



New South Wales

# Liquor Amendment (Approved Managers and Patron ID Scanning) Regulation 2013

under the  
Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

GEORGE SOURIS, MP  
Minister for Tourism, Major Events, Hospitality and Racing

## Explanatory note

The objects of this Regulation are as follows:

- (a) to require appointed managers approved by the Director-General of the Department of Trade and Investment, Regional Infrastructure and Services (the *Director-General*) to be present in high risk venues in Kings Cross at certain times,
- (b) to specify the venues in the Kings Cross precinct where the use of patron ID scanners is required (including the requirement that patrons entering those venues produce, before the person is permitted to enter, a photo ID and for that photo ID to be scanned by a member of staff),
- (c) to specify those venues in the Kings Cross precinct where the use of patron ID scanners is not required,
- (d) to exempt persons under the age of 18 who are authorised to enter licensed venues in the Kings Cross precinct from the requirement to produce, before the person is permitted to enter the venue, a photo ID and for that photo ID to be scanned by a member of staff,
- (e) to require patron photo ID scanners to be used only at those times specified by the Director-General.

This Regulation is made under the *Liquor Act 2007*, including section 159 (the general regulation-making power) and also under sections inserted by the *Liquor Amendment (Kings Cross Plan of Management) Act 2013*, including sections 116A (2) (i) (which allows the regulations to prescribe licence conditions requiring the appointment of persons approved by the Director-General to be present at venues in the Kings Cross precinct), 116AA (2) (b) (which allows for a list of high risk venues to be specified in the regulations) and 116AA (3) (which relates to exceptions to that section).

## **Liquor Amendment (Approved Managers and Patron ID Scanning) Regulation 2013**

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Liquor Act 2007

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Approved Managers and Patron ID Scanning) Regulation 2013*.

### **2 Commencement**

- (1) Except as provided by subclause (2), this Regulation commences on 6 December 2013 and is required to be published on the NSW legislation website.
- (2) Schedule 1 [4] commences on 24 January 2014.

## Schedule 1 Amendment of Liquor Regulation 2008

[1] **Part 5A, heading**

Omit the heading. Insert instead:

### **Part 5A Kings Cross precinct**

[2] **Part 5A, Division 1, heading**

Insert before clause 53A:

#### **Division 1 Special licence conditions**

[3] **Clauses 53A and 53B**

Omit “Part” wherever occurring. Insert instead “Division”.

[4] **Clause 53GA**

Insert after clause 53G:

**53GA Appointment and presence of approved managers in high risk venues**

- (1) The licensee of a high risk venue referred to in clause 53R (1) must appoint a person approved by the Director-General under section 116A (2) (i) of the Act to be present in the venue from 9 pm each day until 7 am the following day or until the venue ceases trading, whichever occurs first.
- (2) The presence of such a person is not required at any time that:
  - (a) the licensee, or
  - (b) in the case of any such venue for which a manager is appointed under section 66 of the Act—the manager,is present in the venue.

[5] **Part 5A, Division 2, heading**

Insert after clause 53P:

#### **Division 2 Patron ID scanning**

[6] **Clauses 53R–53U**

Insert after clause 53Q (as inserted by Schedule 2 [15] to the *Liquor Amendment (Kings Cross Plan of Management) Act 2013*):

**53R Licensed premises specified as high risk venues**

- (1) The licensed premises to which any of the following licences relate are specified as high risk venues for the purposes of Division 3 of Part 6 of the Act:

<b>Licence number</b>	<b>Name of licensed premises</b>
LIQO624013096	Bada Bing Night Spot
LIQH440010036	Beachhaus
LIQO600432026	Barrio Chino
LIQO624006680	Candy’s Nightclub
LIQO624013697	Club 21

<b>Licence number</b>	<b>Name of licensed premises</b>
LIQO600402925	Crane Bar Restaurant Pty Ltd
LIQO624012240	Dancers Cabaret
LIQO624006535	Disco Nightclub Pty Ltd
LIQO624013611	Dreamgirls
LIQH424006058	First Empire Hotel
LIQH400102909	Hampton Court Hotel
LIQO624009263	Hugo's Lounge
LIQO624006713	Iguana Bar & Restaurant
LIQO624006254	le panic
LIQH400103719	Mansions Hotel
LIQO624005489	Moulin Rouge
LIQO624004811	O Nightclub
LIQH400105908	O'Malleys Hotel
LIQH400104731	Piccadilly Hotel
LIQO624006715	Sapphire Lounge
LIQO624002107	Showgirls
LIQH400106750	Sugarmill Hotel
LIQO624015535	Suite 17
LIQO624006580	The Backroom
LIQH400101244	The Bank Hotel Sydney
LIQH400110111	The Bourbon
LIQH400106742	The Crest Hotel
LIQH400103247	The Kings Cross Hotel
LIQO624014759	The Lincoln Bar
LIQO624006175	The Palladium Restaurant
LIQO624014673	The Village Potts Point Pty Ltd
LIQH400103255	The World Bar
LIQH400103816	Trademark Hotel
LIQO624006734	Tunnel Nightclub
LIQH400100809	Vegas Hotel

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- (2) Any change of name of licensed premises (as referred to in this clause) does not affect the application of this clause to the licence for those premises.

**53S High risk venue exceptions**

- (1) The licensed premises to which any of the following licences relate are not high risk venues for the purposes of Division 3 of Part 6 of the Act:

<b>Licence number</b>	<b>Name of licensed premises</b>
LIQO624003042	Bay Bua

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<b>Licence number</b>	<b>Name of licensed premises</b>
LIQO624005737	Crescent on Bayswater
LIQO624015436	Diamant Hotel
LIQO660010450	Gastro Park
LIQO600474039	Gazebo Hotel
LIQO624003465	Holiday Inn Potts Point
LIQO624005728	Hugo's Bar Pizza
LIQO600462847	Jimmy Lik's
LIQO624001685	Ju Ju Japanese Restaurant
LIQO624015505	Mercure Sydney Potts Point
LIQO624001880	Miss G's
LIQO624015303	PECK'D Bistro & Bar
LIQO624006353	Rex Hotel
LIQO600404049	The Kellet Way
LIQO600462510	The International Restaurant

- (2) Any change of name of licensed premises (as referred to in this clause) does not affect the application of this clause to the licence for those premises.

**53T Minors exempted from patron ID scanning requirements**

Section 116AC (1) (a) and (b) of the Act do not apply in relation to minors who are authorised to enter high risk venues within the meaning of section 116AA of the Act.

**53U Time of use of patron ID scanners**

Section 116AC (1) (a) and (b) of the Act do not apply in relation to a licence for a high risk venue during any period outside the times approved by the Director-General and notified to the licensee under section 116AC (1) (c) of the Act.