



New South Wales

Liquor Amendment (24-hour Economy) Bill 2020

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Liquor Act 2007* and the *Liquor Regulation 2018*. In particular, the Bill—

- (a) replaces the declared premises and minors sanctions schemes and the 3 strikes disciplinary system with an integrated demerit points and incentives scheme, and
- (b) provides for cumulative impact assessments, and
- (c) regulates same day deliveries of liquor, and
- (d) makes miscellaneous amendments of an administrative or minor nature.

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 a day or days to be appointed by proclamation.

Schedule 1 Amendments of Liquor Act 2007 and regulation for an integrated demerit points and incentives scheme

1.1 Liquor Act 2007 No 90

Schedule 1.1[1] defines the terms *category 1 demerit offence* (certain specified offences under the Act or offences under the Act or the regulations that are prescribed by the regulations), *category 2 demerit offence* (certain specified offences under the Act relating to sale or supply of liquor to minors or offences under the Act or the regulations that are prescribed by the regulations), *demerit offence* (a category 1 or 2 demerit offence) and *demerit point* (a demerit point incurred against a licensee or manager of licensed premises under proposed section 144H or against a club licence under proposed section 144I, or imposed against a licensee or manager of licensed premises or a club licence under proposed section 144N(1)(b)) for the purposes of the Act.

Schedule 1.1[2] and [12] repeal Schedule 4 of the Act, which currently imposes special licence conditions for declared premises.

Schedule 1.1[6] repeals Division 4 of Part 7 of the Act, which currently imposes additional sanctions for offences under the Act relating to the sale or supply of liquor to minors on licensed premises. **Schedule 1.1[3]** is a consequential amendment.

Schedule 1.1[7] and [8] provide that a complaint in relation to a licensee, manager or close associate may be made to the Independent Liquor and Gaming Authority (the *Authority*) on the grounds that 2 or more acts of serious violence, or 2 or more incidents posing a serious risk to health or safety, have occurred on or near licensed premises.

Schedule 1.1[9] substitutes Part 9A of the Act, which currently sets out a 3 strikes disciplinary system in respect of licences for premises at which multiple breaches of the Act have occurred, and establishes a demerit points scheme. **Schedule 1.1[4], [5] and [11]** are consequential amendments.

Proposed section 144A makes it clear that the proposed Part operates alongside Part 9 (Disciplinary action) of the Act and does not affect the operation of that Part.

Proposed section 144B defines the terms *demerit points register* (defined under proposed section 144D), *prescribed complaint* (defined under proposed section 144K), *relevant demerit point* (defined under proposed section 144S), *remedial action* (any action the Authority is authorised to take under proposed Division 4 of Part 9A), *reviewable decision* (a decision by the Authority to take remedial action or to refuse to remove a demerit point under proposed section 144ZE(1)(b)) and *submission period* (the period of 21 days after the day on which a notice is given) for the purposes of the proposed Part.

Proposed section 144C sets out the circumstances in which a person commits a demerit offence, when a demerit point based on a conviction, penalty notice or enforcement order will be revoked and when offences committed within a single 24-hour period will be taken to be a single demerit offence.

Proposed section 144D requires the Secretary to maintain a register of demerit points (the *demerit points register*) and to record in the demerit points register certain details for each licence in relation to which 1 or more demerit points are in force. **Proposed section 144E** requires the Secretary to record demerit points incurred or imposed under proposed sections 144H, 144I and 144N(1)(b) in the demerit points register in respect of the day on which the demerit offence was committed or demerit points imposed. The proposed section also specifies when demerit points must not be recorded and authorises the Secretary to correct any errors in the register. **Proposed section 144F** permits the Secretary to publish information from the demerit points register on a public website maintained by the Department of Customer Service.

Proposed section 144G provides that a demerit point comes into force on the day on which the demerit offence was committed or the day on which the demerit point was imposed by the Authority. The proposed section provides that a demerit point will expire 3 years after that day

unless removed sooner, without affecting the continued operation of any remedial action taken in relation to the demerit point.

Proposed section 144H provides that, if a licensee or manager of licensed premises other than club premises commits a demerit offence, 1 demerit point will be incurred against the licensee or manager, or 2 demerit points if the offence is a category 2 demerit offence. **Proposed section 144I** provides that, if a manager of club premises commits a demerit offence, 1 demerit point will be incurred against the club licence, or 2 demerit points if the offence is a category 2 demerit offence. Proposed section 144J requires the Secretary to give specified persons written notice if demerit points are incurred against a licensee, manager or club licence that has incurred a demerit point under proposed section 144H or 144I.

Proposed section 144K defines *prescribed complaint* for the purposes of proposed Subdivision 4 of Division 2 of Part 9A. A prescribed complaint is a complaint about a licensee or manager of licensed premises made under Part 9 to the Authority by the Secretary or Commissioner of Police on certain grounds.

Proposed section 144L allows the Authority to impose 1 or 2 demerit points against the licensee, manager or club licence to which a prescribed complaint relates in addition to taking any disciplinary action under Part 9. The Authority must consider the nature and seriousness of both the grounds for the prescribed complaint and any outcome of the acts or circumstances forming the grounds, the impact of size and patron capacity on the ability of the licensee or manager to prevent or manage the acts or circumstances, and any disciplinary action taken under Part 9. **Proposed section 144M** requires the Authority to give the specified persons written notice that it proposes to impose demerit points against the licensee, manager or club licence and that the person may, within the submission period, make written submissions to the Authority about why the demerit points should not be imposed. **Proposed section 144N** provides that, after considering any submissions, the Authority must decide to either take no further action or to impose 1 or 2 demerit points (being no more than the number of demerit points stated in the notice). **Proposed section 144O** requires the Authority to give the licensee written notice of its decision including certain details where demerit points are imposed.

Proposed section 144P sets out the remedial action that can be taken against a licensee or manager of licensed premises if 2 or 3 demerit points are in force for a licensee or manager of licensed premises during any 3-year period. The Authority may reprimand the licensee or manager, or require the licensee or manager to undertake an appropriate course of training or instruction.

Proposed section 144Q sets out the remedial action that can be taken against a licensee or manager of licensed premises if 4 or 5 demerit points are in force for a licensee or manager of licensed premises during any 3-year period. The Authority may reprimand the licensee or manager, require the licensee or manager to undertake an appropriate course of training or instruction, or disqualify the licensee or manager for a specified period.

Proposed section 144R sets out the remedial action that can be taken against a licensee or manager of licensed premises if 6 or more demerit points are in force for a licensee or manager of licensed premises during any 3-year period. The Authority may reprimand the licensee or manager, require the licensee or manager to undertake an appropriate course of training or instruction, or disqualify the licensee or manager for a specified period or permanently.

Proposed section 144S defines *relevant demerit point* for the purposes of Subdivision 2 of Division 4 of Part 9A. A relevant demerit point is a demerit point incurred under Subdivision 1 of Division 3 for demerit offences committed on or in relation to a licensed premises, or imposed under Subdivision 2 of Division 3 of Part 9A as a result of a prescribed complaint relating to conduct or incidents occurring on or in relation to the licensed premises.

Proposed section 144T sets out the remedial action that can be taken against a licence other than a club licence if 2 or 3 demerit points are in force for a licensee or manager, or former licensee or manager, of the licensed premises during any 3-year period. The Authority may impose any condition on the licence the Authority considers necessary to address the risk of a demerit offence being committed or the likelihood of a prescribed complaint being made in relation to the licensee or manager.

Proposed section 144U sets out the remedial action that can be taken against a licence other than a club licence if 4 or 5 demerit points are in force for a licensee or manager, or former licensee or manager, of the licensed premises during any 3-year period. The Authority may suspend the licence for a period of up to 7 days or impose any condition on the licence the Authority considers necessary to address the risk of a demerit offence being committed or the likelihood of a prescribed complaint being made in relation to the licensee or manager.

Proposed section 144V sets out the remedial action that can be taken against a licence other than a club licence if 6 or more demerit points are in force for a licensee or manager, or former licensee or manager, of the licensed premises during any 3-year period. The Authority may suspend the licence for a period of up to 14 days or impose any condition on the licence the Authority considers necessary to address the risk of a demerit offence being committed or the likelihood of a prescribed complaint being made in relation to the licensee or manager.

Proposed section 144W sets out the remedial action that can be taken if 2 or 3 demerit points are in force for a club licence during any 3-year period. The Authority may reprimand the manager of the club premises or the secretary of the club, require the manager of the club premises, the secretary of the club or any member of the club's governing body to undertake a course of training or instruction, or impose any condition on the licence the Authority considers necessary to address the risk of a demerit offence being committed or the likelihood of a prescribed complaint being made in relation to the licensee or manager of the club premises.

Proposed section 144X sets out the remedial action that can be taken if 4 or 5 demerit points are in force for a club licence during any 3-year period. The Authority may reprimand, or disqualify for a specified period, the manager of the club premises or the secretary of the club, require the manager of the club premises, the secretary of the club or any member of the club's governing body to undertake a course of training or instruction, or impose any condition on the licence the Authority considers necessary to address the risk of a demerit offence being committed or the likelihood of a prescribed complaint being made in relation to the licensee or manager of the club premises.

Proposed section 144Y sets out the remedial action that can be taken if 6 or more demerit points are in force for a club licence during any 3-year period. The Authority may reprimand, or disqualify permanently or for a specified period, the manager of the club premises, the secretary of the club or any member of the club's governing body, require the manager of the club premises, the secretary of the club or any member of the club's governing body to undertake a course of training or instruction, or impose any condition on the licence the Authority considers necessary to address the risk of a demerit offence being committed or the likelihood of a prescribed complaint being made in relation to the licensee or manager of the club premises.

Proposed section 144Z requires the Authority to give written notice of proposed remedial action in relation to a licence, a licensee or manager of licensed premises to the licensee, the manager of the licensed premises and certain other persons. The notice must state the number of demerit points in force, certain details of the proposed remedial action and that the person may make submissions to the Authority within the submission period.

Proposed section 144ZA sets out the matters that the Authority must take into account when deciding whether to take remedial action in relation to a licence, a licensee or manager of licensed premises. It also requires the Authority to notify each person listed in proposed section 144Z(1) of the decision along with reasons for the decision and any right of review.

Proposed section 144ZB provides that the Authority may specify the period for which a condition imposed on a licence is to apply, and may vary or revoke the condition at any time. The proposed section requires the Authority to give particular persons written notice before varying or revoking the condition, and requires the Authority to take into account particular matters when deciding whether to vary or revoke the condition.

Proposed section 144ZC permits a licensee or manager of licensed premises, or the secretary of a registered club, to apply to the Authority to remove a category 1 demerit point in force in relation to the licensee, manager or club licence provided there are no other demerit points in force in relation to the licensee, manager or club licence and the licensee or manager has not committed

any other demerit offences, or had any other demerit points imposed, in the previous 10 years. The proposed section also sets out certain application requirements.

Proposed section 144ZD permits a licensee, manager of licensed premises or secretary of a registered club to apply to the Authority to remove a demerit point in force in relation to the licensee, manager or club provided the demerit point was not incurred or imposed within the last 12 months. The regulations may prescribe other circumstances in which an application may not be made. The proposed section also sets out certain application requirements.

Proposed section 144ZE sets out certain matters that the Authority must be satisfied of when deciding to remove a demerit point that is the subject of an application made under proposed section 144ZC or 144ZD. The regulations may prescribe other matters to be considered and any mandatory or discretionary grounds for refusal. The proposed section also requires the Authority to give the applicant written notice of the decision, the reasons for the decision and any right of review and provides that any remedial action taken as a result of a demerit point continues to have effect despite the removal unless the Authority decides otherwise.

Proposed section 144ZF allows the Authority to reinstate a demerit point if satisfied that the demerit point was removed on the basis of false, misleading, inaccurate or incomplete information provided by the licensee or manager of licensed premises or the secretary of a registered club. A reinstated demerit point is taken not to have been removed and must be reinstated in the demerit points register in relation to the day that the demerit point was originally recorded. Where a demerit point is reinstated any remedial action taken or condition imposed before the removal of the demerit point applies as if it had not been removed.

Proposed section 144ZG prohibits the use of submissions made to the Authority under proposed Part 9A for the purposes of prosecuting an offence under the Act.

Proposed section 144ZH provides for reviews of reviewable decisions of the Authority by the Civil and Administrative Tribunal. If the reviewable decision is a decision by the Authority to take remedial action the application operates to stay the reviewable decision unless the Tribunal directs otherwise.

Proposed section 144ZI clarifies the effect of an appeal against a conviction for a demerit offence in relation to the imposition of demerit points or the taking of remedial action.

Schedule 1.1[10] provides that regulations may be made with respect to the discounting of fees payable under the Act or the regulations.

Schedule 1.1[11] inserts proposed Part 16 into Schedule 1 of the Act to insert savings and transitional provisions consequent on the enactment of the proposed Act.

Proposed sections 63 and 64 provide that a licence suspension, licence cancellation or a disqualification from holding a licence in force before the commencement of the proposed Act continues in effect after the commencement of the proposed Act.

Proposed section 65 provides that a strike incurred under repealed section 144E or 144I of the Act that was in force immediately before the commencement of the proposed Act continues in effect after the commencement of the proposed Act.

Proposed section 66 provides that remedial action resulting from a strike continues in effect after the commencement of the proposed Act.

1.2 Liquor Regulation 2018

Schedule 1.2[3] provides that, for an assessment year commencing before 15 March 2022, the compliance history risk loading element of a periodic licence fee for a licence is the amount payable under clause 11(1). **Schedule 1.2[6]** provides that, for an assessment year commencing on or after 15 March 2022, the compliance history risk loading element of a periodic licence fee for a licence is calculated at a rate of 40 fee units for each demerit point incurred during the relevant compliance period. **Schedule 1.2[7]** provides that no compliance history risk loading element is payable for a licence if none of the circumstances specified in clause 11(1) exist in relation to the licence or no demerit points have been incurred during the relevant compliance period. **Schedule 1.2[1]** is a consequential amendment.

Schedule 1.2[2] provides that the base fee element of a periodic licence fee for a licence must be reduced by 5% if the licence has not incurred a demerit point in the 3-year period preceding the assessment date or by 10% if the licence has not incurred a demerit point in the 5-year period preceding the assessment date.

Schedule 1.2[9] provides that the trading hours risk loading element of a periodic licence fee for a licence must be reduced by 5% if the licence has not incurred a demerit point in the 3-year period preceding the assessment date or by 10% if the licence has not incurred a demerit point in the 5-year period preceding the assessment date.

Schedule 1.2[10] inserts proposed Part 7A into the Regulation, which prescribes certain additional details to be recorded by the Secretary in the demerit points register for each licence in relation to which 1 or more demerit points are in force. The proposed Part also prescribes certain matters that the Authority must consider when deciding to remove a demerit point.

Schedule 1.2[4], [5], [8] and [11] replace references to a prescribed offence with references to a demerit offence as a consequence of Part 9A of the Act being substituted.

Schedule 1.2[12] prescribes the fees payable for applications to remove demerit points.

Schedule 2 Amendments of Liquor Act 2007 and regulation for cumulative impact assessments

2.1 Liquor Act 2007 No 90

Schedule 2.1[2] repeals Division 1A of Part 4 which currently imposes restrictions on the grant of certain liquor licences during the *freeze period*.

Schedule 2.1[4] inserts proposed Division 5 into Part 4 of the Act to provide for the preparation, publication, review, variation and revocation of cumulative impact assessments.

Proposed section 72A defines certain words and expressions used in the proposed Division. **Schedule 2.1[1]** is a consequential amendment that applies these definitions to the entire Act.

Proposed section 72B allows the Authority to prepare a document that assesses the cumulative impact of the granting of licences or authorisations for premises in an area (a *cumulative impact assessment*).

Proposed section 72C prescribes the contents of a cumulative impact assessment. The cumulative impact assessment must include the reasons the Authority considers that granting any further relevant licences or related authorisations for premises in the area is likely to be inconsistent with the Authority's duty under section 48(5) of the Act to ensure that the granting of a licence or authorisation will not be detrimental to the well-being of the local or broader community.

Proposed section 72D requires the Authority to consult with relevant stakeholders about a draft cumulative impact assessment.

Proposed section 72E allows the Authority to publish a cumulative impact assessment on a publicly accessible government website.

Proposed section 72F requires the Authority to regularly review each cumulative impact assessment that is in force.

Proposed sections 72G and 72H allow the Authority to vary or revoke a cumulative impact assessment.

Schedule 2.1[3] provides that the Authority must consider any published cumulative impact assessment that applies to an area before granting certain licences, authorisations or approvals for premises in the area.

2.2 Liquor Regulation 2018

Schedule 2.2[1] substitutes clause 123, consequentially on the amendment made in **Schedule 2.2[2]**. The subschedule also inserts proposed clause 123A.

Proposed clause 123 prescribes the types of licences that are *relevant licences* for the purposes of proposed Division 5 of Part 4 of the Act.

Proposed clause 123A prescribes the local government areas, or parts of local government areas, set out in proposed Schedule 3A as *areas* for the purposes of proposed section 72B of the Act. **Proposed Schedule 3A** prescribes the City of Sydney local government area for that purpose.

Schedule 3 Amendments of Liquor Act 2007 and regulation for same day liquor deliveries

3.1 Liquor Act 2007 No 90

Schedule 3.1[7] inserts proposed Division 1B into Part 6 of the Act to regulate same day deliveries of liquor.

Proposed sections 114E–114G define *same day delivery* and *same day delivery provider*, as used in the proposed Division. **Schedule 3.1[1]** is a consequential amendment that applies these definitions to the entire Act.

Proposed section 114H makes it an offence for a same day delivery provider to supply liquor as part of a same day delivery if the liquor is stored for sale at premises within New South Wales and is not sold under a licence.

Proposed section 114I makes it an offence for a same day delivery provider to make, or permit an employee or agent to make, a same day delivery to a person unless the person produces evidence of the person's identity and age in accordance with the regulations.

Proposed section 114J makes it an offence for a person to supply liquor to an intoxicated person as part of a same day delivery.

Proposed section 114K makes it an offence for a person to supply liquor in an alcohol-free zone, an alcohol prohibited area or a restricted alcohol area, as part of a same day delivery.

Proposed section 114L makes it an offence for a person to make a same day delivery after 11 pm on a Sunday or after midnight on any other day of the week.

Proposed section 114M requires a same day delivery provider to keep records of same day deliveries that the provider refused to make on certain grounds for at least 1 year after the day on which the relevant delivery was to have been made. The provider must allow a police officer or inspector to inspect or take a copy of a record.

Proposed section 114N provides that a same day delivery provider must ensure that an employee or agent will not suffer any *financial penalty* for refusing to make a same day delivery on certain grounds.

Proposed section 114O allows a person to make a *self-exclusion agreement* with a same day delivery provider, under which the person agrees to be prevented from having liquor delivered by the provider. The provider must comply with the agreement.

Proposed section 114P makes it an offence for a same day delivery provider to make, or allow an employee or agent to make, a same day delivery unless the provider, or employee or agent, has had reasonable training to enable the provider, or employee or agent, to ensure the same day delivery is responsibly supplied, and provides that the regulations may prescribe matters relating to the training required.

Proposed section 114Q provides that if an employee or agent of a same day delivery provider contravenes certain provisions of the Act or regulations, the provider will also be held liable for the contravention, unless the provider has complied with the training requirements under proposed section 114P and prescribed by the regulations (**Schedule 3.2[1]**).

Proposed section 114R requires the Minister to review the regulation of same day delivery 2 years after the commencement of proposed Division 1B.

Schedule 3.1[2] and [8] make it clear that the Governor may make regulations about the training requirements for licensees, managers and other persons to promote responsible practices in sale, supply, service or promotion of liquor. The proposed amendments make it clear that these requirements may apply to same day delivery providers.

Schedule 3.1[8] also allows the Governor to make regulations about matters relating to same day deliveries.

Schedule 3.1[3] makes it clear that certain provisions in the Act apply to the sale of liquor on an internet site or via other electronic means.

Schedule 3.1[4] provides that the written instructions that a licensee who sells liquor on an internet site or via other electronic means must give to the person responsible for delivery of the liquor may include that the liquor may be delivered to another adult person nominated by the person who placed the order.

Schedule 3.1[5] and [6] make it clear that certain defences relating to the offence of selling liquor to minors also apply to same day delivery providers.

3.2 Liquor Regulation 2018

Schedule 3.2[1] inserts proposed Part 7B into the Regulation to regulate same day deliveries of liquor.

Proposed clause 107D distinguishes certain deliveries of packaged liquor from same day deliveries.

Proposed clause 107E prescribes the requirements for providing evidence of a person's identity and age.

Proposed clause 107F prescribes the requirements with which a self-exclusion agreement must comply.

Proposed clause 107G sets out the requirements for training an employee or agent with which a same day delivery provider must comply to prevent the provider being held liable for a contravention by an employee or agent.

Schedule 3.2[2] provides for certain offences created under the proposed Act to be dealt with by way of a penalty notice.

Schedule 4 Miscellaneous amendments of Liquor Act 2007 and regulation

4.1 Liquor Act 2007 No 90

Schedule 4.1[1] defines *minors authorisation* for the purposes of the Act.

Schedule 4.1[2] and [3] amend the definition of *standard trading period* for certain licensed premises.

Schedule 4.1[4], [5], [8] and [10] amend provisions related to trading authorisations conferred by certain liquor licences. Extended trading authorisations must not authorise the sale of liquor for consumption away from the licensed premises after 11 pm on a Sunday that does not fall on 24 or 31 December and after midnight on any other day.

Schedule 4.1[6], [7] and [14] remove the distinction between small bars located in *prescribed precincts* and non-prescribed precincts in relation to trading hours and extended trading authorisations. A small bar licence, despite the location of the licensed premises, authorises the sale or supply of liquor on the licensed premises between midnight and 2 am on any day of the week. The holder of a small bar licence may apply for longer trading periods.

Schedule 4.1[9] extends from 10 pm to midnight the hour until which a packaged liquor licence authorises the sale of liquor on a Sunday that falls on 24 December.

Schedule 4.1[11] and [12] amend the definition of *relevant application* in section 48(2) of the Act to provide that an application for a licence or licence-related authorisation related to a small bar does not need to include a community impact statement.

Schedule 4.1[13] increases the periods of time on a Sunday during which the Authority may authorise an extended trading period for the sale or supply of liquor, for consumption away from the licensed premises only.

Schedule 4.1[16] amends what a licensee must prove to rebut the presumption that, if an intoxicated person is on the licensed premises, the licensee permitted intoxication. The burden of proof differs depending on whether the licensed premises are a vessel.

Schedule 4.1[17] allows the Governor to make regulations that prescribe types of complaints which are exempt from the provisions about disturbance complaints in the Act.

Schedule 4.1[18] inserts **proposed section 122A**, which provides that the Authority may grant an authorisation (a *minors authorisation*) to enable minors to enter and remain in small bars for the purposes, or in the circumstances, and during the times stated in the minors authorisation. **Schedule 4.1[15]** provides that the general requirements for making and determining applications for particular authorisations apply to applications for a minors authorisation.

Schedule 4.1[19] and [20] amend the times during which a minor may enter or remain in a small bar and make it clear that a minor does not commit an offence by entering or remaining in a small bar if the minor has done so for a purpose, or in the circumstances, and during the times stated in a minors authorisation in force for the small bar. **Schedule 4.1[21]** provides that it is a defence to a prosecution for an offence of an unaccompanied minor entering or remaining in a small bar if the defendant believed on reasonable grounds that a minors authorisation was in force for the small bar that authorised the minor entering and remaining in the small bar without being in the company of a responsible adult.

Schedule 4.1[22]–[24] amend, consistent with **Schedule 4.1[19] and [20]**, the periods of time during which a licensee must not allow a minor to enter or remain in a small bar.

Schedule 4.1[25] provides that a responsible adult must not leave a minor unaccompanied in a small bar without first informing the licensee or an employee or agent of the licensee.

Schedule 4.1[26] allows the Governor to make regulations about conditions of licences in relation to the entertainment that may be provided, or the way in which entertainment may be provided, on or adjacent to licensed premises.

Schedule 4.1[27] inserts savings and transitional provisions consequent on the enactment of the proposed Act.

Proposed clauses 67–69 amend trading hours under existing licences and authorisations to align with the amendments introduced by the proposed Act.

Proposed clause 70 provides that an existing *live entertainment condition* on a licence ceases to have effect after the commencement of the proposed Act.

Proposed clause 71 provides that an *entertainment condition* may not be imposed on a licence after the commencement of the proposed Act, except where the condition relates to adult entertainment of a sexual nature.

4.2 Liquor Regulation 2018

Schedule 4.2[1] provides that a licensee is exempt from the requirement to pay a fee in relation to an application to vary or revoke a *prescribed live music condition* that applies to the licensee's licence.

Schedule 4.2[2] provides that community impact statements are required to accompany relevant applications for licences relating to the sale of liquor by electronic means.

Schedule 4.2[3], consistent with **Schedule 4.1[11] and [12]**, provides that a community impact statement is not required for an application for a small bar licence.

Schedule 4.2[4] inserts proposed Part 3, Division 4, Subdivision 1, which provides for the issue of interim small bar authorisations on the making of particular small bar applications.

Proposed clause 35A provides for the issue of interim small bar authorisations on the making of particular small bar applications.

Proposed clause 35B sets out the effect of the interim small bar authorisation.

Proposed clause 35C sets out the period for which an interim small bar authorisation has effect and when an interim small bar authorisation may be revoked.

Schedule 4.2[6] amends the content of the notice that a licensee must display on the licensed premises in relation to the sale of alcohol to minors.

Schedule 4.2[9] amends the content of the notice that a licensee who offers liquor for sale through a website or by other electronic means must display on the website or other electronic means in relation to the sale of alcohol to minors.

Schedule 4.2[10] amends the content of the notice that a licensee must display in a bar area of a hotel or club premises in relation to the presence of minors in the bar area.

Schedule 4.2[12] amends the content of the notice that a small bar licensee must display on the licensed premises in relation to the presence of minors.

Schedule 4.2[13] and [14] amend the content of the notice that particular licensees must display in areas of hotels to which a minors authorisation relates or particular public entertainment venues in relation to the presence of minors.

Schedule 4.2[7], [8], [11] and [15] provide for the form of the notices a licensee is required to display.

Schedule 4.2[16] amends the content of the sign that must be displayed on or in close proximity to any breath analysis instrument installed on licensed premises.

Schedule 4.2[17] provides that certain persons are exempt from patron ID scanning requirements at high risk venues.

Schedule 4.2[18] provides that a “digitaliD” issued by Australia Post is an *evidence of age document*.

Schedule 4.2[19] removes certain exemptions to compliance with licence conditions about trading hours that were in force for take-away liquor stores and certain small bars before the commencement of the proposed Act.

Schedule 4.2[20] provides that the provisions about disturbance complaints in the Act do not apply to a complaint in relation to noise that is emitted wholly from within licensed premises.

Schedule 4.2[21] prescribes the fees payable for an application for a minors authorisation for a small bar licence.

Schedule 4.2[22] provides for certain offences created under the proposed Act to be dealt with by way of a penalty notice.