



New South Wales

Liquor Further Amendment Bill 1995

Explanatory note

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

Overview of Bill

The object of this Bill is:

- to allow hotels and restaurants to trade until midnight on 24th December (Christmas Eve) when that day falls on a Sunday, and
 - to allow liquor stores to trade between 8 a.m. and 10 p.m. (instead of 10 a.m. and 10 p.m.) on 24th December when that day falls on a Sunday, and
 - to allow those restaurants that are permitted to supply liquor without meals between 11 p.m. on a day other than a Sunday or a restricted trading day and 3 a.m. on the following day to supply liquor without meals between 11 p.m. on New Year's Eve and 2 a.m. on the following day when New Year's Eve falls on a Sunday.
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Outline of provisions

Clause 1 specifies the name (also called the short title) of the proposed Act.

Clause 2 provides for the proposed Act to commence on the day on which the Governor assents to it.

Clause 3 is a formal provision that gives effect to Schedule 1, which amends the *Liquor Act 1982*.

Schedule 1 Amendments

Trading hours for hotels, liquor stores and restaurants

Section 24 of the *Liquor Act 1982* specifies the trading hours applicable to a hotel. Normally a hotel can remain open for the supply of liquor on a Sunday from 10 a.m. to 10 p.m. An amendment to the section will allow hotels to remain open for the supply of liquor until midnight on Christmas Eve when Christmas Eve falls on a Sunday. However, the supply of liquor for consumption off the licensed premises will not be permitted after 10 p.m. unless authorised under a variation of trading hours granted by the Licensing Court under section 25 of that Act. (See Schedule 1 [3].)

Section 26 of the *Liquor Act 1982* specifies the trading hours for liquor stores (premises in respect of which an off-licence to sell liquor by retail is in force). An amendment to the section will allow liquor stores to remain open for the sale of liquor from 8 a.m. to 10 p.m. (instead of 10 a.m. to 10 p.m.) on Christmas Eve when Christmas Eve falls on a Sunday. (See Schedule 1 [4].)

Section 31 of the *Liquor Act 1982* specifies the trading hours applicable to a licensed restaurant. Normally a licensed restaurant can remain open for the supply of liquor on a Sunday from noon to 10 p.m. An amendment to the section will allow restaurants to remain open for the supply of liquor until midnight on Christmas Eve when Christmas Eve falls on a Sunday. If the restaurant concerned relates to a motel, the amendment will also apply to a function room of the motel. (See Schedule 1 [6] and [7].)

The amendments made by Schedule 1 [1], [2] and [5] are consequential on the amendments made by Schedule 1 [3] and [6].

Trading hours for certain licensed restaurants

Section 32 of the *Liquor Act 1982* enables the trading hours for certain restaurants to be varied where entertainment is provided. An amendment to the section provides that a restaurant that is normally permitted to supply liquor otherwise than with or as ancillary to a meal from 11 p.m. on a day other than a Sunday or a restricted trading day to 3 a.m. the following day will be able to similarly supply liquor between 11 p.m. on New Year's Eve and 2 a.m. on the following day when New Year's Eve falls on a Sunday. (See Schedule 1 [8].)

First print



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New South Wales

Liquor Further Amendment Bill 1995

No , 1995

A Bill for

An Act to amend the *Liquor Act 1982* to provide for the variation of trading hours of certain licensed premises when Christmas Eve or New Year's Eve falls on a Sunday.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Liquor Further Amendment Act 1995*.

2 Commencement

This Act commences on the date of assent.

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3 Amendment of Liquor Act 1982 No 147

The *Liquor Act 1982* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 24 Hotelier's licence—trading hours

Insert "and" at the end of section 24 (2) (a), (b) and (c).

[2] Section 24 (2) (b)

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Insert "or 24th December" after "trading day".

[3] Section 24 (2) (b1)

Insert after section 24 (2) (b):

(b1) on a Sunday that is 24th December and not a restricted trading day:

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(i) from 10 a.m. to 10 p.m., and

(ii) from 10 p.m. to midnight on that day but only when the liquor is sold or supplied for consumption on the licensed premises, and

[4] Section 26 Off-licence—trading hours

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Omit section 26 (2) (b). Insert instead:

(b) on a Sunday that is not 24th December or a restricted trading day—from 10 a.m. to 10 p.m., and

(c) on a Sunday that is 24th December and not a restricted trading day—from 8 a.m. to 10 p.m.

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[5] Section 31 On-licence (restaurant)—trading hours

Insert "and" at the end of section 31 (2) (a).

[6] Section 31 (2) (b1)

Insert after section 31 (2) (b):

- (b1) on a day that is 24th December and not a restricted trading day (whether or not it is a Sunday)—from noon to midnight, and

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[7] Section 31 (4) (b)

Insert “, (b1)” after “(2) (b)”.

[8] Section 32 On-licence (restaurant)—variation of trading hours

Insert after section 32 (3B):

- (3C) A variation granted under subsection (3) in respect of licensed premises is taken to permit the sale or supply of liquor on those premises, in the circumstances and subject to the conditions specified in that subsection, from 11 a.m. on a Sunday that falls on 31st December until a time not later than 2 a.m. on the next succeeding day.

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