

Information Notice

Act Title	Liquor Control Reform Act 1998
Information Title:	Retrospective Commencement
Version:	049A

The insertion of clause 23 into Schedule 3 of the **Liquor Control Reform Act 1998** by section 31 of the **Liquor Control Reform Amendment (Licensing) Act 2009**, No. 59/2009 came into operation on 21 October 2009.
Section 31 reads as follows:

31 New clause 23 of Schedule 3 inserted

At the end of Schedule 3 of the Principal Act **insert—**

"23 Transitional provision—on-premises licences

- (1) The holder of an on-premises licence that is subject to the conditions set out in section 9(3) may apply to the Director before the commencement of section 32 of the **Liquor Control Reform Amendment Act 2009** for the continuation after that commencement of the on-premises licence subject to those conditions.
- (2) If the Director grants the application, the licence continues in force (subject to the conditions on which it was granted, including the conditions set out in section 9(3)) on or after the commencement of section 32 of the **Liquor Control Reform Amendment Act 2009—**
 - (a) if the licence authorises the supply of liquor for a continuous period from 1 a.m. on a particular day and also authorises the supply of liquor up to 1 a.m. on that day, as a late night (on-premises) licence; and
 - (b) in any other case, as an on-premises licence.
- (3) An application may be made at any time after the commencement of section 31 of the **Liquor Control Reform Amendment Act 2009** and before the commencement of section 32 of the 2009 Act for a licence under this Act as proposed to be amended by the 2009 Act but the licence does not take effect before the commencement of section 32 of the 2009 Act.
- (4) Nothing in this clause limits the operation of the **Interpretation of Legislation Act 1984**."

Section 31 of the **Liquor Control Reform Amendment (Licensing) Act 2009** was amended by section 106 of the **Consumer Affairs Legislation Amendment Act 2010**, No. 1/2010. Section 106 is deemed to have come into operation on 21 October 2009.

Section 106 reads as follows:

106 Liquor Control Reform Amendment (Licensing) Act 2009

In section 31 of the **Liquor Control Reform Amendment (Licensing) Act 2009**, in new clause 23 being inserted into Schedule 3 to the **Liquor Control Reform Act 1998**, in subclauses (1), (2) and (3), after "Amendment" insert "(Licensing)".