

# Proclamation – Justice and Other Legislation Amendment Act 2021

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Shannon Fentiman, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence provide this human rights certificate with respect to the *Proclamation – Justice and Other Legislation Amendment Act 2021*.

In my opinion, the Proclamation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

This Proclamation fixes the date of commencement for Part 5 of the *Justice and Other Legislation Amendment Act 2021* (Amendment Act), which amends the *Liquor Act 1992* (Liquor Act).

The amendments to the Liquor Act allow licensed restaurant operators to apply to the Commissioner for Liquor and Gaming for a condition of licence authorising the sale of 1.5 litres of takeaway wine (i.e. two bottles) with a takeaway meal up to 10pm. Restaurant operators are required to have adequate systems in place for the responsible service of takeaway liquor. Any approval is also subject to conditions the Commissioner considers necessary to ensure the responsible service of takeaway alcohol.

This Proclamation fixes 31 January 2022 as the date of commencement of the provisions contained in Part 5 of the Amendment Act.

### Human Rights Issues

#### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The Proclamation does not affect or engage a human right.

## **Conclusion**

I consider that the Proclamation is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

**SHANNON FENTIMAN MP**  
Attorney-General and Minister for Justice  
Minister for Women  
Minister for Prevention of Domestic and Family Violence

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