

## Liquor Control (Clubs) Bill

### EXPLANATORY MEMORANDUM

*Clause 1* provides that the purpose of the Bill is to amend the **Liquor Control Act 1987** to provide for community access to licensed club premises.

*Clause 2* provides that the Act is to come into operation on the day it receives the Royal Assent.

*Clause 3* amends section 3 of the **Liquor Control Act 1987** by inserting a definition of authorised gaming visitor. An authorised gaming visitor means a person who—

- (a) is on licensed premises in respect which a venue operator's licence under the **Gaming Machine Control Act 1991** is in force; and
- (b) in the case of licensed premises within the municipal district of a council mentioned in Schedule Five to the **Public Service Act 1974**, who resides more than 5 kilometres from the licensed premises; and
- (c) in the case of licensed premises which are not within the municipal district of a council mentioned in Schedule Five to the **Public Service Act 1974**, who resides more than 10 kilometres, or any other distance which is determined by the Minister under section 4A from the licensed premises; and
- (d) whose name and residential address and date of admission to the licensed premises is recorded on the register of authorised gaming visitors required to be kept under section 58 (1) (c) (ii).

*Clause 4* amends section 48 of the **Liquor Control Act 1987** by inserting section 4A, which provides that for the purposes of paragraph (c) of the definition of authorised gaming visitor the Minister may determine that an alternative distance of not less than 5 kilometres should apply if the Minister is satisfied that it is in the interest of the community to do so.

*Clause 5* amends section 48 (1) of the **Liquor Control Act 1987**.

*Sub-clause (a)* inserts in paragraph (a) after the words “and to” the words “an authorised gaming visitor or”.

*Sub-clause (b)* substitutes for the words “club or” the words “club, an authorised gaming visitor or”.

*Clause 6* inserts sub-sections (3) and (4) after section 48 (2) of the **Liquor Control Act 1987**. Sub-section (3) provides that despite sub-section (1) a licensed club situated within an electoral district referred to in section 172 (1) is not authorised to sell and dispose of liquor to authorised gaming visitors. Sub-section (4) provides that the Commission must not have regard to the fact that authorised gaming visitors are or may be admitted to the licensed premises of a club when, for the purposes of sub-section (2), it considers whether the primary purpose of the business to be conducted on the licensed premises is that of a club.

*Clause 7* amends section 58 (1) (c) of the **Liquor Control Act 1987**.

*Sub-clause 1 (a)* omits the words “a register”.

*Sub-clause 1 (b)* inserts the words “(i) a members register”.

*Sub-clause 1 (c)* inserts sub-paragraph (ii) which provides that in the case of a club licence where a venue operator’s licence is in force, the secretary must keep on the club premises a register of authorised gaming visitors containing the name and residential address of each authorised gaming visitor admitted to the licensed premises and the date of that admission.

*Sub-clauses 2 and 3* make consequential amendments to section 58.

*Clause 8* amends Schedule 1 to the **Liquor Control Act 1987**.

*Paragraph (a)* deletes in paragraph (b) the words “unless in the company of a member of the club” and substitutes in their place the words “unless the visitor is—

- (i) a guest in the company of a member of the club; or
- (ii) an authorised gaming visitor.

*Paragraph (b)* inserts in paragraph (f) the words “and persons whose rights as members are limited to rights as social, gaming or neighbourhood members”.

*Paragraph (c)* inserts paragraph (i) which provides that in the case of a club in respect of which a venue operator’s licence is in force an authorised gaming visitor must—

- (i) produce evidence of his or her residential address before being admitted to the licensed premises; and
- (ii) carry identification at all times whilst on the licensed premises; and
- (iii) comply with any relevant rules of the club whilst on the licensed premises.