



New South Wales

# Liquor Amendment (Nightclub Licences) Regulation 1997

under the

Liquor Act 1982

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 1982*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

## Explanatory note

The object of this Regulation is to make amendments to the *Liquor Regulation 1996* as a consequence of the enactment of the *Liquor Amendment (Nightclub Licences and Trading Hours) Act 1996*. The amendments:

- (a) remove references to a variation of trading hours under section 32 (3) of the *Liquor Act 1982* as that subsection is repealed by the 1996 Act, and
- (b) prescribe fees in connection with the new category of licences established by the 1996 Act called nightclub licences, and
- (c) require applications for nightclub licences to be advertised in the same way as certain other licence applications, and
- (d) ensure that licensees of nightclubs will not be prevented from using the term “nightclub” in the name of the premises, and
- (e) prescribe a form of sign relating to offences under the *Liquor Act 1982* that is required to be displayed on nightclub premises, and

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Explanatory note

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- (f) require applicants for nightclub licences to undertake a course of training approved by the Liquor Administration Board, unless otherwise determined by the Licensing Court, and
- (g) include transitional provisions.

This Regulation is made under the Liquor Act 1982, including sections 156 (the general regulation-making power), 37, 82 (4A), 91, 116C (3) and 150 of the Act and clause 1 of Schedule 1 to the Act.

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## Liquor Amendment (Nightclub Licences) Regulation 1997

### 1 Name of Regulation

This Regulation is the *Liquor Amendment (Nightclub Licences) Regulation 1997*.

### 2 Commencement

This Regulation commences on 1 March 1997.

### 3 Amendment of Liquor Regulation 1996

The *Liquor Regulation 1996* is amended as set out in Schedule 1.

### 4 Notes

The explanatory note does not form part of this Regulation.

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Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 3)

**[ 1 ] Clause 10 Plans to accompany certain applications**

Omit “32 (3)” from clause 10 (c).  
Insert instead “35D”.

**[ 2 ] Clause 11 Application fees (sections 37 (4) and 111E of the Act)**

Insert after the matter relating to an application for hotelier’s licence:  
Application for nightclub licence \$500

**[ 3 ] Clause 11**

Omit “or 32 (3)”.

**[ 4 ] Clause 15 Definition**

Omit “or (3)” from paragraph (f) of the definition of *application* in clause 15.

**[ 5 ] Clause 15**

Insert after paragraph (f) of the definition of *application* in clause 15:

(fl) an application for a variation of trading hours  
(nightclub licence) under section 35D of the Act,

**[ 6 ] Clause 20 Prohibited names**

Insert “nightclub,” after “wine bar,” in clause 20 (2) (a).

**[ 7 ] Clause 20 (2) (c)**

Insert “or nightclub” after “hotel”.

**[ 8 ] Clause 20 (2) (c)**

Omit “night club” wherever occurring.  
Insert instead “nightclub”.

**[9] Clause 20 (6)**

Omit the subclause.

**[10] Clause 20 (7)**

Omit the subclause. Insert instead:

(7) In subclause (2):

*nightclub* means premises in respect of which a nightclub licence is in force.

*wine bar* means premises in respect of which a licence referred to in section 21A of the Act is in force.

**[11] Clause 36 Nightclub trading during nightclub trading period—notice to be displayed**

Omit “RESTAURANT” from clause 36 (1).  
Insert instead “NIGHTCLUB”.

**[12] Clause 36 (1)**

Omit “BETWEEN 11 PM AND 3 AM”.  
Insert instead “AFTER 8 PM”.

**[13] Clause 36 (3)**

Omit “restaurant” wherever occurring.  
Insert instead “nightclub”.

**[14] Clause 36 (4)**

Omit the subclause.

**[15] Clause 62 Minimum licence fees**

Omit clause 62 (b). Insert instead:

(b) nightclub licence—\$1,000,

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Schedule 1 Amendments

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**[16] Clause 89 Completion of course of instruction (section 150 of the Act)**

Insert “a nightclub licence,” after “hotelier’s licence,”.

**[17] Clause 92**

Insert after clause 91:

**92 Transitional provisions**

- (1) In this clause, *licence* means a licence in respect of which a variation of trading hours under section 32 (3) of the Act is in force because of clause 47 of Schedule 1 to the Act.
- (2) Clauses 20, 36 and 62, as in force immediately before the commencement of this clause, continue to apply to a licence, a licensee and premises the subject of a licence while the licence remains in force.