



Western Australia

Liquor Control Act 1988

## **Liquor Control (Joy Springs Restricted Area) Regulations 2023**



# **Liquor Control (Joy Springs Restricted Area) Regulations 2023**

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## **Liquor Control (Joy Springs Restricted Area) Regulations 2023**

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Liquor Control (Joy Springs Restricted Area) Regulations 2023*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 (other than regulation 3) — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on the day after that day.

**3. Term used: Joy Springs (Eight Mile) area**

In these regulations —

***Joy Springs (Eight Mile) area*** means the area of land comprising —

- (a) Lot 39 on Deposited Plan 188553 (being all of the land within Reserve 40569); and
- (b) the land described as affected tenure outlined in black and shaded green on Deposited Plan 426596 (which includes Lot 29 on that Deposited Plan and part of Lot 68 on Deposited Plan 238022); and

**r. 3**

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- (c) the road known as the Joy Springs Road which runs between the Great Northern Highway and Lot 39 on Deposited Plan 188553.

## **Part 2 — Restricted area**

### **4. Declaration of restricted area**

The Joy Springs (Eight Mile) area is declared to be a restricted area for the purposes of section 175(1a) of the Act.

### **5. Notice of restricted area**

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Joy Springs (Eight Mile) area continues to be a restricted area by operation of regulation 4 to be kept posted, at each place where a customary access route enters the Joy Springs (Eight Mile) area a notice —
  - (a) describing the offences set out in regulation 6(1); and
  - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 4.

## **Part 3 — Prohibitions and related provisions**

### **6. Prohibitions as to liquor in Joy Springs (Eight Mile) area**

- (1) A person commits an offence if the person —
- (a) brings liquor into, or causes liquor to be brought into, the Joy Springs (Eight Mile) area; or
  - (b) possesses liquor in the Joy Springs (Eight Mile) area.

Penalty for this subregulation:

- (a) if subregulation (2) applies — a fine of \$5 000;
  - (b) in any other case — a fine of \$2 000.
- (2) This subregulation applies to an offence under subregulation (1) committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence.

### **7. Seizure and disposal of containers of liquor**

Despite section 155(4) and (5) of the Act, a member of the Police Force may seize and, as soon as is practicable, dispose of any opened or unopened container of liquor suspected on reasonable grounds to be the subject of an offence under regulation 6(1).



## **Part 4 — Period of effect**

### **8. Period during which these regulations have effect**

Unless sooner repealed, these regulations have effect for the period that ends at the close of 30 November 2028.

**Part 5 — *Liquor Control Regulations 1989* amended**

**9. Regulations amended**

This Part amends the *Liquor Control Regulations 1989*.

**10. Regulation 27 amended**

In regulation 27(4) in the Table insert in alphabetical order:

|  |
|--|
| <i>Liquor Control (Joy Springs Restricted Area)</i><br><i>Regulations 2023</i> regulation 6(1) |
|--|

V. MOLAN, Clerk of the Executive Council.

## **Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

| <b>Defined term</b>                 | <b>Provision(s)</b> |
|-------------------------------------|---------------------|
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Western Australia

Liquor Control Act 1988

## **Liquor Control (Mingullatharndo Restricted Area) Regulations 2023**



# **Liquor Control (Mingullatharndo Restricted Area) Regulations 2023**

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### **Part 4 — Period of effect**

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| 8. | Period during which these regulations have effect | 4 |
|----|---|---|

### **Part 5 — *Liquor Control Regulations 1989* amended**

|     |                       |   |
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| 9.  | Regulations amended   | 5 |
| 10. | Regulation 27 amended | 5 |

### **Defined terms**



## **Liquor Control (Mingullatharndo Restricted Area) Regulations 2023**

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Liquor Control (Mingullatharndo Restricted Area) Regulations 2023*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 (other than regulation 3) — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on the day after that day.

**3. Term used: Mingullatharndo Aboriginal Community**

In these regulations —

***Mingullatharndo Aboriginal Community*** means the area of land described as Lot 300 on Deposited Plan 45651, being the whole of the land in Record of Qualified Certificate of Crown Land Title Volume 2969 Folio 405.



## **Part 2 — Restricted area**

### **4. Declaration of restricted area**

The Mingullatharndo Aboriginal Community is declared to be a restricted area for the purposes of section 175(1a) of the Act.

### **5. Notice of restricted area**

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Mingullatharndo Aboriginal Community continues to be a restricted area by operation of regulation 4 to be kept posted, at each place where a customary access route enters the Mingullatharndo Aboriginal Community a notice —
  - (a) describing the offences set out in regulation 6(1); and
  - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 4.

## **Part 3 — Prohibitions and related provisions**

### **6. Prohibitions as to liquor in Mingullatharndo Aboriginal Community**

- (1) A person commits an offence if the person —
- (a) brings liquor into, or causes liquor to be brought into, the Mingullatharndo Aboriginal Community; or
  - (b) possesses liquor in the Mingullatharndo Aboriginal Community.

Penalty for this subregulation:

- (a) if subregulation (2) applies — a fine of \$5 000;
  - (b) in any other case — a fine of \$2 000.
- (2) This subregulation applies to an offence under subregulation (1) committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence.

### **7. Seizure and disposal of containers of liquor**

Despite section 155(4) and (5) of the Act, a member of the Police Force may seize and, as soon as is practicable, dispose of any opened or unopened container of liquor suspected on reasonable grounds to be the subject of an offence under regulation 6(1).

## **Part 4 — Period of effect**

### **8.            Period during which these regulations have effect**

Unless sooner repealed, these regulations have effect for the period that ends at the close of 2 November 2028.

**Part 5 — *Liquor Control Regulations 1989* amended**

**9. Regulations amended**

This Part amends the *Liquor Control Regulations 1989*.

**10. Regulation 27 amended**

In regulation 27(4) in the Table insert in alphabetical order:

|   |
|---|
| <p><i>Liquor Control (Mingullatharndo Restricted Area) Regulations 2023</i> regulation 6(1)</p> |
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N. HAGLEY, Clerk of the Executive Council

Defined terms

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**Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

| <b>Defined term</b>                        | <b>Provision(s)</b> |
|--|---------------------|
| Mingullatharndo Aboriginal Community ..... | 3                   |