

# Holidays and Other Legislation Amendment Bill 2019

Amendments during consideration in detail to be moved by  
The Honourable the Minister for Education and Minister for Industrial  
Relations

## 1 After clause 6

Page 5, after line 18—

*insert—*

### **Part 3A                      Amendment of Liquor Act 1992**

#### **6A Act amended**

This part amends the *Liquor Act 1992*.

#### **6B Amendment of s 46 (Compliance orders for licensed premises etc.)**

(1) Section 46(1)—

*insert—*

(da) complying with requirements under section 173EHAA for a re-entry pass system for the premises, including for re-entry passes for the re-entry pass system; or

(2) Section 46(1)(da) and (e)—

*renumber* as section 46(1)(e) and (f).

#### **6C Amendment of s 173EH (Scanning obligations of licensees for regulated premises)**

(1) Section 173EH—

*insert—*

(2A) Subsection (1) also does not apply during regulated hours starting on a Monday, Tuesday, Wednesday or Thursday if the

regulated premises are not open for business after 1a.m. on the following day, regardless of whether the licence, extended hours permit or extended trading hours approval for the premises authorises the premises to be open after 1a.m. on that day.

- (2B) Despite subsection (3), subsection (1) applies during regulated hours starting on a Monday, Tuesday, Wednesday or Thursday that is the day before a public holiday if the licensee is authorised to sell or supply liquor on the regulated premises after midnight of that day.
- (2) Section 173EH(3), ‘subsection (2)’—  
*omit, insert—*  
subsections (2) and (3)
- (3) Section 173EH(4), ‘(3)(b)’—  
*omit, insert—*  
(5)(b)
- (4) Section 173EH(5), ‘subsection (1) or (3)’—  
*omit, insert—*  
subsection (1) or (5)
- (5) Section 173EH(6), ‘subsection (5)(a)’—  
*omit, insert—*  
subsection (7)(a)
- (6) Section 173EH—  
*insert—*
- (8A) This section is subject to section 173EHAA.
- (7) Section 173EH(2A) to (9)—  
*renumber* as section 173EH(3) to (12).

## **6D Insertion of new s 173EHAA**

After section 173EH—

*insert—*

### **173EHAA Re-entry pass system for regulated premises**

- (1) The licensee of regulated premises to which section 173EH(1) applies is not required to comply with the subsection for a person who is re-entering the premises as a patron during a trading period for the premises in the premises' regulated hours if—
  - (a) the licensee has a re-entry pass system for the regulated premises that complies with the requirements for a re-entry pass system for regulated premises under subsection (2); and
  - (b) the licensee complied with section 173EH(1) for the person when the person first entered the premises as a patron during the same trading period for the premises in the premises' regulated hours; and
  - (c) the licensee applied or issued to the person a re-entry pass for the trading period that complies with the requirements for a re-entry pass for the re-entry pass system under subsection (3); and
  - (d) the person has on the person, or in the person's possession, the re-entry pass when the person re-enters the premises.
- (2) A re-entry pass system for regulated premises must—
  - (a) be in writing; and

- (b) be available for inspection by an investigator at the regulated premises; and
  - (c) include details of the types of re-entry passes for the system to be applied or issued to persons for the purpose of re-entering the regulated premises during trading periods for the premises in the premises' regulated hours.
- (3) A re-entry pass for a re-entry pass system for regulated premises is an identifying mark applied, an object issued or a type of electronic identification applied or issued under the system to a person that is—
- (a) unique to the regulated premises and to each trading period for the regulated premises; and
  - (b) able to be identified as a re-entry pass for the purpose of the person re-entering the premises as a patron during the same trading period as the trading period in which the person first entered the premises as a patron in the premises' regulated hours; and
  - (c) not able to be falsified, copied or transferred from the person to another person.

*Examples of a re-entry pass—*

a stamp, a wristband

- (4) In this section—

***regulated hours***, for regulated premises, see section 173EH(12).

***trading period***, for regulated premises, means a continuous period, including a period starting on a day and ending on the following day, during which the premises

are open for business.

**2 Amendment of long title**

Long title, ‘and the *Industrial Relations Act 2016*—  
*omit, insert—*

*, the Industrial Relations Act 2016 and the Liquor  
Act 1992*

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