

South Australia

Liquor Licensing (Miscellaneous) Amendment Act 2004

An Act to amend the *Liquor Licensing Act 1997*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

Part 2—Amendment of *Liquor Licensing Act 1997*

- 4 Amendment of section 4—Interpretation
 - 5 Amendment of section 35—Entertainment venue licence
 - 6 Amendment of section 44—Extended trading authorisation
 - 7 Amendment of section 53—Discretionary powers of licensing authority
 - 8 Amendment of section 121—Disciplinary action
-

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 2004*.

2—Commencement

This Act will come 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 4—Interpretation

Section 4, definition of *extended trade*, (c)—before "Christmas Day" insert:

Good Friday or

5—Amendment of section 35—Entertainment venue licence

- (1) Section 35(1)(b)—after "but" insert:

(unless an extended trading authorisation is in force)
- (2) Section 35(2)(c)—after "inconvenience" insert:

to people who, for example, reside, work, study or worship in the vicinity of the licensed premises

6—Amendment of section 44—Extended trading authorisation

- (1) Section 44(2)(a)—after "inconvenience" insert:

to people who, for example, reside, work, study or worship in the vicinity of the licensed premises
- (2) Section 44(4)(a)—delete paragraph (a)

7—Amendment of section 53—Discretionary powers of licensing authority

Section 53—after subsection (3) insert:

- (4) If a licensing authority considers that an applicant should satisfy the licensing authority as to a certain matter for the purposes of determining the application, the licensing authority may, if the licensing authority thinks fit, nevertheless grant the application on the condition that the applicant satisfies the licensing authority as to the matter within a period determined by the licensing authority.
- (5) If a licence, permit or approval is granted on a condition under subsection (4), the licensing authority may, on failure by the applicant to comply with the condition, revoke the licence, permit or approval, or suspend the licence, permit or approval until further order.
- (6) A licensing authority may in proceedings accept an undertaking from a party in relation to the conduct of the proceedings and, on failure by the party to fulfil the undertaking, refuse to hear the party further in the proceedings subject to any further order of the licensing authority.

8—Amendment of section 121—Disciplinary action

Section 121(2)(c)—after "time" insert:

or is to have effect at a specified future time unless stipulated conditions are fulfilled