

1999

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**LIQUOR ACT 1975**

**LIQUOR REGULATIONS AMENDMENT**

**Subordinate Law No. 29 of 1999**

**EXPLANATORY MEMORANDUM**

**Circulated by the authority of the Attorney-General**

# LIQUOR REGULATIONS AMENDMENT

## Subordinate Law No. 29 of 1999

### PURPOSE

The purpose of the amendment is threefold. The first purpose is to remove the trading hour restrictions that apply under the Liquor Act 1975 (the Act) to the sale of liquor for consumption on and off licensed premises on New Year's eve and New Year's morning, 2000.

The second purpose is to remove the trading hour restriction that applies under the Act to the sale of liquor for on premises consumption on ANZAC day morning.

The third purpose is to declare an area as a prescribed public place in accordance with section 84(3) of the Act for the purposes of the Food and Wine Frolic conducted by ACT Festivals. The effect is to make it an offence to consume liquor, or possess liquor in an open container with the intention of consuming it, in the designated prescribed areas.

### BACKGROUND

#### New Year's Eve

With the major celebrations that are proposed for New Year's eve this year there will be increased demand for the services provided by licensed premises leading up to and immediately following the commencement of the year 2000. To ensure that licensed premises are able to adequately cater for the needs of patrons, and in line with the approach taken in relation to previous New Year celebrations, it is proposed to remove the trading hour restrictions that apply to the sale of liquor for on and off premises consumption. While the licensees of premises permitted to sell liquor for on premises consumption will be able to trade during the regular shut-down period of 4.00 am until 7.00 am (or 5.00 am until 8.00 am if they have elected the later time), obligations in relation to the responsible sale of liquor and not serving intoxicated persons will still apply.

It is also proposed, this year, in recognition of the significance of the commencement of the year 2000 to allow for a similar extension for the sale of liquor for off premises consumption. The regulation will allow liquor to be sold for off premises consumption, by licensees authorised to conduct such a sale, until 11.00 pm on 1 January 2000. The time at which sales on New Year's eve would generally cease is 11.00 pm.

#### Anzac Day

It has also been traditional to remove the restrictions relating to the on premises sale of liquor on ANZAC day morning to allow the traditional ANZAC day ceremonies to take place prior to, and in association with, the commemorative dawn services held on that day.

## **Food and Wine Frolic**

To reduce problems associated with the conduct of the Food and Wine Frolic the organisers of the event, ACT Festivals, has requested a dry area be declared in the vicinity of Commonwealth Park where the event is conducted.

In conjunction with other measures introduced by the organisers, including the prohibition of taking liquor into the event and fencing the event area off, the problems associated with the event in recent years have been significantly reduced.

### **DETAILS OF THE AMENDMENT**

#### **Prescribed times for sale or supply of liquor**

Regulation 3A is amended by adding subregulations (3A), (3B), (3C), (3D) and (3E).

Subregulation (3A) removes the current trading hour restrictions for the sale or supply of liquor for on premises consumption on 1 January 2000, and 25 April in any year.

Subregulation (3B) removes the current trading hour restriction for the sale or supply of liquor for off premises consumption on 31 December 1999 and 1 January 2000.

Subregulation (3C) specifies the time during which liquor can be sold or supplied for consumption off the licensed premises on 31 December 1999 and 1 January 2000 as being from 7.00 am on the morning of 31 December 1999 until midnight that day, and until 11.00 pm on 1 January 2000.

Subregulation (3D) specifies the times on the 31 December 1999 and 1 January 2000 during which special licences which are approved to sell or supply liquor for consumption off the licensed premises can sell or supply liquor for off premises consumption. They are the same hours that apply under proposed subregulation (3C).

Subregulation (3E) specifies that only paragraph (3A) (b) which relates to the trading hours for the sale or supply of liquor for on premises consumption of liquor on ANZAC day morning apply after 2 January 2000.

#### **Prescribed public places**

Subregulation (5) of regulation 11 is amended to specify the period during which subregulation 11(4) will apply by omitting the date 21 March 1999 and substituting 19 March 2000.

### **FINANCIAL IMPLICATIONS**

Nil