

South Australia

Liquor Licensing (General) Variation Regulations 2013

under the *Liquor Licensing Act 1997*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (General) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation on the day on which the *Liquor Licensing (Small Venue Licence) Amendment Act 2013* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Liquor Licensing (General) Regulations 2012*

4—Insertion of regulations 7A and 7B

After regulation 7 insert:

7A—Small venue licence—prohibited entertainment

For the purposes of section 40A(3)(b) of the Act, entertainment of the following kind is prescribed:

- (a) entertainment of a sexually explicit nature;
- (b) a professional or public boxing or martial art event within the meaning of the *Boxing and Martial Arts Act 2000*.

7B—Additional areas in which small venue licences permitted—bodies to be consulted

For the purposes of paragraph (b) of the definition of *prescribed bodies* in section 40A(4) of the Act, the following bodies are prescribed:

- (a) Australian Hotels' Association (S.A. Branch);
- (b) Licensed Clubs' Association of South Australia Incorporated;
- (c) The South Australian Restaurant Association Incorporated.

5—Insertion of regulation 14A

After regulation 14 insert:

14A—Form of notice of submission

For the purposes of section 77A(1) of the Act, a notice of submission in respect of an application for, or in relation to, a small venue licence must be in the form of Form 2A set out in Schedule 2.

6—Variation of Schedule 2—Forms

- (1) Schedule 2, Form 1—delete the form and substitute:

Form 1—Notice of application under *Liquor Licensing Act 1997*

[Insert full name and address of applicant] has applied to the licensing authority for *[insert category of application and category of licence as follows:*

grant of a [hotel] licence
transfer of a [hotel] licence
removal of a [hotel] licence
an extended trading authorisation for a [hotel] licence
conversion of a temporary [hotel] licence into a permanent licence

a condition authorising sale of liquor under a club licence for consumption off the licensed premises
consent to use part of licensed premises or area adjacent to licensed premises to provide entertainment under a [hotel] licence
variation of trading hours previously fixed in relation to a [hotel] licence]

in respect of premises *[insert situated at or to be situated at, as appropriate]* *[insert address of premises]* and *[insert known as or to be known as, as appropriate]* *[insert name]*.

*The following licence conditions are sought in the application: *[insert description of conditions]*.

* Include only if applicable

The application has been set down for hearing on *[insert date provided by licensing authority]*.

*Any person may object to the application by lodging a notice of objection in the prescribed form at least 7 days before the hearing date with:

Liquor and Gambling Commissioner *[Insert current address, phone number and fax number]*

* Do not include if application relates to small venue licence

*A copy of the notice of objection must be served by the objector on the applicant at least 7 days before the hearing date at: *[inset address for service of applicant]*.

*Do not include if application relates to small venue licence

*Any person may make a submission in respect of the application by lodging a notice in the prescribed form at least 7 days before the hearing date with:

Liquor and Gambling Commissioner *[Insert current address, phone number and fax number]*.

*Include only if application relates to small venue licence

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner.

(2) Schedule 2—after Form 2 insert:

Form 2A—Notice of submission in respect of application under *Liquor Licensing Act 1997*

Person making submission: *[Insert full name]*

Contact details of person making submission: *[Insert address, phone number, fax or email address]*

Name of applicant: *[Insert name as set out in notice of application]*

Type of application: *[Insert type as set out in notice of application]*

Name of licensed premises or proposed licensed premises: *[Insert name as set out in notice of application]*

Address of licensed premises or proposed licensed premises: *[Insert address as set out in notice of application]*

Hearing date of application: *[Insert date as set out in notice of application]*

Details of submission: *[Insert details of submission in respect of the application]*

Date:

Signature of person making submission:

7—Variation of Schedule 3—Fees and default penalties

Schedule 3—after paragraph (g) of item 15 insert:

(h) for a small venue licence level 1 fee

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 26 April 2013

No 30 of 2013

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