

FIRST PRINT

**LIQUOR (AMUSEMENT DEVICES) AMENDMENT BILL  
1986**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Registered Clubs (Amendment) Bill 1986.

The object of this Bill is to amend the Liquor Act 1982 to enable that Act to operate in relation to amusement devices in a manner similar to the operation of the Registered Clubs Act 1976 in relation to poker machines.

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Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision giving effect to the amendments specified in Schedule 1 to the proposed Act.

Clause 3 is a formal provision giving effect to the transitional provisions specified in Schedule 2 to the proposed Act.

**SCHEDULE 1—AMENDMENTS TO THE LIQUOR ACT 1982**

Schedule 1 (1) enables a device to be declared by the Liquor Administration Board (instead of the regulations) to be an approved amusement device.

Schedule 1 (2) deals with the imposition of conditions affecting licences relating to amusement devices.

Schedule 1 (3) amends section 20A of the Liquor Act 1982 so that—

- (a) the holder of a hotelier's licence, or other person acquiring an approved amusement device, is required to notify the Board of any change in the arrangements for its acquisition;
- (b) it is an offence for the holder of a licence relating to amusement devices, without the approval of the Board, to provide financial assistance, or enter into a guarantee or indemnity, for the benefit of the holder of a hotelier's licence or persons who have an interest in a hotelier's business; and
- (c) where the Board gives an approval to a transaction referred to in paragraph (b), it is an offence for the person providing the financial assistance, or giving the guarantee or indemnity, to agree, without the approval of the Board, to a variation of a term or condition of the transaction.

Schedule 1 (4) amends section 21A of the Liquor Act 1982—

- (a) to make it clear that it is not illegal for a hotelier to purchase an approved amusement device from another hotelier with the approval of the Board; and
- (b) to enable the Board to authorise the exhibition of an approved amusement device for promotional, educational or cultural purposes.

Schedule 1 (5) amends section 37 of the Liquor Act 1982 to require the Principal Registrar to be notified of any change of particulars in or relating to an application for a licence relating to amusement devices and enables the Board to require information, and the production of documents, relating to such an application.

Schedule 1 (6) inserts section 37B in the Liquor Act 1982 which authorises an application to the Licensing Court for an order for payment of travelling and other expenses anticipated in relation to investigations outside the State of matters connected with an application for a licence relating to amusement devices.

Schedule 1 (7) adds an additional ground on which objection may be taken to an application for any licence under the Liquor Act 1982 and additional grounds in relation to an application relating to amusement devices.

Schedule 1 (8) and (9) are consequential amendments to the Liquor Act 1982.

Schedule 1 (10) enables regulations to be made under the Liquor Act 1982 with respect to proportionate refunds of licence fees paid for licences relating to amusement devices.

Schedule 1 (11) saves from illegality possession of an approved amusement device for a reasonable time by a person whose hotelier's licence is suspended or has been cancelled or by a mortgagee.

Schedule 1 (12) amends the Liquor Act 1982—

- (a) to ensure that the fee for keeping an amusement device is paid by a hotelier before the device is supplied; and
- (b) to require the holder of an amusement device dealer's licence to notify the Principal Registrar of the commencement or cessation of employment by the licensee of a holder of an amusement device seller's licence.

**SCHEDULE 2—TRANSITIONAL PROVISIONS**

Clause 1 specifies the meanings of certain words and expressions used in the Schedule.

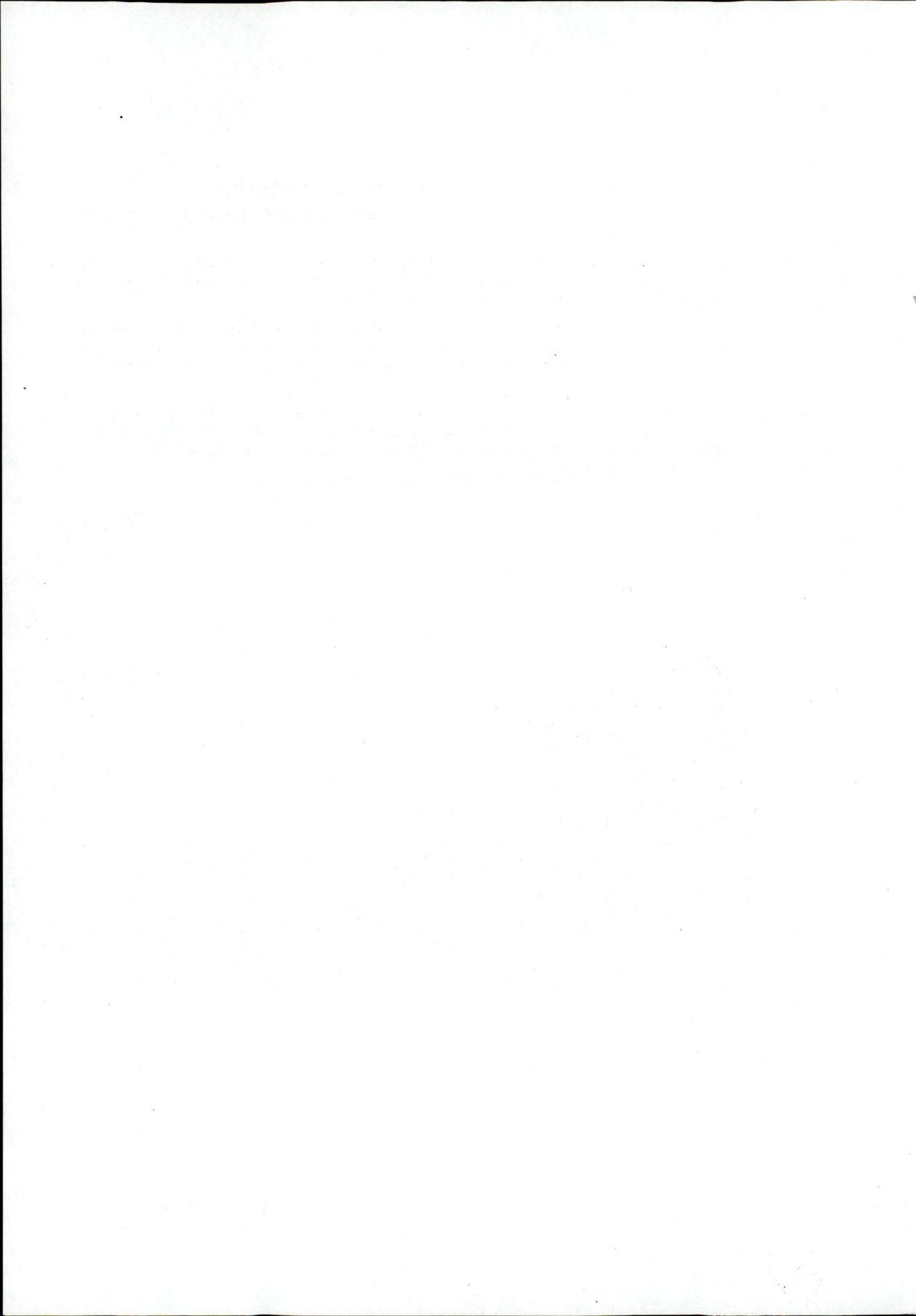
Clause 2 requires the Liquor Administration Board to be notified of changes, and to be provided with information, in relation to arrangements entered into, and applications made, before the date of assent to the proposed Act.

Clause 3 provides for the imposition of a condition of an amusement device dealer's licence to the effect that the licensee may not use specified parts in the manufacture of an approved amusement device unless the parts are manufactured by the licensee.

Clause 4 suspends an amusement device dealer's licence pending imposition of a condition referred to in clause 3 unless application for the imposition of such a condition is made within 3 months after the date of assent to the proposed Act.

Clause 5 authorises the making of regulations of a savings or transitional nature.

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**LIQUOR (AMUSEMENT DEVICES) AMENDMENT BILL  
1986**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Amendment of Act No. 147, 1982
3. Transitional provisions

SCHEDULE 1—AMENDMENTS TO THE LIQUOR ACT 1982

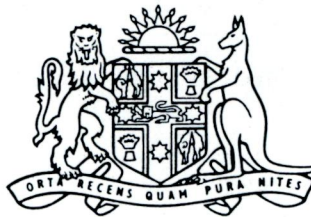
SCHEDULE 2—TRANSITIONAL PROVISIONS

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**LIQUOR (AMUSEMENT DEVICES) AMENDMENT BILL  
1986**

NEW SOUTH WALES



No.           , 1986

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**A BILL FOR**

An Act to amend the Liquor Act 1982 with respect to amusement devices  
and in other respects; and for other purposes.

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*Liquor (Amusement Devices) Amendment 1986*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

**5 Short title**

1. This Act may be cited as the "Liquor (Amusement Devices) Amendment Act 1986".

**Amendment of Act No. 147, 1982**

2. The Liquor Act 1982 is amended in the manner set forth in Schedule 10 1.

**Transitional provisions**

3. Schedule 2 has effect.

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**SCHEDULE 1**

(Sec. 2)

**15 AMENDMENTS TO THE LIQUOR ACT 1982**

**(1) Section 4 (Interpretation)—**

- (a) From the definition of "approved amusement device", omit "an electronic, or partly electronic," wherever occurring, insert instead "a".
- 20 (b) From the definition of "approved amusement device", omit "regulations" wherever occurring, insert instead "Board".
- (c) From the definition of "approved amusement device", omit "of electronic, or partly electronic," wherever occurring, insert instead "of".



*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*(2) Section 19A (**Licences relating to approved amusement devices**)—

## Section 19A (5), (6)—

After section 19A (4), insert:

5 (5) Section 20 applies in relation to a licence referred to in this section in the same way as it applies in relation to any other licence.

10 (6) Except in so far as the court otherwise directs either generally or in a particular case, the jurisdiction of the court to grant a licence under this section may be exercised by the Principal Registrar if, after investigation, there is no objection to the grant of the licence.

(3) Section 20A (**Ownership and acquisition of approved amusement devices**)—

## (a) Section 20A (1)—

15 After “device” where secondly occurring, insert “will be acquired under a written contract that includes prescribed terms and conditions and”.

## (b) Section 20A (1A)–(1C)—

After section 20A (1), insert:

20 (1A) Any change in the financial or other arrangements under which an approved amusement device is acquired by the holder of a hotelier’s licence or other person referred to in subsection (1) (a) is void without the prior written approval of the Board.

25 (1B) The holder of an amusement device dealer’s licence, an amusement device seller’s licence or an amusement device technician’s licence shall not enter into a transaction whereby the licensee—

30 (a) provides financial assistance to a person who is the holder of a hotelier’s licence or other person referred to in subsection (1) (a);

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(b) guarantees the observance by such a person of a term or condition on which financial assistance is provided to such a person otherwise than by the licensee; or

5 (c) indemnifies any person against any loss sustained in relation to financial assistance provided to such a person,

unless the transaction has received the prior written approval of the Board.

Penalty: \$2,000.

10 (1C) The holder of an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence shall not, without the prior written approval of the Board, agree to a variation of a term or condition of a transaction under subsection (1B) that has been approved by the Board.

15 Penalty: \$2,000.

(4) Section 21A (**Hotelier's licence—conditions relating to approved amusement devices**)—

(a) Section 21A (2)—

20 Omit "The", insert instead "Except upon a disposal in accordance with section 138C (5), the".

(b) Section 21A (10)—

After section 21A (9), insert:

25 (10) This section does not prevent the exhibition of an approved amusement device or its operation, otherwise than for gaming, on premises to which a hotelier's licence relates or elsewhere if the exhibition or operation—

(a) is for promotional, educational or cultural purposes; and

(b) is conducted with the approval of the Board and in compliance with any conditions imposed by the Board.

*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(5) Section 37 (Making of application)—

Section 37 (5)–(7)—

After section 37 (4), insert:

5 (5) Where, before an application for a licence is granted or  
refused, a change occurs in the information provided in, or in  
connection with, the application (including information  
provided under this subsection) or in the documents lodged  
10 with the application, the applicant shall forthwith give the  
Principal Registrar a notice in writing specifying particulars of  
the change.

Penalty: \$2,000.

(6) The Board may, by notice in writing, require an  
applicant for a licence—

15 (a) to provide, in accordance with the notice, such  
information relevant to investigation of the  
application as may be specified in the notice;

20 (b) to produce, in accordance with the notice, such  
records relevant to investigation of the application as  
are specified in the notice and to permit the taking of  
extracts from, and the making of copies of, the  
records; or

25 (c) to authorise a person associated with the applicant  
and specified in the notice to comply with a specified  
requirement of the kind referred to in paragraphs (a)  
and (b).

(7) The Board may require information provided under  
subsection (6) to be verified by statutory declaration.

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

## (6) Section 37B—

After section 37A, insert:

**Expenses of investigation of application**

5           37B. Where, in the opinion of the superintendent of licences,  
the investigation of an application for an amusement device  
dealer's licence, an amusement device seller's licence or an  
amusement device technician's licence is likely to require  
10           expenditure outside New South Wales, a licensing inspector may  
apply to the court for an order requiring the applicant to pay to  
the Board a specified amount towards defraying that expenditure  
and the travelling expenses involved in the investigation.

(7) Section 45 (**Grounds of objection**)—

## (a) Section 45 (1) (a1)—

After section 45 (1) (a), insert:

15           (a1) that the applicant is closely associated with a specified  
person and, by reason of that association, is not a fit and  
proper person to be the holder of a licence;

## (b) Section 45 (4)—

After "(a)" where firstly occurring, insert ", (a1)".

## 20           (c) Section 45 (4) (a1)—

After section 45 (4) (a), insert:

(a1) that the association to which the objection relates does not  
result in the applicant failing to be a fit and proper person  
to be the holder of a licence;

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

## (d) Section 45 (5)—

After section 45 (4), insert:

5 (5) In addition to, or instead of, a ground specified in subsection (1), objection to the grant of an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence may be taken on one or more of the following grounds:

- 10 (a) that, during the period of 12 months that last preceded the making of the application, the applicant was convicted of carrying on an activity without being the holder of a licence required for the lawful carrying on of the activity;
- (b) that a licence held by the applicant was cancelled during the period of 12 months that last preceded the making of the application;
- 15 (c) that section 37 (5), or a requirement under section 37 (6), has not been complied with;
- (d) that the applicant has failed to comply with an order under section 37B.

(8) Section 47 (**Grant of application is discretionary in certain cases**)—

## 20 (a) Section 47 (2)—

After "(1) (a)", insert ", (a1)".

## (b) Section 47 (2) (a1)—

After section 47 (2) (a), insert:

25 (a1) that the applicant, because of his or her close association with another person, is not a fit and proper person to be the holder of a licence;

(9) Section 79 (**Duration of licence**)—

Section 79 (4), (5)—

Omit the subsections.

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*(10) Section 80 (**Periodic licence fee**)—

## (a) Section 80 (6)—

Omit “instalments and ”, insert instead “instalments”.

## (b) Section 80 (6)—

- 5 After “penalty”, insert “and the circumstances in which a proportion of so much of a licence fee as was paid in respect of approved amusement devices may be refunded”.

(11) Section 138A (**Possession of approved amusement devices**)—

## Section 138A (2), (3)—

- 10 At the end of section 138A, insert:

(2) Subsection (1) does not apply to the possession of an approved amusement device by a person whose hotelier’s licence is under suspension or has been cancelled if the possession has not extended beyond a reasonable time after the suspension or  
15 cancellation.

(3) Subsection (1) does not apply to a person in possession of an approved amusement device under a power conferred on the person by a mortgage within the meaning of the Credit Act 1984 if the possession has not extended beyond a reasonable time.

20 (12) Section 138C (**Supply of approved amusement devices**)—

## (a) Section 138C (1A)—

After section 138C (1), insert:

(1A) A person shall not supply an approved amusement device to the holder of a hotelier’s licence unless—

- 25 (a) the hotelier’s licence is subject to a condition imposed under section 20 (2A); and
- (b) the fee prescribed for the purposes of section 56 (5) (c) has been paid in relation to the device.

Penalty: \$2,000.

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

## (b) Section 138C (4A)—

After section 138C (4), insert:

5 (4A) Where the holder of an amusement device seller's licence commences or ceases employment with the holder of an amusement device dealer's licence, the holder of the amusement device dealer's licence shall, within 7 days after the commencement or cessation of the employment, give the prescribed notification to the Principal Registrar.

Penalty: \$2,000.

## 10 (c) Section 138C (5)—

After "licence", insert ", or a person whose hotelier's licence is under suspension or has been cancelled,".

## SCHEDULE 2

(Sec. 3)

## 15 TRANSITIONAL PROVISIONS

**Interpretation**

## 1. In this Schedule—

"amended Act" means the Liquor Act 1982 as amended by this Act;

20 "amusement device dealer's licence" has the same meaning as it has in the amended Act;

"approved amusement device" has the same meaning as it has in the amended Act;

"date of assent" means the date of assent to this Act.

**Application of amended Act**

## 2. The amended Act applies—

25 (a) to financial and other arrangements entered into before the date of assent for the acquisition of an approved amusement device—as if the arrangements had been entered into on that date with the approval of the Board;

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 2—*continued*TRANSITIONAL PROVISIONS—*continued*

(b) to a transaction of the kind referred to in section 20A (1B) of the amended Act entered into before that date—as if the transaction had been entered into on that date with the approval of the Board; and

5 (c) to an application made under the Liquor Act 1982 before the date of assent—as if it had been made under the amended Act on that date of assent.

**Licensing Court may impose condition**

3. (1) The Licensing Court may, on application by the holder of an amusement device dealer's licence in force immediately before the date of assent, impose a condition of the licence prohibiting the licensee from using specified parts in the manufacture of an approved amusement device unless the parts are manufactured by the licensee.

(2) A condition imposed under subsection (1)—

(a) may specify such parts of an approved amusement device as the Licensing Court thinks fit, whether or not they are, or include, the parts to which the application relates; and

15 (b) shall be deemed to have been imposed under section 20 of the amended Act as applied by section 19A (5) of that Act.

**Suspension of amusement device dealer's licence**

4. Where—

20 (a) immediately before the date of assent, an amusement device dealer's licence was not subject to a condition of the kind referred to in clause 3; and

(b) the licensee does not, before the expiration of the period of 3 months that next succeeds the date of assent, make an application under that clause,

the licence is suspended until such an application is made.

**Regulations**

25 5. (1) The Governor may make regulations containing other provisions of a saving or transitional nature consequent upon the enactment of this Act.

(2) A provision made under subclause (1) may be made with effect on and from the date of assent or a later date.

30 (3) To the extent that a provision made under subclause (1) takes effect on and from a day that is earlier than its publication in the Gazette, the provision does not operate—

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before that day of publication; or



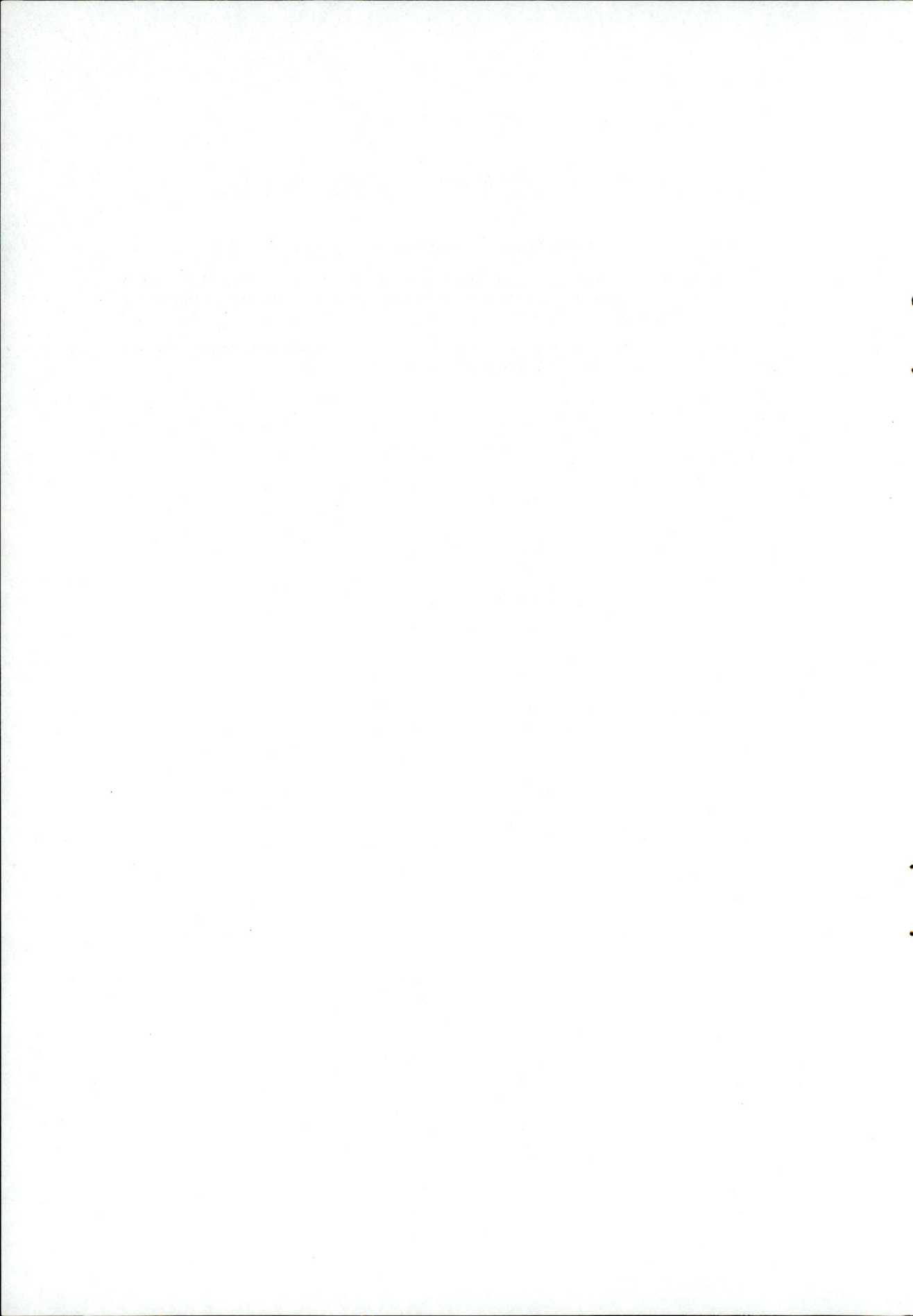
*Liquor (Amusement Devices) Amendment 1986*

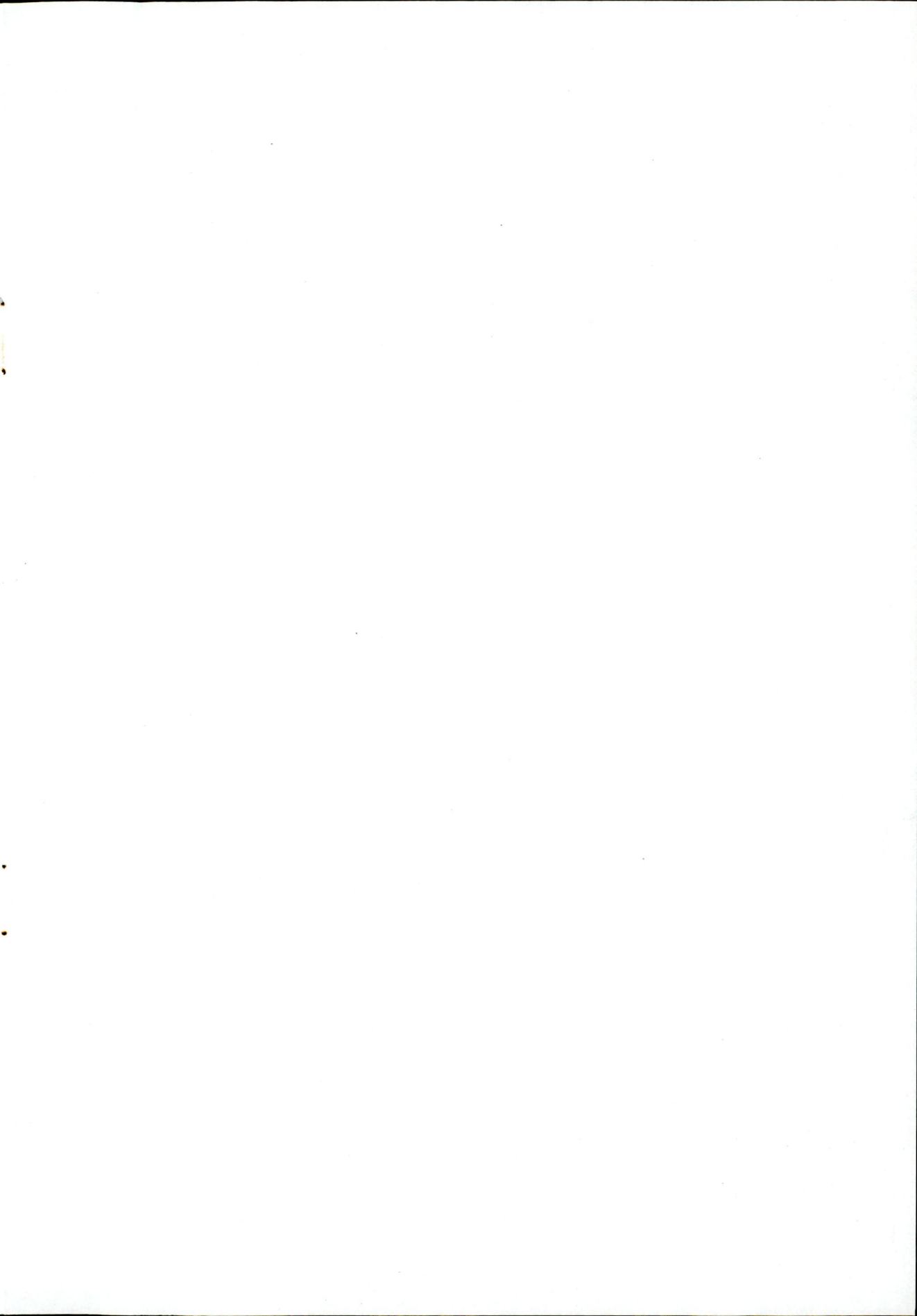
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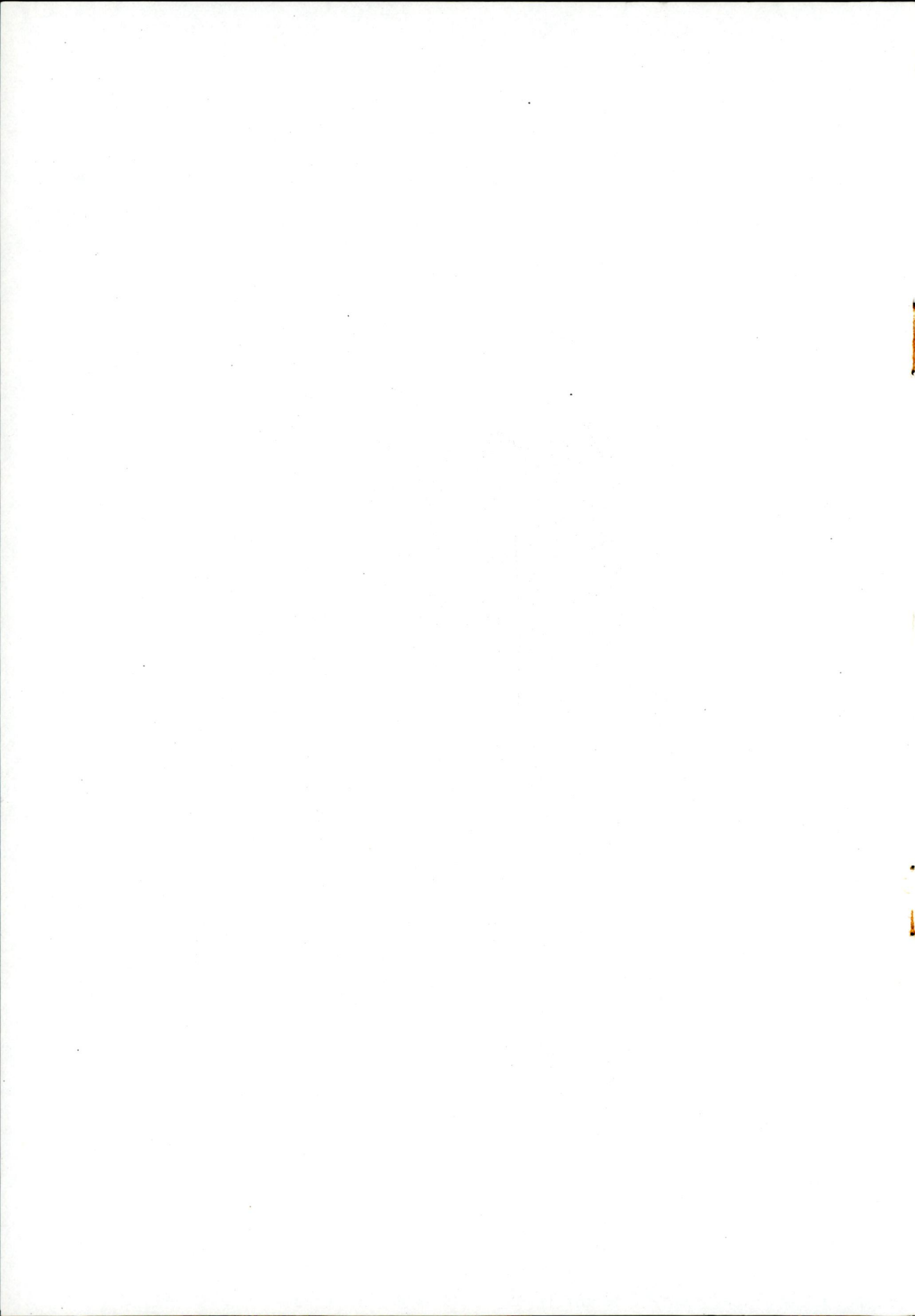
SCHEDULE 2—*continued*

TRANSITIONAL PROVISIONS—*continued*

- (b) to impose a liability on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before that day of publication.
- (4) A provision referred to in subclause (1) shall, if the regulations so provide, have effect notwithstanding any other clause of this Schedule.







**LIQUOR (AMUSEMENT DEVICES) AMENDMENT ACT  
1986 No. 81**

**NEW SOUTH WALES**



**TABLE OF PROVISIONS**

1. Short title
2. Amendment of Act No. 147, 1982
3. Transitional provisions

**SCHEDULE 1—AMENDMENTS TO THE LIQUOR ACT 1982**

**SCHEDULE 2—TRANSITIONAL PROVISIONS**

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THE STATE OF TEXAS  
COUNTY OF [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

**LIQUOR (AMUSEMENT DEVICES) AMENDMENT ACT 1986 No. 81**

**NEW SOUTH WALES**



**Act No. 81, 1986**

An Act to amend the Liquor Act 1982 with respect to amusement devices and in other respects; and for other purposes. [Assented to, 21 May 1986]

*Liquor (Amusement Devices) Amendment 1986*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

**Short title**

1. This Act may be cited as the "Liquor (Amusement Devices) Amendment Act 1986".

**Amendment of Act No. 147, 1982**

2. The Liquor Act 1982 is amended in the manner set forth in Schedule 1.

**Transitional provisions**

3. Schedule 2 has effect.

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**SCHEDULE 1**

(Sec. 2)

**AMENDMENTS TO THE LIQUOR ACT 1982**

(1) Section 4 (**Interpretation**)—

- (a) From the definition of "approved amusement device", omit "an electronic, or partly electronic," wherever occurring, insert instead "a".
- (b) From the definition of "approved amusement device", omit "regulations" wherever occurring, insert instead "Board".
- (c) From the definition of "approved amusement device", omit "of electronic, or partly electronic," wherever occurring, insert instead "of".



*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(2) Section 19A (**Licences relating to approved amusement devices**)—

Section 19A (5), (6)—

After section 19A (4), insert:

(5) Section 20 applies in relation to a licence referred to in this section in the same way as it applies in relation to any other licence.

(6) Except in so far as the court otherwise directs either generally or in a particular case, the jurisdiction of the court to grant a licence under this section may be exercised by the Principal Registrar if, after investigation, there is no objection to the grant of the licence.

(3) Section 20A (**Ownership and acquisition of approved amusement devices**)—

(a) Section 20A (1)—

After “device” where secondly occurring, insert “will be acquired under a written contract that includes prescribed terms and conditions and”.

(b) Section 20A (1A)–(1C)—

After section 20A (1), insert:

(1A) Any change in the financial or other arrangements under which an approved amusement device is acquired by the holder of a hotelier’s licence or other person referred to in subsection (1) (a) is void without the prior written approval of the Board.

(1B) The holder of an amusement device dealer’s licence, an amusement device seller’s licence or an amusement device technician’s licence shall not enter into a transaction whereby the licensee—

(a) provides financial assistance to a person who is the holder of a hotelier’s licence or other person referred to in subsection (1) (a);

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

- (b) guarantees the observance by such a person of a term or condition on which financial assistance is provided to such a person otherwise than by the licensee; or
- (c) indemnifies any person against any loss sustained in relation to financial assistance provided to such a person,

unless the transaction has received the prior written approval of the Board.

Penalty: \$2,000.

(1C) The holder of an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence shall not, without the prior written approval of the Board, agree to a variation of a term or condition of a transaction under subsection (1B) that has been approved by the Board.

Penalty: \$2,000.

(4) Section 21A (**Hotelier's licence—conditions relating to approved amusement devices**)—

(a) Section 21A (2)—

Omit "The", insert instead "Except upon a disposal in accordance with section 138C (5), the".

(b) Section 21A (10)—

After section 21A (9), insert:

(10) This section does not prevent the exhibition of an approved amusement device or its operation, otherwise than for gaming, on premises to which a hotelier's licence relates or elsewhere if the exhibition or operation—

- (a) is for promotional, educational or cultural purposes; and
- (b) is conducted with the approval of the Board and in compliance with any conditions imposed by the Board.

*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(5) Section 37 (**Making of application**)—

Section 37 (5)–(7)—

After section 37 (4), insert:

(5) Where, before an application for a licence is granted or refused, a change occurs in the information provided in, or in connection with, the application (including information provided under this subsection) or in the documents lodged with the application, the applicant shall forthwith give the Principal Registrar a notice in writing specifying particulars of the change.

Penalty: \$2,000.

(6) The Board may, by notice in writing, require an applicant for a licence—

- (a) to provide, in accordance with the notice, such information relevant to investigation of the application as may be specified in the notice;
- (b) to produce, in accordance with the notice, such records relevant to investigation of the application as are specified in the notice and to permit the taking of extracts from, and the making of copies of, the records; or
- (c) to authorise a person associated with the applicant and specified in the notice to comply with a specified requirement of the kind referred to in paragraphs (a) and (b).

(7) The Board may require information provided under subsection (6) to be verified by statutory declaration.

*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(6) Section 37B—

After section 37A, insert:

**Expenses of investigation of application**

37B. Where, in the opinion of the superintendent of licences, the investigation of an application for an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence is likely to require expenditure outside New South Wales, a licensing inspector may apply to the court for an order requiring the applicant to pay to the Board a specified amount towards defraying that expenditure and the travelling expenses involved in the investigation.

(7) Section 45 (**Grounds of objection**)—

(a) Section 45 (1) (a1)—

After section 45 (1) (a), insert:

(a1) that the applicant is closely associated with a specified person and, by reason of that association, is not a fit and proper person to be the holder of a licence;

(b) Section 45 (4)—

After "(a)" where firstly occurring, insert ", (a1)".

(c) Section 45 (4) (a1)—

After section 45 (4) (a), insert:

(a1) that the association to which the objection relates does not result in the applicant failing to be a fit and proper person to be the holder of a licence;

*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(d) Section 45 (5)—

After section 45 (4), insert:

(5) In addition to, or instead of, a ground specified in subsection (1), objection to the grant of an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence may be taken on one or more of the following grounds:

- (a) that, during the period of 12 months that last preceded the making of the application, the applicant was convicted of carrying on an activity without being the holder of a licence required for the lawful carrying on of the activity;
- (b) that a licence held by the applicant was cancelled during the period of 12 months that last preceded the making of the application;
- (c) that section 37 (5), or a requirement under section 37 (6), has not been complied with;
- (d) that the applicant has failed to comply with an order under section 37B.

(8) Section 47 (**Grant of application is discretionary in certain cases**)—

(a) Section 47 (2)—

After “(1) (a)”, insert “, (a1)”.

(b) Section 47 (2) (a1)—

After section 47 (2) (a), insert:

- (a1) that the applicant, because of his or her close association with another person, is not a fit and proper person to be the holder of a licence;

(9) Section 79 (**Duration of licence**)—

Section 79 (4), (5)—

Omit the subsections.

*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(10) Section 80 (**Periodic licence fee**)—

(a) Section 80 (6)—

Omit “instalments and ”, insert instead “instalments”.

(b) Section 80 (6)—

After “penalty”, insert “and the circumstances in which a proportion of so much of a licence fee as was paid in respect of approved amusement devices may be refunded”.

(11) Section 138A (**Possession of approved amusement devices**)—

Section 138A (2), (3)—

At the end of section 138A, insert:

(2) Subsection (1) does not apply to the possession of an approved amusement device by a person whose hotelier’s licence is under suspension or has been cancelled if the possession has not extended beyond a reasonable time after the suspension or cancellation.

(3) Subsection (1) does not apply to a person in possession of an approved amusement device under a power conferred on the person by a mortgage within the meaning of the Credit Act 1984 if the possession has not extended beyond a reasonable time.

(12) Section 138C (**Supply of approved amusement devices**)—

(a) Section 138C (1A)—

After section 138C (1), insert:

(1A) A person shall not supply an approved amusement device to the holder of a hotelier’s licence unless—

(a) the hotelier’s licence is subject to a condition imposed under section 20 (2A); and

(b) the fee prescribed for the purposes of section 56 (5) (c) has been paid in relation to the device.

Penalty: \$2,000.

*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE LIQUOR ACT 1982—*continued*

(b) Section 138C (4A)—

After section 138C (4), insert:

(4A) Where the holder of an amusement device seller's licence commences or ceases employment with the holder of an amusement device dealer's licence, the holder of the amusement device dealer's licence shall, within 7 days after the commencement or cessation of the employment, give the prescribed notification to the Principal Registrar.

Penalty: \$2,000.

(c) Section 138C (5)—

After "licence", insert ", or a person whose hotelier's licence is under suspension or has been cancelled,".

SCHEDULE 2

(Sec. 3)

TRANSITIONAL PROVISIONS

**Interpretation**

1. In this Schedule—

"amended Act" means the Liquor Act 1982 as amended by this Act;

"amusement device dealer's licence" has the same meaning as it has in the amended Act;

"approved amusement device" has the same meaning as it has in the amended Act;

"date of assent" means the date of assent to this Act.

**Application of amended Act**

2. The amended Act applies—

- (a) to financial and other arrangements entered into before the date of assent for the acquisition of an approved amusement device—as if the arrangements had been entered into on that date with the approval of the Board;

*Liquor (Amusement Devices) Amendment 1986*SCHEDULE 2—*continued*TRANSITIONAL PROVISIONS—*continued*

- (b) to a transaction of the kind referred to in section 20A (1B) of the amended Act entered into before that date—as if the transaction had been entered into on that date with the approval of the Board; and
- (c) to an application made under the Liquor Act 1982 before the date of assent—as if it had been made under the amended Act on that date of assent.

**Licensing Court may impose condition**

3. (1) The Licensing Court may, on application by the holder of an amusement device dealer's licence in force immediately before the date of assent, impose a condition of the licence prohibiting the licensee from using specified parts in the manufacture of an approved amusement device unless the parts are manufactured by the licensee.

(2) A condition imposed under subsection (1)—

- (a) may specify such parts of an approved amusement device as the Licensing Court thinks fit, whether or not they are, or include, the parts to which the application relates; and
- (b) shall be deemed to have been imposed under section 20 of the amended Act as applied by section 19A (5) of that Act.

**Suspension of amusement device dealer's licence**

4. Where—

- (a) immediately before the date of assent, an amusement device dealer's licence was not subject to a condition of the kind referred to in clause 3; and
- (b) the licensee does not, before the expiration of the period of 3 months that next succeeds the date of assent, make an application under that clause,

the licence is suspended until such an application is made.

**Regulations**

5. (1) The Governor may make regulations containing other provisions of a saving or transitional nature consequent upon the enactment of this Act.

(2) A provision made under subclause (1) may be made with effect on and from the date of assent or a later date.

(3) To the extent that a provision made under subclause (1) takes effect on and from a day that is earlier than its publication in the Gazette, the provision does not operate—

- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before that day of publication; or



*Liquor (Amusement Devices) Amendment 1986*

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SCHEDULE 2—*continued*

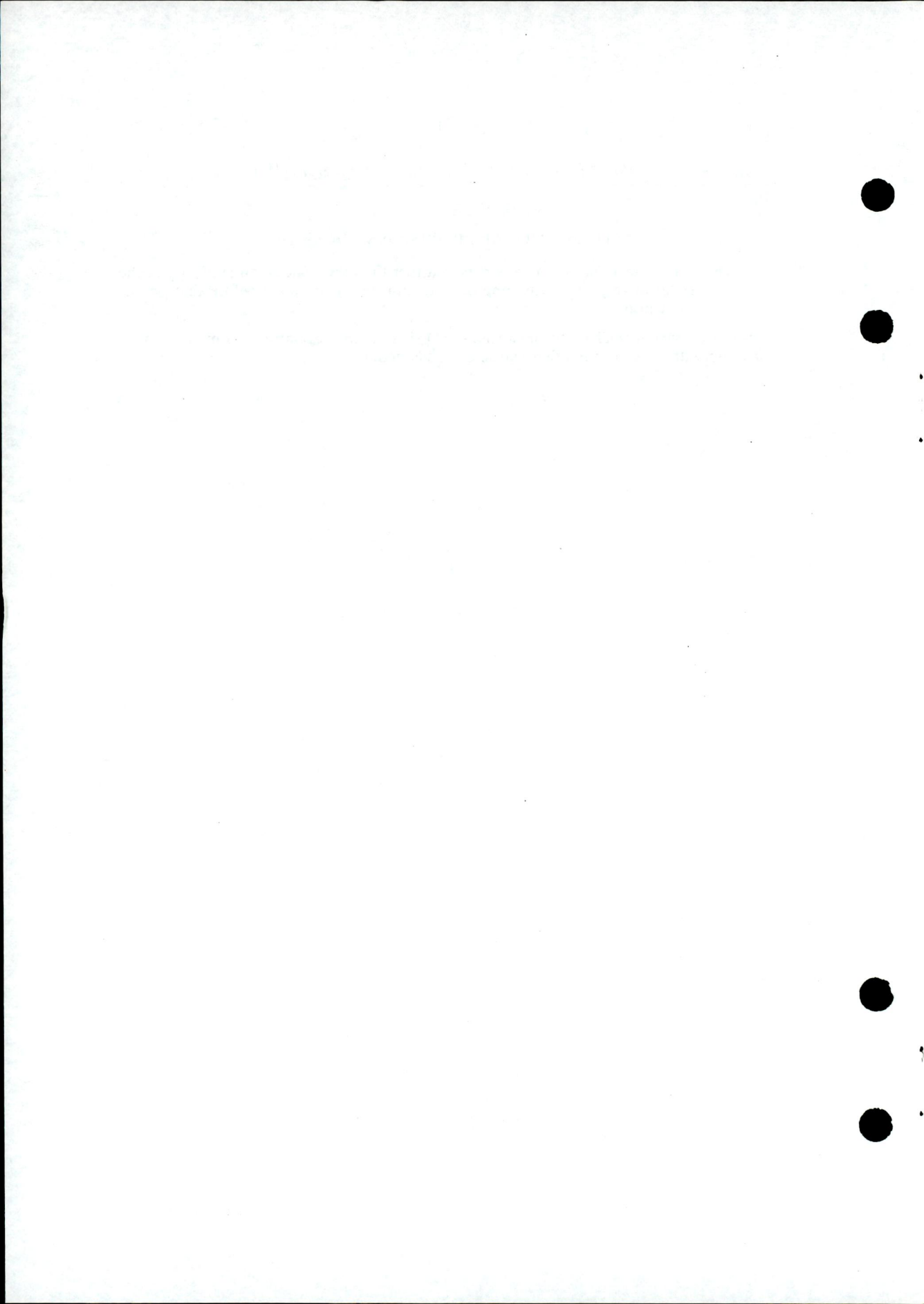
TRANSITIONAL PROVISIONS—*continued*

- (b) to impose a liability on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before that day of publication.
- (4) A provision referred to in subclause (1) shall, if the regulations so provide, have effect notwithstanding any other clause of this Schedule.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1986



1. The first part of the document is a list of the names of the members of the committee who have been appointed to study the problem of the environment. The names are listed in alphabetical order.

2. The second part of the document is a list of the names of the members of the committee who have been appointed to study the problem of the environment.

3. The third part of the document is a list of the names of the members of the committee who have been appointed to study the problem of the environment.

4. The fourth part of the document is a list of the names of the members of the committee who have been appointed to study the problem of the environment.

