

LEGISLATIVE COUNCIL

Liquor Amendment (24-hour Economy) Bill 2020

Second print

Proposed amendments

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No. 1 **Primary purpose test**

Page 34, Schedule 4.1. Insert before line 30—

**[7A] Section 22 Primary purpose test**

Insert after section 22(2)—

- (2A) To remove any doubt, subsection (2) applies in relation to—
- (a) an on-premises licence that specifies the kind of business or activity carried out on the licensed premises, and
  - (b) an on-premises licence that specifies the kind of licensed premises to which the licence relates.

No. 2 **On-premises licences**

Page 34, Schedule 4.1. Insert before line 30—

**[7B] Section 23 On-premises licence must specify business/activity or kind of licensed premises**

Insert after section 23(6)—

- (7) The regulations may provide for requirements in relation to the business or activity carried out on licensed premises that are a licensed restaurant.

No. 3 **Live entertainment—noise conditions**

Page 40, Schedule 4.1[27], proposed clause 70. Insert after line 28—

- (2A) However, despite subclause (2), the Secretary may impose a condition relating to noise abatement on a licence if—
- (a) the Secretary receives a written complaint from—
    - (i) an occupier of neighbouring premises of the licensed premises, or
    - (ii) the local consent authority for the licensed premises, or
    - (iii) the Commissioner of Police, and
  - (b) the Secretary is satisfied the quiet and good order of the neighbourhood of the licensed premises are being unduly disturbed as a result of the conditions mentioned in subclause (1) ceasing to have effect.

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(2B) Section 80 does not apply to a complaint referred to in subclause (2A)(a).

No. 4 **Live entertainment—noise conditions**

Page 40, Schedule 4.1[27], proposed clause 70. Insert after line 32—

(4) In this clause—

*neighbouring premises* has the meaning given by the regulations.

No. 5 **Live entertainment—noise conditions**

Page 43, Schedule 4.2. Insert after line 32—

**[5A] Clause 44A**

Insert after clause 44—

**44A Neighbouring premises for live entertainment—Schedule 1 to the Act**

For the purposes of the definition of *neighbouring premises* in clause 70(4) of Schedule 1 to the Act, neighbouring premises has the same meaning as in clause 20(1) of this Regulation.