

Explanatory note

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

Overview of Bill

Section 632A of the *Local Government Act 1993* (the **principal Act**) authorises police officers and certain local council employees to confiscate alcohol from persons who are drinking in an **alcohol prohibited area**. This term is currently defined as a public place (eg a public beach or public park) that is situated in the precinct or area to which a precinct liquor accord, or a community event liquor accord, under the *Liquor Act 2007* applies and in which the drinking of alcohol is prohibited by a local council by notice under section 632 of the principal Act. The power to confiscate alcohol from persons drinking in an alcohol prohibited area includes the power to tip out the alcohol from the thing in which the alcohol is contained.

The object of this Bill is to amend the definition of **alcohol prohibited area** so that the power to confiscate and tip out alcohol may be exercised in an area in which the drinking of alcohol is prohibited by a notice under section 632 of the principal Act regardless of whether that area is situated in the precinct or area to which a precinct or community event liquor accord under the *Liquor Act 2007* applies.

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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 amends the *Local Government Act 1993* in the manner described in the above overview.