

LIQUOR CONTROL REFORM AMENDMENT BILL 2007

Amendments made by the Legislative Council How dealt with

AMENDMENT NO 1

Resolved

Clause 4, after line 11 insert—

"homeless person has the same meaning as in the
Magistrates' Court Act 1989";

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 2

Resolved

Clause 5, page 9, lines 30 and 31, omit all words and expressions on these lines and insert—

"(j) that, under section 148E—
(i) the notice may be varied or revoked; or
(ii) the person may appeal to the Magistrates' Court against the decision to give the notice."

(6 December 2007)

How dealt with by the Assembly

Disagreed with.

(6 December 2007)

How dealt with by the Council

Amendment not insisted on.

(6 December 2007)

AMENDMENT NO 3

Resolved

Clause 5, page 11, line 20, after "**notice**" insert "**and appeal to Magistrates' Court**".

(6 December 2007)

How dealt with by the Assembly

Disagreed with.

(6 December 2007)

How dealt with by the Council

Amendment not insisted on.

(6 December 2007)

AMENDMENT NO 4

Resolved

Clause 5, page 11, after line 28 insert—

- "(3) A person to whom a banning notice applies may appeal to the Magistrates' Court against the decision to give the notice.
- (4) A person may appeal under subsection (3), and the Magistrates' Court may hear and determine an appeal under that subsection, whether or not the period for which the notice applies has expired.
- (5) On an appeal under subsection (3), the Magistrates' Court must—
 - (a) redetermine the decision to give the notice; and
 - (b) hear any relevant evidence tendered by the appellant or the relevant police member who gave the notice; and
 - (c) without limiting its discretion, take into consideration anything that the relevant police member ought to have considered."

(6 December 2007)

How dealt with by the Assembly

Disagreed with.

(6 December 2007)

How dealt with by the Council

Amendment not insisted on.

(6 December 2007)

AMENDMENT NO 5

Resolved

Clause 5, page 23, line 17, after "origin" insert "or were homeless persons".

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 6

Resolved

Clause 5, page 23, after line 29 insert—

- "(2) The Chief Commissioner must cause the information to be collected that is necessary to enable reports to be prepared under this section.
- (3) The Chief Commissioner must submit a report under this section to the Minister within 2 months after the end of the financial year to which the report relates.

- (4) The Minister must cause a report under this section to be presented to each House of Parliament within 7 sitting days of that House after the report is received by the Minister."

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 7

Resolved

Clause 5, page 23, line 30, omit "(2)" and insert "(5)".

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 8

Resolved

Clause 15, after line 28 insert—

- "(2) Before making a late hour entry declaration referred to in subsection (1), the Director must consult the Chief Commissioner."

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 9

Resolved

Clause 15, line 29, omit "(2)" and insert "(3)".

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 10**Resolved**

Clause 15, page 31, line 1, omit "(3)" and insert "(4)".

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 11**Resolved**

Clause 15, page 31, line 13, omit "(4)" and insert "(5)".

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 12**Resolved**

Clause 16, after line 24 insert—

"() At the end of section 87 of the Principal Act insert—

"(4) A licensee may apply to the Tribunal for review of a decision of a senior police member to suspend a licence under section 96A.

(5) A licensee may apply under subsection (4), and the Tribunal may hear and determine an application under that subsection, whether or not the period of suspension has expired."."

(6 December 2007)

How dealt with by the Assembly

Disagreed with.

(6 December 2007)

How dealt with by the Council

Amendment not insisted on.

(6 December 2007)

AMENDMENT NO 13

Resolved

Clause 19, page 35, line 18, omit "under" and insert "in accordance with".

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)

AMENDMENT NO 14

Resolved

Clause 22, omit this clause.

(6 December 2007)

How dealt with by the Assembly

Agreed to.

(6 December 2007)