

House of Assembly—No 157

As laid on the table and read a first time, 24 August 2021

South Australia

**Liquor Licensing (Miscellaneous) Amendment
Bill 2021**

A BILL FOR

An Act to amend the *Liquor Licensing Act 1997* and to make related amendments to the *Gambling Administration Act 2019*, the *Gaming Machines Act 1992*, the *Local Nuisance and Litter Control Act 2016* and the *South Australian Motor Sport Act 1984*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Liquor Licensing (Miscellaneous) Amendment Act 2021*.

5 2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Liquor Licensing Act 1997*

4—Amendment of section 3—Objects

Section 3(1)—after paragraph (c) insert:

- (ca) to encourage a competitive market for the supply of liquor; and

5—Amendment of section 4—Interpretation

- (1) Section 4, definition of *authorised person*, (d)—delete paragraph (d) and substitute:

(d) security personnel;

- (2) Section 4—after the definition of *body corporate* insert:

bottle shop area means an area of licensed premises (commonly known as a "bottle shop", "drive-in" or "drive through") designated under the licence as an area set aside for the purpose of the sale of packaged liquor;

Note—

The sale of packaged liquor over a bar area does not require the bar area to be designated as a bottle shop area.

- (3) Section 4, definition of *designated licence*, (c)(i)(A)—after "resident" insert:

or member of the club

- (4) Section 4—after the definition of *party* insert:

patron of licensed premises includes any members of the public who attend the premises other than persons working at the premises and, in the case of premises occupied by a club, includes members of the club attending the premises other than members of the management committee;

- (5) Section 4, definition of *sample*—delete the definition and substitute:

sample of liquor means a small amount of liquor that is provided—

- (a) for the purpose of assisting a customer in choosing a product or to become familiar with the qualities of a product; and
(b) free of charge (unless the liquor is the licensee's product within the meaning of section 39);

security personnel means a person who holds a security agent's licence that authorises the person to perform the function of controlling crowds under the *Security and Investigation Industry Act 1995*;

6—Amendment of section 5—Resident on licensed premises

Section 5(2)(b)—delete paragraph (b)

7—Amendment of section 6—Persons with authority in a trust or corporate entity

Section 6(1)(a)(iv)—after "corporate" second occurring insert:

who owns more than a 5% share in the body corporate's share capital

8—Amendment of section 11—Disclosure of information

Section 11—after paragraph (b) insert:

- (ba) if the information relates to a barring order—to the Commissioner of Police, licensees, responsible persons and security personnel; and

9—Amendment of section 20—Representation

(1) Section 20(1)—delete subsection (1) and substitute:

- (1) Subject to this section, a party to, or another person involved in, proceedings before the Commissioner, may be represented in those proceedings personally or by another person.

(1a) However, a party to, or another person involved in, proceedings before the Commissioner relating to a designated application (within the meaning of section 53A) may only be represented in those proceedings—

- (a) personally; or
- (b) by a legal practitioner (within the meaning of the *Legal Practitioners Act 1981*); or
- (c) if the party or other person is a member of a genuine association formed to promote or protect the interests of a section of the liquor industry, or employees in the liquor industry—by an officer or employee of that association; or
- (d) if the party or other person is a trust or corporate entity—by an officer or employee of the entity.

(2) Section 20(2)—delete "(other than proceedings relating to an application under Part 4 in relation to which the Commissioner has determined not to hold a hearing)"

10—Amendment of section 25—Representation

Section 25(1)(b)—delete "counsel" and substitute:

a legal practitioner (within the meaning of the *Legal Practitioners Act 1981*)

11—Amendment of section 28AA—Intervention by Commissioner of Police

Section 28AA(1)—delete ", at least 7 days before the day appointed for the determination or hearing of the proceedings (or such lesser period as the licensing authority may allow)," and substitute:

on or before the closing date (within the meaning of section 77) for submissions relating to the proceedings, or within such other period as the licensing authority may allow,

12—Amendment of section 28A—Criminal intelligence

Section 28A(3)(b)—delete "at least 7 days before the day appointed for the hearing or determination of the application" and substitute:

within 7 days of receiving the submissions (or such other period as the licensing authority may determine)

13—Amendment of section 32—General and hotel licence

(1) Section 32(b)—after "premises" first occurring insert:

, other than on a bottle shop area,

(2) Section 32—after its present contents as amended by this section (now to be designated as subsection (1)) insert:

(2) In addition, the licensing authority may include a condition on a general and hotel licence authorising the licensee to sell packaged liquor on a bottle shop area on any day over a continuous period authorised by the licensing authority (which must not exceed 13 hours) between 8 am and 10 pm for consumption off the licensed premises.

14—Amendment of section 33—On premises licence

Section 33—after its present contents (now to be designated as subsection (1)) insert:

(2) In addition, the licensing authority may include either (or both) of the following conditions on an on premises licence:

(a) a condition authorising the licensee to sell liquor between the hours of 8 am and 10 pm for consumption off the licensed premises provided that—

(i) the liquor is provided with a meal provided by the licensee for consumption off the licensed premises; and

(ii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities;

(b) a condition authorising the licensee to sell liquor at any time through direct sales transactions provided that—

(i) the liquor is delivered with a meal provided by the licensee; and

(ii) the liquor is delivered only between the hours of 8 am and 10 pm; and

(iii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities.

15—Amendment of section 34—Residential licence

Section 34—after subsection (2) insert:

(3) In addition, the licensing authority may include either (or both) of the following conditions on a residential licence:

(a) a condition authorising the licensee to sell liquor between the hours of 8 am and 10 pm for consumption off the licensed premises provided that—

(i) the liquor is provided with a meal provided by the licensee for consumption off the licensed premises; and

- (ii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities;
- (b) a condition authorising the licensee to sell liquor at any time through direct sales transactions provided that—
 - (i) the liquor is delivered with a meal provided by the licensee; and
 - (ii) the liquor is delivered only between the hours of 8 am and 10 pm; and
 - (iii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities.

16—Amendment of section 35—Restaurant and catering licence

Section 35—after subsection (3) insert:

- (4) In addition, the licensing authority may include either (or both) of the following conditions on a restaurant and catering licence:

- (a) a condition authorising the licensee to sell liquor between the hours of 8 am and 10 pm for consumption off the licensed premises provided that—
 - (i) the liquor is provided with a meal provided by the licensee for consumption off the licensed premises; and
 - (ii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities;
- (b) a condition authorising the licensee to sell liquor at any time through direct sales transactions provided that—
 - (i) the liquor is delivered with a meal provided by the licensee; and
 - (ii) the liquor is delivered only between the hours of 8 am and 10 pm; and
 - (iii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities.

17—Amendment of section 36—Club licence

- (1) Section 36—delete subsection (2) and substitute:

- (2) In addition, the licensing authority may include any 1 or more of the following conditions on a club licence:

- (a) a condition authorising the licensee to sell liquor on the licensed premises on any day over a continuous period authorised by the licensing authority (which must not exceed 13 hours) between 8 am and 10 pm for consumption off the licensed premises;

- 5
- (b) a condition authorising the licensee to sell liquor on the licensed premises to a member of the club on any day over a continuous period authorised by the licensing authority (which must not exceed 13 hours) between 8 am and 10 pm for consumption off the licensed premises;
- (c) a condition authorising the licensee to sell liquor between the hours of 8 am and 10 pm for consumption off the licensed premises provided that—
- 10
- (i) the liquor is provided with a meal provided by the licensee for consumption off the licensed premises; and
- (ii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities;
- (d) a condition authorising the licensee to sell liquor at any time through direct sales transactions provided that—
- 15
- (i) the liquor is delivered with a meal provided by the licensee; and
- (ii) the liquor is delivered only between the hours of 8 am and 10 pm; and
- 20
- (iii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities.
- (2) Section 36(3)—delete "drive-in or drive through bottle shop" and substitute:
bottle shop, drive-in or drive through
- (3) Section 36—after subsection (3) insert:
- 25
- (3a) A club licence is subject to the condition that the trade authorised under the licence may commence at 5 am on 25 April (and continue until the time at which trade is required to cease under the trading hours under the licence).
- (3b) Nothing in subsection (3a) limits the powers of the licensing authority under section 43.
- 30
- (4) Section 36—after subsection (4) insert:
- (4a) The Commissioner may give a copy of a notice referred to in subsection (4)(a) to the Commissioner of Police.
- (4b) As soon as reasonably practicable following receipt of a copy of a notice, the Commissioner of Police—
- 35
- (a) must make available to the Commissioner information about criminal convictions; and
- (b) may make available to the Commissioner other information to which the Commissioner of Police has access,
- 40
- relevant to whether any member of the committee of management of the club is not a fit and proper person to be in a position of authority in the club.

- (4c) The Commissioner must, before giving a notification under subsection (4)(b) in relation to a person—
- (a) give written notice to the person of the proposed notification; and
 - (b) allow the person a period of 21 days (or such longer period as the Commissioner may in a particular case allow) to show cause why the notification should not be given.

18—Amendment of section 37—Small venue licence

Section 37—after subsection (3) insert:

- (3a) In addition, the licensing authority may include either (or both) of the following conditions on a small venue licence:
- (a) a condition authorising the licensee to sell liquor between the hours of 8 am and 10 pm for consumption off the licensed premises provided that—
 - (i) the liquor is provided with a meal provided by the licensee for consumption off the licensed premises; and
 - (ii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities;
 - (b) a condition authorising the licensee to sell liquor at any time through direct sales transactions provided that—
 - (i) the liquor is delivered with a meal provided by the licensee; and
 - (ii) the liquor is delivered only between the hours of 8 am and 10 pm; and
 - (iii) the liquor provided is of the prescribed kind and does not exceed the prescribed quantities.

19—Amendment of section 39—Liquor production and sales licence

Section 39(1)(e)—delete paragraph (e) and substitute:

- (e) to sell or supply the licensee's product or supply other liquor (including, for the purposes of comparison with the licensee's product, liquor of the same type as the licensee's product) by way of sample for consumption on the licensed premises; and

20—Amendment of section 40—Short term licence

- (1) Section 40(2)—after "occasions" insert:

, or on a temporary basis for another purpose considered appropriate by the Commissioner

(2) Section 40(4)—delete subsection (4) and substitute:

(4) The Commissioner may refuse to grant a short term licence if satisfied that—

- (a) to grant the licence would be contrary to the public interest or would be inconsistent with the objects of the Act; or
- (b) the trade to be authorised by the licence would, on the basis of the scale or nature of the proposed event or occasion or series of events or occasions, or for any other reason, be better authorised by a licence of some other category.

(3) Section 40(5)(b)—delete paragraph (b)

(4) Section 40(6)—delete subsection (6)

21—Amendment of section 41—Interstate direct sales licence

(1) Section 41(2)(c)—delete paragraph (c)

(2) Section 41—after subsection (2) insert:

- (2a) The licensing authority may refuse to grant an interstate direct sales licence to a person if satisfied that, having regard to the trade conducted by the person under 1 or more licences of a class set out in section 31(2) or any other matter, the trade to be authorised under the interstate direct sales licence would be better authorised under a licence of a class set out in section 31(2).

22—Amendment of section 42—Mandatory conditions

(1) Section 42—after subsection (1b) insert:

- (1ba) A person who is dissatisfied with a decision made by the Commissioner to prohibit the use of a name for licensed premises by notice under subsection (1b) may apply to the Court in accordance with section 22 for a review of the Commissioner's decision.

(2) Section 42—after subsection (1c) insert:

- (1d) It is a condition of every licence that the licensee must not use a facial recognition system at the licensed premises for or in connection with any of the following:

- (a) encouraging or providing incentives to a person to consume liquor or gamble;
- (b) customer loyalty programs relating to gambling;
- (c) a lottery within the meaning of the *Lottery and Gaming Act 1936* or the *Lotteries Act 2019*;
- (d) any other purpose notified by the Commissioner to the system provider or licensee.

(3) Section 42—after subsection (2) insert:

(3) In this section—

facial recognition system means a system that enables the facial image of a person to be recognised, identified and recorded.

23—Amendment of section 50A—Annual fees

(1) Section 50A—after subsection (2) insert:

(2a) If a licence is granted part way through an annual fee period, the licensee must, on the grant of the licence, pay to the Commissioner an annual fee for the remainder of the current annual fee period as follows:

- (a) the annual fee payable is the proportion that the number of months in the period from the grant of the licence until the end of the current annual fee period bears to 12 months (with part of a month being counted as a full month); and
- (b) the annual fee is payable within 28 days after the grant of the licence.

(2) Section 50A(4)—delete "subsection (3)" and substitute:

subsection (2a) or (3)

24—Amendment of section 50B—Notification of certain variations to licences

Section 50B(b)—delete "persons" and substitute:

patrons

25—Amendment of section 51—Form of applications

Section 51(4)—delete "a reasonable time before the hearing or determination of the application" and substitute:

within a reasonable time after the licensing authority receives the varied application

26—Amendment of section 51A—Applications to be given to Commissioner of Police

(1) Section 51A(1)—after paragraph (b) insert:

(ba) the removal of a licence; or

(2) Section 51A(2)—delete "at least 28 days before the day appointed for the hearing or determination of the application, unless it is not reasonably practicable for the Commissioner to do so" and substitute:

as soon as is reasonably practicable after the licensing authority receives the application

27—Amendment of section 52—Certain applications to be advertised

- (1) Section 52(1)(f)—delete paragraph (f) and substitute:
- (f) the inclusion of a condition of a kind referred to in section 36(2)(a) on a club licence;

- 5 (2) Section 52(2)—delete ", in accordance with the regulations, to members of the public by notice placed on the licensed premises or, in the case of proposed licensed premises, on the relevant land, so as to be clearly visible to, and legible by, persons passing the premises or land" and substitute:

10 to members of the public in a manner and form approved by the Commissioner

- (3) Section 52(2a)—delete subsection (2a)

28—Amendment of section 52A—Confidentiality of certain documents and material relevant to application

- (1) Section 52A(1)—after "application" second occurring insert:

15 (including documents and material required to be provided under the community impact assessment guidelines)

- (2) Section 52A—after subsection (2) insert:

20 (2a) The Commissioner may exclude information from inspection in accordance with subsection (2) by redacting the relevant information from the material that is made available for inspection, or in any other manner the Commissioner thinks fit.

25 (2b) If, on the written application of a person, the Commissioner is satisfied that it is not reasonably practicable for the person to inspect any application, document or material that has been made available for inspection under this section, the Commissioner may provide the person (in a manner determined by the Commissioner and subject to any conditions determined by the Commissioner) with a copy of the application, document or material, or of any parts of the application, document or material that the Commissioner thinks fit.

30 (2c) If an application, document or material (or any part thereof) is provided to a person in accordance with subsection (2b), subsections (3) and (4) will apply to the person as if the person had inspected the application, document or material so provided and had gained access to the information contained in the application, document or material so provided as a result of that inspection.

35

29—Insertion of section 52B

After section 52A insert:

52B—Information relating to applications may be published on a website

- 5 (1) The Commissioner may, in the Commissioner's absolute discretion, publish the whole or any parts of an application that is required to be advertised under this Act, or of other relevant documents and material produced to the licensing authority under this Act (including documents and material required to be provided under the
- 10 community impact assessment guidelines), on a website maintained by the Commissioner.
- (2) The material published by the Commissioner under this section may be different to the material that is made available for inspection under section 52A.

15 30—Amendment of section 53—Discretionary powers of licensing authority

Section 53—after subsection (1) insert:

- (1aaa) To avoid doubt (and without derogating from subsection (1)), the licensing authority may refuse an application under this Act on the
- 20 ground that the category of licence applied for is not the most appropriate category, given the activities proposed to be undertaken under the licence.

31—Amendment of section 53A—Licensing authority to be satisfied that designated application is in community interest

Section 53A(4), definition of *designated application*, (b)—delete "in accordance with the community impact assessment guidelines,"

25

32—Amendment of section 55—Provisions governing whether person is fit and proper

- (1) Section 55(1)—delete "must" and substitute:

may

- 30 (2) Section 55(2)—delete "must" and substitute:

may

- (3) Section 55(5)(d)—delete paragraph (d)

33—Amendment of section 57—Requirements for premises

Section 57(3)—delete "short term licence, interstate direct sales licence or packaged liquor sales licence that authorises the licensee to sell liquor only through direct sales transactions" and substitute:

35

licence

34—Repeal of section 59A

Section 59A—delete the section

35—Amendment of section 66—Suspension of licence

(1) Section 66(2)(a)—after "specified period" insert:
(not exceeding 6 months)

(2) Section 66(3)—delete subsection (3)

5 **36—Insertion of section 66A**

After section 66 insert:

66A—Revocation of licence

(1) The Commissioner may, in the Commissioner's absolute discretion, revoke a licence if the Commissioner is satisfied that—

- 10 (a) it is in the public interest; or
(b) the licensee has ceased to carry on business under the licence; or
(c) there is some other proper reason,

to revoke the licence.

15 (2) The Commissioner must, before revoking a licence under subsection (1)—

- 20 (a) give written notice to the licensee of the proposed revocation, including, subject to section 28A, a statement of the reasons that the Commissioner considers justify the revocation; and
(b) allow the licensee a period of 21 days (or such longer period as the Commissioner may in a particular case allow) to show cause why the licence should not be revoked.

25 (3) The Commissioner may suspend a licence pending final determination of the question as to whether the licence should be revoked.

(4) No civil liability attaches to the Commissioner or the Crown in respect of the revocation of a licence in good faith under this section.

37—Amendment of section 67—Surrender of licence

30 Section 67(2)—delete subsection (2)

38—Insertion of Part 4 Division 6A

Part 4—after Division 6 insert:

Division 6A—Jointly held licences—removal of licensee

67A—Jointly held licences—removal of licensee

- 35 (1) If—
(a) a licence is held jointly by 2 or more persons; and

- (b) the Commissioner is satisfied that events have occurred such that 1 of those persons would not be entitled to be licensed if they were to apply for a licence,

the Commissioner may, in the Commissioner's absolute discretion, determine that the person is no longer a joint holder of the licence (and the Commissioner may issue a replacement copy of the licence in the name of remaining licensee or licensees).

- (2) If the Commissioner determines that a person is no longer a joint holder of a licence, the person is taken for all purposes to not be a licensee by force of this section.
- (3) The Commissioner must, before making a determination under subsection (1)—
- (a) give written notice to the person of the proposed determination, including, subject to section 28A, a statement of the reasons that the Commissioner considers justify the determination; and
- (b) allow the person a period of 21 days (or such longer period as the Commissioner may in a particular case allow) to show cause why the determination should not be made.

39—Repeal of Part 4 Division 9

Part 4 Division 9—delete Division 9

40—Amendment of section 73—Devolution of licensee's rights

- (1) Section 73(3)—delete "for a period of 1 month" and substitute:
- during the period of 1 month immediately after the licensee ceased to occupy the premises
- (2) Section 73(4)—after "on application" insert:
- made within 3 months after the surrender or revocation

41—Amendment of section 76—Commissioner of Police may make written submissions

Section 76—delete ", at least 7 days before the day appointed for the determination or hearing of the application (or such lesser period as the licensing authority may allow)," and substitute:

on or before the closing date (within the meaning of section 77) for submissions relating to the application. or within such other period as the licensing authority may allow,

42—Amendment of section 77—General right to make written submissions

(1) Section 77(1)—delete subsection (1) and substitute:

(1) Subject to this section, if an application has been advertised under this Part, a person may, by notice lodged in a manner and form approved by the Commissioner on or before the closing date for submissions relating to the application, make written submissions to the Commissioner in respect of the application.

(1a) The licensing authority may, in its absolute discretion, allow a person to lodge written submissions after the closing date.

(2) Section 77(3)—delete "only be made by or on behalf of a council if a combined assessment panel has been established under the *Planning, Development and Infrastructure Act 2016* to be involved in the assessment of the application under this Act (at the same time as acting as a relevant authority under that Act)" and substitute:

not be made under this section

(3) Section 77(4)—delete "at least 7 days before the day appointed for the hearing or determination of the application (or such lesser period as the licensing authority may allow)" and substitute:

within 7 days after lodgment of the submissions (or within such other period as is determined by the licensing authority)

(4) Section 77—after subsection (5) insert

(6) In this section—

closing date, in relation to an application, means the day determined by the licensing authority to be the last day on which submissions on the application may be lodged.

43—Amendment of section 78—Further written submissions

Section 78(3)—delete "a reasonable time before the hearing or determination of the application" and substitute:

within a reasonable time after their receipt

44—Amendment of section 82—Variation of written submissions

Section 82(2)—delete "a reasonable time before the hearing or determination of the application" and substitute:

within a reasonable time after the licensing authority receives the varied submissions

45—Amendment of section 97—Supervision and management of licensee's business

(1) Section 97(1)(a)—delete "to the public" and substitute:

for trade

(2) Section 97(1)(a)(i)—delete "the licensee" wherever occurring and substitute in each case:

a licensee

- (3) Section 97(1a)—delete "The licensee or a director of the" and substitute:

A licensee or a director of a

46—Amendment of section 97A—Direction to complete training—designated persons

- 5 Section 97A(4), definition of *designated person*, (a)—after "licensee" insert:
or a director of a licensee

47—Amendment of section 98—Approval of assumption of positions of authority in corporate or trust structures

- 10 Section 98(1)—after " short term licence" insert:
granted for a term of less than 5 years

48—Amendment of section 99—Prohibition of profit sharing

- (1) Section 99(1)(b)—delete "(but this paragraph does not prevent the members of a licensed club from benefiting as members of the club from the proceeds of the business conducted under the licence)"
- 15 (2) Section 99—after subsection (1) insert:
- (1a) Subsection (1)(b) does not however prevent—
- (a) the members of a licensed club; or
- (b) any shareholders in a body corporate owning a 5% share or less in the body corporate's share capital,
- 20 from benefiting as such members or shareholders from the proceeds of the business conducted under the licence.

49—Substitution of section 104

Section 104—delete the section and substitute:

104—Liquor may be brought onto, and removed from, licensed premises in certain cases

- 25 Despite any other provision of this Act, in relation to licensed premises where consumption of liquor on the premises is authorised, it is lawful for a person—
- 30 (a) in the case where the licensed premises are a public conveyance—to bring liquor onto the licensed premises, with the consent of the licensee, intending that it be consumed on the licensed premises and later to take from the licensed premises the unconsumed portion of liquor so brought onto the licensed premises in the container in which it was brought onto the licensed premises; or
- 35 (b) in any other case—

- 5
- (i) to bring liquor onto the licensed premises, with the consent of the licensee, intending that it be consumed with or ancillary to a meal provided by the licensee on the licensed premises and later to take from the licensed premises the unconsumed portion of liquor so brought onto the licensed premises in the container in which it was brought onto the licensed premises; or
- 10
- (ii) if a bottle of wine has been purchased on the licensed premises by the person intending that the wine be consumed with or ancillary to a meal provided by the licensee on the licensed premises, to take from the licensed premises the unconsumed portion of wine so purchased in the bottle in which it was purchased.
- 15

50—Amendment of heading to Part 6 Division 5

Heading to Part 6 Division 5—delete "prescribed" and substitute:
adult

51—Amendment of section 105—Adult entertainment on licensed premises

- 20 (1) Section 105(2)—delete "prescribed" and substitute:

adult

- (2) Section 105(3)(b)—delete "prescribed" and substitute:

adult

- 25 (3) Section 105(6), definition of *prescribed entertainment*—delete the definition and substitute:

adult entertainment means—

- (a) entertainment of a sexually explicit nature; or
(b) any other entertainment of a kind prescribed by the regulations for the purposes of this definition,

30 but does not include entertainment of a kind excluded by the regulations from the ambit of this definition.

52—Amendment of section 106—Complaint about noise or behaviour emanating from licensed premises

- (1) Section 106(1)—delete subsection (1) and substitute:

- 35 (1) Subject to this section, if noise or behaviour emanating from persons at, or making their way to or from, or entertainment at, licensed premises is unduly offensive, annoying or disturbing to a person who resides, works or worships in the vicinity of the licensed premises, a complaint may be lodged with the Commissioner under this section.

(2) Section 106(3a)—delete subsection (3a) and substitute:

(3a) If a complaint is lodged with the Commissioner under this section, the Commissioner must cause a copy of the complaint to be served on the licensee of the licensed premises to which the complaint relates prior to any conciliation proceedings or hearing is held in relation to the complaint.

(3) Section 106(6)(b)(i) and (ii)—delete "activity" wherever occurring

(4) Section 106(6)(b)(iv) and (v)—delete subparagraphs (iv) and (v)

(5) Section 106—after subsection (8) insert:

(8a) Despite any other provision of this section, if the Commissioner or the Court considers that it is appropriate that the subject matter of a complaint be dealt with by another person or body, the Commissioner or the Court (as the case requires) may, at any time, refer the matter to the other person or body.

53—Amendment of section 107—Minors not to be employed to serve liquor in licensed premises

Section 107(2)(a) and (b)—delete paragraphs (a) and (b) and substitute:

(a) the minor is of or above the age of 16 years, a child of the licensee and—

(i) resident on the premises; or

(ii) the licensing authority, on application, approves the employment of the minor for that purpose; or

(b) the minor—

(i) is of or above the age of 16 years; and

(ii) is a child of a responsible person employed at the premises and is employed to sell, supply or serve liquor while that responsible person is working at the premises; and

(iii) is—

(A) resident on the premises; or

(B) the licensing authority, on application, approves the employment of the minor for that purpose.

54—Insertion of heading to Part 6 Division 7A Subdivision 1

Before section 107A insert:

Subdivision 1—Sale of liquor through direct sales transaction—general

55—Amendment of section 107A—Sale of liquor through direct sales transaction—general

- (1) Section 107A(3)(c)—before "in" insert:

5 if the delivery is made on a day after the day the liquor is ordered by the purchaser,

- (2) Section 107A(7)—after paragraph (b) insert:

and

- (c) in the case of a same day delivery—

- 10 (i) that the licensee had, before the supply occurred, undertaken the training referred to in section 107D; and
(ii) that the licensee had ensured that the person responsible for delivery had, before the supply occurred, undertaken the training referred to in section 107D.

- (3) Section 107A(8)—after paragraph (c) insert:

15 and

- (d) in the case of a same day delivery—that the person had, before the supply occurred, undertaken the training referred to in section 107D.

- (4) Section 107A—after subsection (10) insert:

- 20 (11) A person who delivers liquor purchased through direct sales transaction in accordance with subsection (3)(a) or (b) must ensure that the liquor is not taken by an intoxicated person.

Maximum penalty: \$10 000.

Expiation fee: \$315.

- 25 (12) It is a defence to a prosecution under subsection (11) for the person who delivered the liquor if it is proved that at the time of the alleged offence the person did not know, and could not reasonably be expected to have known, that the person was delivering liquor.

Example—

30 A courier delivers a package on behalf of an interstate retailer and is unaware the delivery includes liquor.

56—Insertion of Part 6 Division 7A Subdivision 2

After section 107A insert:

Subdivision 2—Same day liquor deliveries

107B—Preliminary

5 (1) In this Subdivision—

same day delivery means the delivery of liquor by direct sales transaction to a person in South Australia on the same day that the liquor is purchased by retail (irrespective of the State or Territory in which the sale is made), but does not include a delivery of liquor by direct sales transaction excluded by regulation from the ambit of this definition.

10 (2) This Subdivision is in addition to and does not limit or derogate from Subdivision 1.

107C—Liquor not to be supplied in certain areas

15 A person must not, as part of a same day delivery, supply liquor in a public place within an area where the consumption or possession (or both) of liquor is prohibited (whether under this Act or another Act or law).

Maximum penalty: \$15 000.

20 Expiation fee: \$315.

107D—Training relating to same day deliveries

A same day delivery must not be made by or on behalf of a licensee unless—

- 25 (a) the licensee has undertaken accredited training of a kind specified by the Commissioner; and
- (b) the person responsible for the delivery has undertaken accredited training of a kind specified by the Commissioner.

Maximum penalty: \$15 000.

Expiation fee: \$315.

107E—Self-exclusion agreements

30 (1) If a person (the *participant*) requests a licensee to enter into an agreement (a *self-exclusion agreement*) with the participant under which the participant agrees to be prevented from having liquor delivered by the licensee to the participant, the licensee must—

- 35 (a) enter into a self-exclusion agreement with the participant; and
- (b) comply with the agreement.

Maximum penalty: \$15 000.

Expiation fee: \$315.

- 5
- (2) A self-exclusion agreement must comply with any requirements determined by the Commissioner and published on a website maintained by the Commissioner.
- (3) If a licensee sells liquor through direct sales transactions on an internet site or by other electronic means for same day delivery, the licensee must ensure that—
- 10
- (a) the internet site or other electronic means provides a way for a person to enter into a self-exclusion agreement with the licensee; and
- (b) any person accessing the internet site or other electronic means would reasonably be expected to be alerted to the ability to enter into a self-exclusion agreement.

Maximum penalty: \$15 000.

Expiation fee: \$315.

- 15
- (4) No civil or criminal liability is incurred by a licensee for an act done, or omitted to be done, in good faith and in accordance with this section, in relation to the participant.

107F—Same day delivery providers liable for acts of employees and agents

- 20
- (1) Subject to this section, if an employee or agent of a licensee contravenes a provision of this Subdivision, the licensee is guilty of a contravention of the provision and liable to the penalty for a contravention of that provision.
- (2) Subsection (1) does not apply if the licensee has—
- 25
- (a) ensured that the employee or agent has undertaken the training referred to in section 107D; and
- (b) kept records that demonstrate that the licensee has complied with paragraph (a).
- (3) A licensee may be prosecuted and convicted of an offence in accordance with subsection (1) whether or not there has been a finding by a court that the relevant employee or agent of the licensee committed the contravention.
- 30

57—Amendment of section 109—Copy of licence etc to be available at licensed premises

35

Section 109(1a)—delete "kept at the licensed premises and made available" and substitute:

available at the licensed premises for display

58—Amendment of section 109A—Records of liquor transactions

Section 109A(2)(a)—delete paragraph (a)

59—Amendment of section 111—Areas of licensed premises may be declared out of bounds to minors

- (1) Section 111(2)—delete subsection (2)
- (2) Section 111(3)—delete "a child of the licensee or a responsible person for the licensed premises" and substitute:

an exempt minor

- (3) Section 111(3)—delete "under this section" and substitute:
for the purposes of this Part

- (4) Section 111—after subsection (3) insert:

- (4) In this section—

exempt minor, in relation to a minor entering an area of licensed premises declared to be out of bounds to minors, means—

- (a) a child of the licensee; or
- (b) a child of a responsible person employed at the licensed premises who is working at the licensed premises at the time of the minor entering the relevant area.

60—Amendment of section 112—Minors not to enter or remain in certain licensed premises

- (1) Section 112(1)—after paragraph (a) insert:

- (ab) any area in licensed premises subject to a general and hotel licence designated as a bottle shop area, unless the minor is accompanied by a responsible adult at all times; or

- (2) Section 112(5)—delete subsection (5)

61—Repeal of section 113

Section 113—delete the section

62—Amendment of section 113A—Requirements relating to notices

Section 113A—after subsection (3) insert:

- (4) A licensee must not contravene or fail to comply with a requirement under this section relating to the erection or display of notices for the purposes of this Part.

Maximum penalty: \$10 000.

Expiation fee: \$500.

63—Amendment of section 115—Evidence of age may be required

Section 115(3), definition of *prescribed person*, (c)(iii)—delete subparagraph (iii) and substitute:

- (iii) security personnel.

64—Amendment of section 115A—Seizure of evidence of age document

Section 115A(7), definition of *prescribed person*, (c)(iii)—delete subparagraph (iii) and substitute:

- (iii) security personnel.

5 **65—Amendment of section 119A—Commissioner's power to deal with disciplinary matter by consent**

Section 119A—after subsection (2) insert:

- 10 (3) The Commissioner may publish a copy of an undertaking obtained under subsection (1)(a) on a website maintained by the Commissioner.

66—Insertion of section 121A

After section 121 insert:

121A—Commissioner of Police to make available relevant information

15 The Commissioner of Police may, as soon as reasonably practicable after becoming aware of information relevant to a matter that might constitute proper cause for disciplinary action under this Act, make the information available to the Commissioner.

67—Amendment of section 124A—Interpretation

- 20 (1) Section 124A(1)—before the definition of *family member* insert:

associate, of a person, means—

- (a) a person residing with the person; or
(b) a family member of the person; or
(c) a person to whom alcohol is supplied by the person;

- 25 (2) Section 124A(2)—delete subsection (2) and substitute:

- 30 (2) For the purposes of determining whether the welfare of a person or an associate of a person is seriously at risk as a result of the consumption or supply of liquor by the person, the Commissioner, a licensee, a responsible person or a police officer acting under this Division must take into account the fact that harm caused by the excessive or inappropriate consumption or supply of liquor includes—

- 35 (a) the risk of harm to children, vulnerable people and communities; and
(b) the adverse effects on a person's health; and
(c) alcohol abuse or misuse; and
(d) domestic violence or anti-social behaviour, including causing personal injury and property damage.

68—Insertion of Part 9 Division 3 Subdivision 1A

Part 9 Division 3—after Subdivision 1 insert:

Subdivision 1A—Commissioner barring orders

124B—Commissioner may make barring order on request

- 5 (1) The Commissioner may, by order served on a person, bar the person from entering or remaining on—
- (a) specified licensed premises or part of licensed premises; or
- (b) licensed premises of a specified class; or
- 10 (c) licensed premises of a specified class within a specified area; or
- (d) all licensed premises within a specified area,
- for an indefinite period or a period (of at least 1 month) specified in the order.
- 15 (2) An order under this section may only be made in relation to a person—
- (a) at the request of that person; or
- (b) if the Commissioner is satisfied that the welfare of that person or an associate of that person is seriously at risk as a result of the consumption or supply of alcohol by the person
- 20 proposed to be the subject of the order.
- (3) The Commissioner may vary or revoke an order under this section barring a person from licensed premises or part of licensed premises by subsequent order served on the person.
- 25 (4) The Commissioner may suspend an order under this section barring a person from licensed premises or part of licensed premises by subsequent order served on the person if the Commissioner is satisfied it is appropriate to do so.
- 30 (5) A suspension under subsection (4) may operate generally or in relation to specified licensed premises or part of licensed premises, or licensed premises of a specified class.

124C—Commissioner barring orders relating to consumption off premises

- 35 (1) The Commissioner may, by order served on a person, bar the person from purchasing liquor for consumption off licensed premises on—
- (a) specified licensed premises or part of licensed premises; or
- (b) licensed premises of a specified class; or
- (c) licensed premises of a specified class within a specified area; or
- (d) all licensed premises within a specified area,

for an indefinite period or a period (of at least 1 month) specified in the order.

- 5 (2) An order under this section may only be made in relation to a person—
- (a) at the request of that person; or
- (b) if the Commissioner is satisfied that the welfare of that person or an associate of that person is seriously at risk as a result of the consumption or supply of alcohol by the person proposed to be the subject of the order.
- 10 (3) The Commissioner may vary or revoke an order under this section barring a person from licensed premises or part of licensed premises by subsequent order served on the person.
- (4) The Commissioner may suspend an order under this section barring a person from licensed premises or part of licensed premises by subsequent order served on the person if the Commissioner is satisfied it is appropriate to do so.
- 15 (5) A suspension under subsection (4) may operate generally or in relation to specified licensed premises or part of licensed premises, or licensed premises of a specified class.

20 **124D—Offences**

- (1) A person who enters or remains on licensed premises or a part of licensed premises from which the person is barred under section 124B is guilty of an offence.
- Maximum penalty: \$1 250.
- 25 Expiation fee: \$160.
- (2) A person who purchases liquor for consumption off licensed premises on premises or part of premises from which they have been barred from so doing under section 124C is guilty of an offence.
- Maximum penalty: \$1 250.
- 30 Expiation fee: \$160.
- (3) A licensee, a responsible person for licensed premises, or an employee of the licensee, who—
- (a) allows a person who has been barred from licensed premises or a part of licensed premises under section 124B to enter or remain on those premises or that part of the premises; or
- 35 (b) allows a person who has been barred from purchasing liquor for consumption off licensed premises or a part of licensed premises under section 124C to purchase liquor on the premises or part of the premises for consumption off the premises,
- 40

is guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- 5 (4) It is a defence to a charge of an offence against subsection (3) for the defendant to prove that the defendant took reasonable steps to prevent the commission of the offence.

124E—Evidence

10 (1) In proceedings for an offence against this Subdivision, a certificate apparently signed by the Commissioner stating that a person was barred from licensed premises or part of licensed premises under this Subdivision for the period specified in the certificate will be accepted, in the absence of proof to the contrary, as proof of the matters stated in the certificate.

15 (2) In proceedings for an offence against this Subdivision, a certificate apparently signed by the Commissioner stating that a person was barred from purchasing liquor for consumption off licensed premises or a part of licensed premises under this Subdivision for the period specified in the certificate will be accepted, in the absence of proof to the contrary, as proof of the matters stated in the certificate.

69—Amendment of section 125—Licensee barring orders

- 20 (1) Section 125(6)—delete "6 months" and substitute:

1 month

- (2) Section 125(6)—after "provided" insert:

, in the manner determined by the Commissioner,

- 25 (3) Section 125—after subsection (6) insert:

(7) A prescribed person may, for the purposes of exercising a power or function under this section, require a person to produce evidence as to the person's identity that complies with the requirements of the regulations.

30 (8) A person who—

(a) fails, without reasonable excuse, to comply with a requirement under this section; or

(b) makes a false statement, or produces false evidence, in response to such a requirement,

35 is guilty of an offence.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(9) In this section—

prescribed person, in relation to licensed premises, means—

40 (a) an inspector; or

- (b) the occupier or manager of the licensed premises or an agent or employee of the occupier, including—
- (i) a licensee of licensed premises; or
 - (ii) a responsible person for licensed premises; or
 - (iii) security personnel.

5

70—Amendment of section 125A—Commissioner of Police barring orders

(1) Section 125A(1)(a)—after "premises"
or part of licensed premises

(2) Section 125A(2)—after "premises"
or part of premises

10

71—Amendment of section 125B—Police officer barring orders

(1) Section 125B(1)(a)—after "premises"
or part of licensed premises

(2) Section 125B(1)(e)—delete paragraph (e) and substitute:

15

(e) if the police officer is satisfied that the welfare of the person or an associate of that person is seriously at risk as a result of the consumption or supply of alcohol by the person proposed to be the subject of the order; or

(3) Section 125B(4)(d)(ii)—after "premises"
or part of licensed premises

20

72—Amendment of section 125C—Offences

(1) Section 125C(1)—after "premises"
or a part of licensed premises

(2) Section 125C(2)—delete subsection (2) and substitute:

25

(2) A licensee, a responsible person for licensed premises, or an employee of the licensee, who knows or ought reasonably to know that a person has been barred from licensed premises or a part of licensed premises under this Subdivision and who allows a person to enter or remain on those premises or that part of the premises, is guilty of an offence.

30

73—Amendment of section 125D—Evidence

Section 125D(1)—after "premises" insert:
or part of licensed premises

74—Insertion of section 125DA

After section 125D insert:

125DA—Disclosure of information—police barring orders

The Commissioner of Police may disclose information relating to orders under this Subdivision to the Commissioner.

75—Amendment of section 126—Orders

(1) Section 126(1)—delete "prescribed by regulation" and substitute:

determined by the Commissioner

(2) Section 126(1a)—delete subsection (1a) and substitute:

(1a) If a person has been barred from premises or part of premises, or from purchasing liquor for consumption off premises or part of premises, by order under Subdivision 1A or Subdivision 3, the relevant licensee must, within 14 days of the service of the order, be provided with—

(a) a copy of the order; and

(b) information that identifies the person,

(but a failure to comply with this subsection does not affect the operation of the order).

76—Amendment of section 127—Power to remove person who is barred

(1) Section 127(1)—after "premises" first occurring insert:

or part of premises

(2) Section 127(1)—after "premises" second occurring insert:

or that part of the premises

(3) Section 127(2)—delete subsection (2) and substitute:

(2) If a person who is barred from premises or part of premises under this Division—

(a) seeks to enter the premises or that part of the premises; or

(b) refuses or fails to comply with a requirement under subsection (1),

an authorised person may prevent the person from entering the premises or the part of the premises, or remove the person from the premises or the part of the premises (as the case requires), using the force reasonably necessary for the purpose.

77—Amendment of section 128—Review of orders

(1) Section 128(1)—delete subsection (1) and substitute:

(1) A person in respect of whom 1 or more orders have been made under this Division (other than an order under Subdivision 1A made on the request of the person the subject of the order) barring the person from, or from purchasing liquor on for consumption off, premises or part of premises—

(a) for a period exceeding 1 month; or

(b) for periods exceeding 1 month in aggregate during a period of 3 months,

may apply to the licensing authority for a review of the order under which the person is barred from, or from purchasing liquor for consumption off, the premises or part of premises.

(2) Section 128(2a)—delete subsection (2a) and substitute:

(2a) If, on the hearing of an application under this section in relation to an order under which the applicant has been barred from, or from purchasing liquor on for consumption off, premises or part of premises for an indefinite period or a period exceeding 6 months, the licensing authority is of the opinion that it is appropriate to vary the order so that the person is barred from entering or remaining on, or purchasing liquor on for consumption off, the premises or that part of the premises until further order of the Commissioner, the licensing authority may so vary the order.

(3) Section 128(5), definition of *licensing authority*, (a)—delete paragraph (a) and substitute:

(a) if the order was made—

(i) under Subdivision 1A (other than on the request of the person the subject of the order); or

(ii) barring the person from premises for an extended period approved by the Commissioner under section 125(5)(b)(i) or (ii),

—the Court; or

78—Amendment of section 128A—Reports on barring orders

(1) Section 128A(1)(a)—delete "licensed premises" and substitute:

, or from purchasing liquor on for consumption off, licensed premises or part of licensed premises

(2) Section 128A(1)(a)—delete "6 months" and substitute:

1 month

(3) Section 128A(1)(a)(i)(B)—after "barred" insert:

or barred from purchasing liquor on for consumption off the premises

79—Amendment of section 136—Service

Section 136(2)(e)—delete paragraph (e) and substitute:

(e) by transmitting it to the person—

- 5
- (i) in the case of an order under Part 9 Division 3
Subdivision 2—by SMS to the mobile phone number, or by
fax or email to the fax number or email address, last
provided to the licensee or responsible person issuing the
barring order by the person for that purpose; or
- 10
- (ii) in the case of an order under Part 9 Division 3
Subdivision 3—by fax or email to the fax number or email
address last provided to the Commissioner of Police or the
police officer issuing the barring order by the person for that
purpose; or
- 15
- (iii) in any other case—the fax number or email address last
provided to the Commissioner by the person for that
purpose.

Schedule 1—Related amendments

Part 1—Amendment of *Gambling Administration Act 2019*

1—Amendment of section 9—Powers to make interim or conditional decisions and accept undertakings from parties

Section 9—after subsection (4) insert:

- (5) The Commissioner may publish a copy of an undertaking obtained
under subsection (4) on a website maintained by the Commissioner.

2—Amendment of section 13—Representation before Commissioner

25 (1) Section 13—delete "counsel" wherever occurring and substitute in each case:
a legal practitioner

(2) Section 13(1)(e)—delete paragraph (e)

(3) Section 13—after subsection (3) insert:

(4) In this section—

30 *legal practitioner* has the same meaning as in the *Legal Practitioners
Act 1981*.

3—Insertion of section 42A

After section 42 insert:

42A—Commissioner of Police to make available relevant information

5 The Commissioner of Police may, as soon as reasonably practicable after becoming aware of information relevant to a matter that might constitute proper cause for disciplinary action against a gambling provider, make the information available to the Commissioner.

4—Amendment of section 65—Service

10 Section 65(1)(d)—delete paragraph (d) and substitute:

- (d) be transmitted to the person—
 - (i) in the case of a barring order under Part 6—by SMS to the mobile phone number, or by fax or email to the fax number or email address, provided by the person for that purpose; or
 - (ii) in any other case—by fax or email to the fax number or email address last provided to the Commissioner by the person for that purpose.

Part 2—Amendment of *Gaming Machines Act 1992*

5—Amendment of section 3—Interpretation

20 (1) Section 3(1), definition of *authorised person*, (f)—delete paragraph (f) and substitute:
(f) security personnel;

(2) Section 3(1)—after the definition of *responsible person* insert:

25 *security personnel* means a person who holds a security agent's licence that authorises the person to perform the function of controlling crowds under the *Security and Investigation Industry Act 1995*;

(3) Section 3(2)(a)(iv)—delete subparagraph (iv)

6—Amendment of section 4A—Provisions governing whether person is fit and proper

(1) Section 4A—after subsection (2) insert:

- 30 (2a) In deciding whether a person is a fit and proper person for a particular purpose under this Act, the Commissioner may take into consideration—
- (a) the reputation, honesty and integrity (including the creditworthiness) of the person; and
 - (b) the reputation, honesty and integrity of people with whom the person associates; and
 - (c) if the person is a body corporate—whether the body corporate is being wound up or is under official management or in receivership; and
- 35

- (d) any other factor relevant to the particular purpose to which the decision relates, including any relevant offence of which the person has been convicted or found guilty.

Note—

5 A relevant factor might, for example, be that a person (or, if the person is a body corporate, a director of the body corporate) has been a director of a number of bodies corporate wound up for the benefit of creditors.

- (2) Section 4A(5)(e)—delete paragraph (e)

10 **7—Amendment of section 28B—Devolution of licensee's rights**

- (1) Section 28B(3)—delete "for a period of 1 month" and substitute:

during the period of 1 month immediately after the licensee ceased to occupy the premises

- (2) Section 28B(4)—after "on application" insert:

15 made within 3 months after the surrender or revocation

8—Amendment of section 44D—Certain applications to be advertised

- (1) Section 44D(2)—delete ", in accordance with the regulations, to members of the public by notice placed on the licensed premises or, in the case of proposed licensed premises, on the relevant land, so as to be clearly visible to, and legible by, persons passing the premises or land" and substitute:

20 to members of the public in a manner and form approved by the Commissioner

- (2) Section 44D(3)—delete subsection (3)

9—Insertion of section 44DA

25 After section 44D insert:

44DA—Confidentiality of certain documents and material relevant to application

- (1) Subject to this section, the Commissioner must make available for inspection an application required to be advertised under this Act and any documents and material produced to the Commissioner under this Act relevant to the application (including documents and material required to be provided under the community impact assessment guidelines).

35 (2) The Commissioner may, in the Commissioner's absolute discretion, exclude from inspection information that the Commissioner considers to be—

- (a) personal information of a confidential nature; or
(b) information that has a commercial or other value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or

40

- 5
- (c) information the disclosure of which would, or could reasonably be expected to, prejudice the commercial position of a person or confer a commercial advantage on a person; or
- (d) information the disclosure of which would be contrary to the public interest for any other reason.
- 10
- (3) The Commissioner may exclude information from inspection in accordance with subsection (2) by redacting the relevant information from the material that is made available for inspection, or in any other manner the Commissioner thinks fit.
- 15
- (4) If, on the written application of a person, the Commissioner is satisfied that it is not reasonably practicable for the person to inspect any application, document or material that has been made available for inspection under this section, the Commissioner may provide the person (in a manner determined by the Commissioner and subject to any conditions determined by the Commissioner) with a copy of the application, document or material, or of any parts of the application, document or material that the Commissioner thinks fit.
- 20
- (5) If an application, document or material (or any part thereof) is provided to a person in accordance with subsection (4), subsections (6) and (7) will apply to the person as if the person had inspected the application, document or material so provided and had gained access to the information contained in the application, document or material so provided as a result of that inspection.
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- (6) A person who inspects an application, document or material under this section must not use information contained in the application, document or material for a purpose other than making written submissions in relation to the application, or intervening in proceedings, under this Act and must not disclose that information to another person except for that purpose.
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- Maximum penalty: \$10 000.
- (7) A person who gains access to information (whether properly or improperly and whether directly or indirectly) as a result of the inspection of an application, document or material under this section by another person must not use the information for a purpose other than that for which the person inspecting the application, document or material may lawfully use it.
- 35
- Maximum penalty: \$10 000.

Part 3—Amendment of *Local Nuisance and Litter Control Act 2016*

10—Amendment of Schedule 1—Meaning of local nuisance (section 17)

(1) Schedule 1, clause 5(k)—delete paragraph (k) and substitute:

5 (k) noise or behaviour in respect of which a complaint may be lodged
with the Liquor Licensing Commissioner under section 106 of the
Liquor Licensing Act 1997;

(2) Schedule 1, clause 5(l)—delete paragraph (l)

Part 4—Amendment of *South Australian Motor Sport Act 1984*

10 11—Repeal of section 27B

Section 27B—delete the section