

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows:

(a) to amend the Liquor Act 2007 to provide that any new liquor licence granted on or after 30 October 2008 (and any licence in force before that date if the trading hours for the licensed premises are extended after that date) will be subject to a condition that the licensed premises must close for a period of 6 hours every day,

(b) to amend the Local Government Act 1993:

(i) to enable police officers and local council employees authorised by the Commissioner of Police to confiscate alcohol, without being required to give any warning, from persons who are drinking in alcohol-free zones and to tip the alcohol out immediately or otherwise dispose of it, and

(ii) to remove existing penalty notice provisions relating to drinking alcohol in alcohol-free zones, and

(iii) to extend the maximum period for which an alcohol-free zone may be established or re-established under that Act from 3 years to 4 years,

(c) to amend the Road Transport (Driver Licensing) Act 1998 to enable the period for which a person is required to hold a provisional licence to be extended if the person is convicted or found guilty of an offence under section 129 of the Liquor Act 2007 (which relates to persons under the age of 18 years using false evidence of age to gain entry to, or to remain in, or to obtain liquor from, licensed premises) or is issued with a penalty notice for an alleged offence under that section,

(d) to make other amendments of a minor or consequential nature (including an amendment to the Fines Act 1996 that is consequential on the removal of the penalty notice provisions under the Local Government Act 1993 relating to drinking in alcohol-free zones).

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 is a formal provision that gives effect to the amendments to the Liquor Act 2007 set out in Schedule 1.

Clause 4 is a formal provision that gives effect to the amendments to the Local Government Act 1993 set out in Schedule 2.

Clause 5 is a formal provision that gives effect to the amendments to the Acts set out in Schedule 3.

Clause 6 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the Interpretation Act 1987 provides that the repeal of an amending Act does not affect the amendments made by that Act. Schedules 1–3 contain the amendments described in the Overview above.