

LIQUOR ACT 1982—REGULATION

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Liquor Act 1982, has been pleased to make the Regulation set forth hereunder.

Robert Webster
Acting Chief Secretary.

Commencement

1. This Regulation commences on 18 February 1991.

Amendments

2. The Liquor Regulation 1983 is mended:
 - (a) by inserting after clause 14 the following clause:

Notice of intention to raise objection or question

14A. For the purposes of section 18 (11) of the Act, notice of intention to raise an objection or question based on section 18 (9) or (10) of the Act:

- (a) must be made in writing; and
 - (b) must identify the licence that is allegedly available as referred to in section 18 (9) or (10) of the Act; and
 - (c) must be lodged with the Principal Registrar,
- and a copy of the notice must be served on the applicant concerned.
- (b) by inserting after clause 25 the following clauses:

Sec. 4: definition of “responsible adult”

25A. Any person who is of or above the age of 18 years and who, in relation to a minor, belongs to one or more of the following classes of persons is, in relation to the minor, a responsible adult for the purposes of the Act:

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- (a) a parent, step-parent or guardian of the minor;
- (b) the minor's spouse or any person who, although not legally married to the minor, ordinarily lives with the minor as the minor's spouse on a permanent and domestic basis;
- (c) a person who is, for the time being, in loco parentis to the minor;
- (d) a person who might reasonably be expected to have authority over the conduct of the minor.

Evidence of age

25B. A document that belongs to one of the following classes of documents:

- (a) a motor vehicle driver's or rider's licence or permit held by a person, being a licence issued by the Roads and Traffic Authority or by the corresponding public authority of the Commonwealth, of some other State or Territory or of some other country;
- (b) a "proof of age" card held by a person, being a card issued by the Roads and Traffic Authority or by the corresponding public authority of the Commonwealth or of some other State or Territory;
- (c) a passport held by a person, being a passport issued by the Commonwealth Department of Immigration, Local Government and Ethnic Affairs or by the corresponding public authority of some other country,

is, for the purposes of the Act, evidence that the person is at least 18 years of age, but only if the document bears a photograph of the person and indicates (by reference to the person's date of birth or otherwise) that the person is of or above that age.

EXPLANATORY NOTE

The object of this Regulation is to amend the Liquor Regulation 1983 do as:

- (a) to prescribe the manner and form in which notice must be made of intention to raise certain objections or questions in respect of an application for a licence under the Liquor Act 1982; and
- (b) to describe what kinds of persons are to be responsible adults, in relation to minors for the purposes of that Act; and
- (c) to prescribed the kinds of evidence that are to be accepted as evidence of a person's age for the purposes of that Act.

This Regulation is consequential on the commencement of the Liquor (Miscellaneous Amendments) Act 1990.
