



LIQUOR LICENSING (GAMING MACHINES) AMENDMENT ACT 1994

No. 42 of 1994

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ANNO QUADRAGESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1994

No. 42 of 1994

An Act to amend the Liquor Licensing Act 1985.

[Assented to 2 June 1994]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Liquor Licensing (Gaming Machines) Amendment Act 1994*.

(2) The *Liquor Licensing Act 1985* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 34—Club licence

3. Section 34 of the principal Act is amended—

(a) by striking out paragraph (c) of subsection (5) and substituting the following paragraphs:

(c) where the licensing authority is satisfied on the application of a licensed club that the members of a club cannot, without great inconvenience, obtain supplies of packaged liquor from a source other than the club, it may, by endorsement on the licence, authorise the sale of liquor to members of the club for consumption off the premises of the club;

(d) where the licensing authority is satisfied on the application of a licensed club that is also the holder of a gaming machine licence under the *Gaming Machines Act 1992*, that to so endorse the licence would be unlikely to result in undue offence, annoyance, disturbance, noise or inconvenience, it may, by endorsement on the licence, authorise the sale of liquor to any

person, whether or not a member or a visitor, during periods specified in the licence, not exceeding ordinary hotel authorised trading hours, for consumption on the licensed premises.;

(b) by inserting after subsection (5) the following subsection:

(6) In this section—

"ordinary hotel authorised trading hours" means—

- (a) on any day (not being Good Friday, Christmas Day or Sunday), between 5 a.m. and midnight;
- (b) on Sunday (not being Christmas Day or New Year's Eve), between 11 a.m. and 8 p.m.;
- (c) on Christmas Day, between 9 a.m. and 11 a.m.;
- (d) on New Year's Eve (being a Sunday), between 11 a.m. and midnight;
- (e) on New Year's Day, between midnight and 2 a.m. (in addition to the trading hours permitted under paragraph (a) or (b) (as the case requires)).

Amendment of s. 35—Conditions as to visitors

4. Section 35 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsection:

(2) The conditions referred to in paragraphs (a) and (b) of subsection (1) do not apply to a licensed club that has been authorised to sell liquor to any person.

Amendment of s. 50—Power of licensing authority to impose conditions

5. Section 50 of the principal Act is amended by inserting after paragraph (d) of subsection (2) the following paragraph:

(daa) on the grant of an application for endorsement of a club licence to authorise the sale of liquor to any person.;

Amendment of s. 58—Certain applications to be advertised

6. Section 58 of the principal Act is amended by inserting after paragraph (e) of subsection (1) the following paragraph:

(f) an application by the holder of a club licence and a gaming machine licence under the *Gaming Machines Act 1992* to sell liquor to any person.

Amendment of s. 84—Rights of intervention in relation to application for club licence

7. Section 84 of the principal Act is amended by inserting "or on an application to vary a club licence to authorise the sale of liquor to any person" after "On an application for a club licence".

Amendment of s. 107—Contracts for provision of services

8. Section 107 of the principal Act is amended by inserting in subsection (1) ", other than a licensed club that has been authorised to sell liquor to any person," after "prevents a licensed club".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor