

c2023-137
LCP--Legalise Cannabis Party

LEGISLATIVE COUNCIL

24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023

First print

Proposed amendments

No. 1 Exception and defence for minors on licensed premises

Page 19, Schedule 2. Insert after line 4—

(5D) Also, a minor does not commit an offence under subsection (1)(d) if the minor leaves the licensed premises within a reasonable period after being informed by a responsible person that the minor must not be within the area.

(5E) It is a defence to a prosecution for an offence under subsection (1)(d) if it is proved that at the time of the alleged offence the minor did not know, and could not reasonably be expected to have known, that the alleged offence had been committed.

Example— A minor is unaccompanied in a bottle shop but is unaware unaccompanied minor must not be within the area.

No. 2 Defence for licensees for minors on licensed premises

Page 19, Schedule 2. Insert after line 23—

[54A] Section 124(6A)

Insert after section 124(6)—

(6A) It is a defence to a prosecution for an offence under subsection (2)(d) if it is proved that, at the time of the alleged offence, the licensee had taken all reasonable precautions to avoid commission of the alleged offence.