

South Australia

Summary Offences (Liquor Offences) Variation Regulations 2020

under the *Summary Offences Act 1953*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Summary Offences (Liquor Offences) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on the day on which the *Summary Offences (Liquor Offences) Amendment Act 2018* 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 *Summary Offences Regulations 2016*

4—Insertion of Part 2A

After Part 2 insert:

Part 2A—Liquor offences

12A—Interpretation

In this Part—

beer, liquor, spirits and *wine* have the same respective meanings as they have in the *Liquor Licensing Act 1997*;

pre-mixed alcoholic beverage means a pre-mixed beverage that contains liquor and another beverage that is not liquor.

12B—Prescribed amounts

For the purposes of sections 21OB(6) and 21OC(2) of the Act, the prescribed amount of liquor is—

- (a) 750 millilitres of spirits; or
- (b) 4 litres of wine; or
- (c) 9 litres of beer; or
- (d) 4.5 litres of pre-mixed alcoholic beverage.

12C—Disapplication of sections 21OB and 21OC of Act—prescribed circumstances

- (1) Pursuant to section 21OF(a) of the Act, section 21OB(1) of the Act does not apply to a person who—
 - (a) has possession of liquor for the purpose of sale; or
 - (b) transports liquor for the purpose of sale; or
 - (c) transports liquor, for the purpose of sale, to a place other than a place at or on which liquor may lawfully be sold,
- (2) Pursuant to section 21OF(a) of the Act, section 21OC(1) of the Act does not apply to a person who—
 - (a) supplies liquor; or
 - (b) transports liquor with the intention to supply any of it, or believing that another person intends to supply any of it; or
 - (c) possesses liquor intending to supply any of it,

in circumstances where that possession or transportation (as the case requires) is prohibited under another Act or law.

to a third person in a prescribed area in circumstances where that supply, transportation or possession is prohibited under another Act or law.

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

with the advice and consent of the Executive Council
on 19 November 2020

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