 SL No. 272 s 6

**SCHEDULE 6—IPSWICH CBD**

ins 2009 SL No. 272 s 6

**SCHEDULE 7—MACKAY CBD**

ins 2009 SL No. 272 s 6

**SCHEDULE 8—ROCKHAMPTON CBD**

ins 2009 SL No. 272 s 6

**SCHEDULE 9—SURFERS PARADISE CBD**

ins 2009 SL No. 272 s 6

**SCHEDULE 10—TOOWOOMBA CBD**

ins 2009 SL No. 272 s 6

**SCHEDULE 11—TOWNSVILLE CBD**

ins 2009 SL No. 272 s 6

**SCHEDULE 12—FORTITUDE VALLEY**

ins 2010 Act No. 51 s 52(2)

**SCHEDULE 13—SURFERS PARADISE**

ins 2010 Act No. 51 s 52(2)

**SCHEDULE 14—TOWNSVILLE CBD**

ins 2010 Act No. 51 s 52(2)

**SCHEDULE 15—DICTIONARY**

(prev sch 12 (orig sch 2)) renum 2009 SL No. 272 s 5; 2010 Act No. 51 s 52(1)

def “**division**” ins 2008 SL No. 29 s 13(1)def “**foreshore**” ins 2006 SL No. 67 s 19

amd 2008 SL No. 29 s 13(2)

def “**house policy**” ins 2006 SL No. 22 s 5

om 2008 SL No. 418 s 32

def “**relevant schedule**” ins 2002 SL No. 356 s 5