

LIQUOR CONTROL ACT PENALTIES

As at 2 APRIL 2014

SECTION	OFFENCE	PENALTY (\$)	REMARKS
37A	Failure of licensee, director or approved manager convicted of offence to notify Director	10 000	
51	(2) Supplies Liquor in Unlicensed Restaurant (4) Occupier or Employee Permits Liquor in Unlicensed Restaurant	2 000 2 000	
65	Contravening Condition of Licence for sale of liquor for consumption off licensed premises	2 000	
77(1)	Making alteration to licensed premises without prior approval	10 000	
100	(2),(2a) Failing to Supervise or Manages Without Approval (4) Failure to notify if Manager removed or to seek approve new Manager (5) Manage Without Authority (8) Licensee not ensuring supervision	10 000 Licensee 10 000 Manager 2 000 10 000 10 000	
101	(3)(a) Permitting Another to Hold Himself Out as Licensee (3)(b) Permitting to Manage Without Authority	10 000 10 000	
102	Assuming Authority in Body corporate or Increase Shareholding Without Approval	10 000	
103	Failing to Notify of Ownership or to Advise Change of Address	2 000	
104	Profit Sharing	10 000	
106	Liquor supplied to Lodger and or consumed by Lodger contrary to Provisions Relating to Lodgers	Licensee 10 000 Manager 10 000 Employee 4 000 Agent 4 000 Lodger 2 000	
108	Failing to Exhibit a Price List for Charges Made for Meals and Liquor Supplied	2 000	

NOTES:

1. S 164 – officers of body corporate liable
2. S 165 – Vicarious liability of licensee
3. S 169(1) – J'sP have jurisdiction only where penalty < \$1 000 AND plea of guilty
4. S 169(4) – Limitation period 4 years
5. Ss 170, 171, 172 – General evidentiary matters
6. S 172A(1) – Court may order forfeiture of liquor or packaging where illegally selling, supplying, consuming, storing or possessing
7. S 175(2) – Regulations penalties:
 Licensee of Manager or Director of Body Corporate – 5 000
 Any other – 2 000

SECTION	OFFENCE	PENALTY (\$)	REMARKS
110	<p>(1) Selling Liquor in contravention of the Act</p> <p>(2) Selling Liquor not Authorised to be sold without Authorisation, without Reasonable Excuse</p> <p>(3) Permitting to take Liquor from Licensed Premises when Licensee is not Permitted to Sell Liquor</p> <p>(4A) Bringing, possessing or consuming liquor at public event without consent of licensee</p> <p>(5) Person obtains or attempts to obtain liquor in contravention of ss(2) or ss(4)</p> <p>(7) A Licensee or Employer or Agent who is Drunk on Licensed Premises or Supplies Liquor under a Fictitious Trade Name</p>	<p>Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000 Others 2 000</p> <p>Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000</p> <p>Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000 Others 2 000</p> <p>2 000</p> <p>2 000</p> <p>10 000</p>	Court may order forfeiture under s 113
111	<p>(1) Trading Outside Hours</p> <p>(2) Purchasing Liquor or Taking Liquor from Licensed Premises Outside Hours</p>	<p>Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000</p> <p>2 000</p>	Court may order forfeiture under s 113
113A	Failure to include information re class of licence on website	5 000	
114	Failing to Cease Supply of Liquor or Trade After Closure by Police	Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000	
115	<p>(1) Permitting Drunkenness Violent or Indecent Behaviour Reputed Thieves etc or Gaming</p> <p>(2) Drunks – Selling Supplying Allowing Consumption Obtaining Liquor for Consumption or Aid to consume On licensed Premises: On regulated Premises:</p> <p>(5) Obtaining Liquor by falsely Pretending to be Lodger or on Premises for Purpose of Obtaining Meal or refusing to leave lic premises</p> <p>(6) Failing to Leave Premises</p> <p>(7) Re-entering Premises within 24 Hours</p>	<p>Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000</p> <p>Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000 Other 2 000</p> <p>Owner 10 000 Other 2 000</p> <p>2 000</p> <p>2 000</p> <p>2 000</p>	

SECTION	OFFENCE	PENALTY (\$)	REMARKS
115A	Failure to provide free drinking water	Licensee 10 000 Manager 4 000	
115AA(6)	Entering premises contrary to barring notice	10 000	
115AC(3)	Disclosure of material published on secure webpage	10 000	
115AE	Permitting entry by barred person	10 000	
116	Failing to Produce Licence or Exhibit Name	2 000	
116A	Failing to keep register of incidents or to produce register	5 000	
117(7)	Contravene noise Order	10 000	
118(3)	False Advertising or Notice of Licensed Premises	2 000	
119	(1) Park or Reserve Drinking (2) Bringing Liquor into Sports Ground or therein Possessing or Consuming (4) Consuming Liquor on any Road or in Metropolitan Area, town or Townsite in any Public Place or Within 400 m if a Public Hall (5) Permitting Liquor to be brought into Sports Ground or to any Public Premises by Occupier or Employee (7) Permitting Premises to be kept and used as resort for consumption of Liquor (11) Persons Found Drinking on Drinking Resorts	2 000 2 000 2 000 2 000 2 000 2 000 2 000	
119A	Conducting or permitting other business to operate from licensed premises	Licensee 10 000 Other 4 000	
121	(1) Selling or Supplying or Permitting Sale or Supply if Liquor to Juvenile (2) Permitting Juvenile to consume Liquor (3) Purchasing or Obtaining Liquor at Request of Juvenile (4) Permitting Juvenile to enter and Remain on Licensed Premises (7) Juvenile entering Out of Bounds Area (7a) Remaining on footpath etc adjacent to licensed premises (9) Adult Leaving Juvenile in Licensed Premises Unsupervised without informing Licensee, Agent or Employee (10) Employing Juvenile	Manager 10 000 Licensee 10 00 Other person selling/supplying 4 000 Other 2 000 Manager 10 000 Licensee 10 000 Other 4 000 2 000 Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000 Juvenile 2 000 2 000 2 000 2 000 10 000	

SECTION	OFFENCE	PENALTY (\$)	REMARKS
122	(2) Supply or Sell Liquor to Juvenile on Regulated Premises not being Licensed Premises (3)(a) Juvenile entering and Remaining on Premises Where Liquor Sold (3)(b) Adult Permitting Juvenile to Remain on Premises Where Liquor is Sold	10 000 4 000 Juvenile 2 000 4 000 Juvenile 2 000	
123	Juvenile Purchasing or Attempting to Purchase Liquor or consuming or possession in public place	2 000	
124	Sending Juvenile to Obtain Liquor	2 000	
126	(2)(a) Juvenile Failing to State Age or to Leave Premises (2)(b) Juvenile Providing false Material to Mislead as to Age (4) Juvenile Re – entering Licensed Premises Within 24 hours of Removal (5) Remaining on footpath etc under control of Licensee	2 000 2 000 2 000 2 000	
126D	Sale of undesirable liquor product	Manager 10 000 Licensee 10 000 Employee 4 000 Agent 4 000	See regs as to “undesirable products”
135(3)	Failure to pay penalty when lodge incorrect subsidy application	5 000	See 135(2) as to penalty amounts and power of Court
145	Failing to Maintain Record or make Available for Inspection	10 000	
146	Failing to Produce Records	10 000	
150(2)	Failure to produce records to Director	10 000	
152	Failing to Comply with Secrecy Provisions	5 000	
152L	(1) Failure to comply with Prohibition Order (2) Continuing to employ relevant person subject of Prohibition Order	10 000 10 000	
152M	Knowingly permitting entry contrary to prohibition order	10 000	
154(3)	Impersonating Authorised Officer or Hindering or not Assisting Authorised Officer	10 000	
157	Evasion of Fees	10 000	3 x Licence fee or Money evaded
158	Failing to Comply with Requirement of Licensing Authority	10 000	
159	False or Misleading Statements or Records or Altering or Destroying Records	10 000	
160	Failing to Supply Particulars or Evidence or Supplying False Particulars or Evidence	5 000	
161	Obstruction or Hindering Execution of Search Warrant	10 000	
166	General Penalty	2 000	

