

# NSW Independent Liquor and Gaming Authority Regulatory Delegations Manual

October 2024

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# Instrument of Delegation (Independent Liquor and Gaming Authority) 2024

I, CAROLINE LAMB, make the following Instrument of Delegation in pursuance of the following statutory provision:

1. section 13 of the *Gaming and Liquor Administration Act 2007*, in relation to functions conferred or imposed on the Authority under the gaming and liquor legislation (as defined by section 4 of that Act) and other legislation (as set out in Schedule 1).

Dated this 2nd day of October 2024.



Caroline Lamb  
Chairperson  
Independent Liquor and Gaming Authority

## Explanatory note

This Instrument is made under the statutory provision listed above. The object of this Instrument is to delegate functions conferred or imposed on the Authority by or under the

- *Gaming and Liquor Administration Act 2007*
- *Gaming Machines Act 2001* and Gaming Machines Regulation 2019
- *Liquor Act 2007* and Liquor Regulation 2018
- *Registered Clubs Act 1976* and Registered Clubs Regulation 2015
- *Gaming Machine Tax Act 2001*
- *Unlawful Gambling Act 1998*
- *Music Festivals Act 2019*

## Instrument of Delegation (Independent Liquor and Gaming Authority)

under the

- *Gaming and Liquor Administration Act 2007*

### 1. Name

- a. This Instrument is the Instrument of Delegation (Independent Liquor and Gaming Authority).

### 2. Commencement

- a. This Instrument commences on the day on which it is signed.

### 3. Interpretation

- a. In this Instrument:

**function** includes a power, authority or duty, and **exercise** a function includes perform a duty.

**role** includes office.

**L&GNSW** means Liquor & Gaming NSW within the Department of Enterprise Investment and Trade.

**the Department** means the Department of Creative Industries, Tourism, Hospitality and Sport.

**Authority** means the Independent Liquor and Gaming Authority.

- b. Unless otherwise defined in this Instrument, words and expressions that are defined in the relevant Act or Regulation have the same meaning in this Instrument.
- c. Unless otherwise specified, references to a role or role title in this Instrument are references to a role or role title within the Department.
- d. The summary of a function delegated in the column titled “Power or function Delegated” in the table in Schedule 1 is only for general explanation and does not limit the delegation of functions under the provision identified in the column titled “Section” or “Clause” in the table in Schedule 1.

#### 4. Delegation of functions

- a. The functions conferred or imposed on the Authority under the provision in the column titled “Section” or “Clause” in the table in Schedule 1 are delegated to any person assigned to the roles captured by the alphabetical reference listed in the column titled “Delegate” in the table in Schedule 1, subject to any conditions specified in the column titled “Applicable Conditions” in that table.
- b. The person assigned to the role captured by the alphabetical reference listed in the column titled “Delegate” in the table in Schedule 1 includes any person who is for the time being acting in that role or performing the duties and responsibilities of that role.
- c. Delegates may be grouped together with an inclusive reference, which should be construed as a delegation to the positions specified as well as those positions captured by an alphabetical reference included between the first and last alphabetical reference listed in the column titled “Delegate”. For example, “A-D” is to be construed as referring to delegates A, B, C and D.
- d. Delegates must exercise their delegated authority:
  - i. in relation to their area of responsibility only, unless otherwise specified;
  - ii. in conjunction with other necessary delegations;
  - iii. by ensuring that all decisions are consistent with the Government Sector Core Values; and
  - iv. consistently with any applicable policies, guidelines and/or procedures.
- e. The following references are used in the Schedules:

|   |  |
|---|--|
| A | Chief Executive Officer, Hospitality & Racing  |
| B | Executive Director, Policy & Programs<br>Executive Director, Regulatory Operations & Enforcement   |
| C | Director Assurance & Probity, L&GNSW<br>Director Compliance & Enforcement, L&GNSW<br>Director Digital & Emerging Technologies, L&GNSW<br>Director Industry & Community Engagement, L&GNSW<br>Director Intelligence Assessments & Coordination, L&GNSW<br>Director Licensing, L&GNSW<br>Director Office of ILGA |

|                                     |  |
|-------------------------------------|--|
|                                     | Director Policy, L&GNSW  |
|                                     | Director Policy & Research, L&GNSW                                     |
| D                                   | Chief Compliance Auditor, L&GNSW                                       |
|                                     | Chief Investigator, L&GNSW   |
|                                     | Manager Assessments, L&GNSW  |
|                                     | Manager Probity & Approvals, L&GNSW                                    |
|                                     | Manager Compliance, L&GNSW   |
|                                     | Manager Emerging Technologies  |
|                                     | Manager Intelligence & Analytics, L&GNSW                               |
|                                     | Manager Licensing, L&GNSW  |
|                                     | Manager Office of ILGA   |
|                                     | Manager Regulatory Capability, L&GNSW                                  |
|                                     | Manager Regulatory Engagement, L&GNSW                                  |
|                                     | Manager Regulatory Interventions, L&GNSW                               |
|                                     | Manager Research & Evaluation, L&GNSW                                  |
|                                     | Chief Revenue Auditor L&GNSW   |
| Principal Solicitor, Office of ILGA |  |
| E                                   | Audit Coordinator, L&GNSW  |
|                                     | Coordinator Probity & Approvals, L&GNSW                                |
|                                     | Coordinator Audit & Assurance, L&GNSW                                  |
|                                     | Coordinator Casino Operations, L&GNSW                                  |
|                                     | Coordinator Operations, L&GNSW Coordinator Licensing, L&GNSW           |
|                                     | Coordinator Regulatory Interventions, L&GNSW                           |
|                                     | Coordinator Special Projects, L&GNSW Executive Officer, Office of ILGA |
|                                     | Lead Investigator, L&GNSW  |
|                                     | Principal Intelligence Analyst, L&GNSW                                 |
|                                     |  |
| F                                   | Lead Auditor, L&GNSW   |
|                                     | Lead Casino Inspector, L&GNSW  |
|                                     | Lead Investigator Probity & Approvals, L&GNSW                          |
|                                     | Lead Compliance Officer, L&GNSW  |
|                                     | Senior Analyst, L&GNSW   |
|                                     | Senior Intelligence Analyst, L&GNSW                                    |
|                                     | Senior Investigator, L&GNSW  |
|                                     | Senior Regulatory Interventions Officer                                |
| G                                   | Licensing Officer Investigator, L&GNSW Assessor/Analyst                |
|                                     | Senior Investigator Probity & Approvals, L&GNSW                        |
|                                     | Senior Inspector, L&GNSW   |
|                                     | Senior Auditor, L&GNSW   |
|                                     | Senior Compliance Officer, L&GNSW                                      |
| H                                   | Licensing Support Officer  |
|                                     | Investigator Probity & Approvals, L&GNSW                               |
|                                     | Auditor, L&GNSW  |
|                                     | Compliance Officer, L&GNSW   |

## 5. Revocation

- a. All delegations previously made in pursuance of section 13 of the *Gaming and Liquor Administration Act 2007* (other than delegations by the Authority to a committee of the Authority) are revoked.

## Notes

1. The scope of the power delegated is limited to the scope of the Authority's power to act.
2. The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions – The onus is on the delegate to ensure that the delegation is exercised strictly in accordance with the authorising words in that column.
3. All delegations must be exercised in accordance with the relevant legislation and Government and Authority policies and procedures, including any delegation business rules.
4. For any matter that would ordinarily be dealt with under delegation, but which is especially contentious, novel, precedent-setting or has attracted a very significant degree of public interest, or where the Authority or the delegate is of the view that, in all the circumstances, the determination should more appropriately be made by the Authority, the matter must be referred to the Authority for its consideration.
5. Where a decision making power or function is delegated, the delegation is taken to include the delegation of any procedural or ancillary powers necessary for the exercise of that decision making power or function. This principle applies also to ad hoc delegations by the Authority to committees of the Authority under section 10 of the *Gaming and Liquor Administration Act 2007*.

# 1. Gaming and Liquor Administration Act 2007

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Gaming and Liquor Administration Act 2007* are delegated in accordance with the table below under section 13 of the Act.

## Gaming and Liquor Administration Act 2007

| <i>Gaming and Liquor Administration Act 2007</i> |  |          |
|--|--|----------|
| Section  | Power or function delegated  | Delegate |
| 5(1)(a)  | Determine (for the purposes of assessing whether a person is a 'close associate') whether a person - by reason of their interest in, or entitlement to exercise a relevant power in relation to, a particular business - is or will be able to exercise a significant influence over or with respect to the management or operation of that business | A-C      |
| 9(3)   | Arrange for police or other officers or consultants to be engaged to assist the Authority in the exercise of its functions   | A        |
| 11(1)  | Enter into arrangements with the Commissioner of Police for the supply to the Authority of information contained in the records of the NSW Police Force to assist in the effectual administration of the gaming and liquor legislation   | A        |
| 14(1)(c)   | Designate a consultant to the Authority as being subject to s14  | A        |
| 14(3)(b)   | Determine whether a consultant to the Authority possesses the highest standard of integrity  | A        |
| 14(5)  | Establish guidelines in connection with the carrying out of an investigation or inquiry for the purposes of s14  | A        |
| 14(12)   | Waive the operation of s14(10) for a consultant to the Authority in a particular case  | A        |
| 16(1)  | Approve of a key official or a former key official who is a consultant or former consultant of the Authority doing things that they would otherwise be prohibited from doing under s16(1)  | A        |
| 16(2)  | Approve of a gaming or liquor licensee or close associate of such a licensee doing things that they would otherwise be prohibited from doing under s16(2)  | A        |

## Schedule 1

|                |  |     |
|----------------|--|-----|
| 17(2)(a)       | Certify that it is necessary in the public interest that information (which would usually be protected by the secrecy provisions of s17(1) may be divulged to a particular person or persons   | A   |
| 17(5)(a)       | Certify that it is necessary in the public interest that a person be required to produce a document or other thing in a court or to divulge information to a court in circumstances that would otherwise be prohibited by s17(4)     | A   |
| 21(1)          | Require a person to furnish such information or records (or both) as required by the notice in connection with any matter relating to the responsibilities or functions of the Authority under the gaming and liquor legislation     | A-C |
| 28(2)          | By notice in writing given to the owner or occupier, require the owner or occupier of premises to provide such reasonable assistance and facilities as are specified in the notice within a specified time and in a specified manner | A-C |
| 30(2)          | Require a corporation to nominate, in writing within the time specified in a notice, a director or officer of the corporation to be the corporation's representative for the purpose of answering questions under s30                | A-C |
| 36B(2) and (3) | Conduct an interview, convene a conference or meeting or receive submissions in relation to a delegated application or matter, and determine the procedure that is to apply at such events.  | A-D |
| 42(1)          | Authorise a person in writing to accept service of documents on behalf of the Authority  | A   |
| Sch 1, cl10(3) | Determine the fee payable by a person wishing to inspect the book recording disclosures made by Authority members  | A   |
| Sch 1, cl18    | Cause full and accurate minutes to be kept of the proceedings of each Authority meeting  | A-C |

## 2. Liquor Act 2007

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Liquor Act 2007* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Liquor Act 2007

| <i>Liquor Act 2007</i> |  |          |
|------------------------|--|----------|
| Section                | Power or function delegated  | Delegate |
| 6(2)(f)                | Approve the form and manner of notification to the Authority, that a B&B sells or supplies liquor to guests as provided by the exemption in s6(2)  | A-C      |
| 11A(3)                 | Approve the six hour closure period for licensed premises  | A-E      |
|                        | Approve the six hour closure period for licensed premises if the application is for a limited licence  | A-F      |
|                        | Approve the six hour closure period for licensed premises if the application is for: <ul style="list-style-type: none"> <li>• an on-premises licence for a restaurant with standard hours and no authorisations under s24(3), or</li> <li>• a producer/wholesaler licence with standard hours and no authorisations under s50</li> </ul>   | A-G      |
| 11A(5)                 | Approve of licensed premises having a different six hour closure period  | A-E      |
|                        | Approve a different six hour closure period for licensed premises if the application is for a limited licence  | A-F      |
|                        | Approve a different six hour closure period for licensed premises if the application is: <ul style="list-style-type: none"> <li>• for grant of or amendment to an on-premises licence for a restaurant with standard hours and no authorisations under s24(3), or</li> <li>• for grant of or amendment to a producer/wholesaler licence with standard hours and no authorisations under s50</li> </ul> | A-G      |
| 14(6)                  | Authorise the retail sale of liquor by a hotel licensee at a function held on premises other than the hotel premises at any times as may be specified in the licence ( <b>‘function on other premises authorisation’</b> )   | A-E      |

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|          | Authorise the retail sale of liquor by a hotel licensee at a function held on premises other than the hotel premises at any times as may be specified in the licence within the standard trading period  | A-G |
| 15A(2)   | Approve a hotelier ceasing to sell or supply liquor on licensed premises while continuing to make available other services and facilities on the licensed premises   | A-C |
| 17(3)    | Approve a temporary exception to the requirement that the business carried out under a hotel licence must not be, or include, a business that is limited to the sale or supply of liquor only to persons who have been invited to use or attend the hotel, or to a particular class or classes of persons using or attending the hotel | A-D |
| 17(6)    | Approve an authorisation allowing the use of a hotel's bar area for the sale, supply or consumption of liquor exclusively to, or by, residents at a time when liquor may not otherwise be sold or supplied in a bar area of the hotel ( <b>'residents bar authorisation'</b> )   | A-D |
| 23(1)    | Specify the kind of business or activity carried out on the licensed premises or the kind of licensed premises to which an on-premises licence relates   | A-E |
|          | In respect of an application for an on-premises licence for a restaurant with standard trading hours and no authorisations under s24(3), specify the kind of business or activity carried out on the licensed premises or the kind of licensed premises to which the licence relates   | A-G |
| 23(5)    | Vary the business or activity, or the kind of premises, specified in an on-premises licence, other than in respect of a licence granted by the Authority   | A-G |
| 24(3)    | Authorise the sale or supply of liquor for consumption on the licensed premises otherwise than with, or ancillary to, another product or service ( <b>'primary service authorisation'</b> )  | A-F |
| 25(6)    | Authorise the sale of liquor by retail under an on-premises licence on other premises in certain circumstances and at specified times ( <b>'sale on other premises authorisation'</b> )  | A-F |
| 25(9)(b) | Authorise the sale of liquor on a vessel at times, or in circumstances, other than between the period commencing one hour before the vessel starts any voyage or passage and ending 30 minutes after the voyage or passage is completed ( <b>'vessel extended trading authorisation'</b> )   | A-E |
| 25A(2)   | Authorise the sale of liquor by retail in sealed containers on the licensed premises to which an on-premises (restaurant) licence or a small bar licence relates for consumption away from the licensed premises   | A-F |
| 25A(3)   | Limit the trading hours during which a licensee may sell liquor for consumption away from the licensed premises when granting an application for to sell liquor for consumption away from the licensed premises  | A-F |

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| 26(1)    | Authorise the sale of liquor by retail on the licensed premises to which an on-premises licence relates for consumption away from the licensed premises at specified times ( <b>'takeaway sales authorisation'</b> )   | A-E |
| 27(3)    | Approve in relation to any particular licensed premises an exception to the requirement that liquor may only be sold or supplied on the premises to which an on-premises licence relates if food of a nature and quantity consistent with the responsible sale, supply and service of alcohol is made available whenever liquor is sold or supplied under the authorisation of the licence | A-D |
| 28(3)    | Approve a temporary exception to the requirement that the business carried out under an on-premises licence must not be, or include, a business that is limited to the sale or supply of liquor only to persons who have been invited to use or attend the licensed premises, or to a particular class, or particular classes, of persons using or attending the licensed premises         | A-F |
| 33(1)(d) | Receive notification of the sale and supply of a licensee's product at an industry show by the organiser of the show at least 7 days before it is held   | A-D |
| 33(1)(d) | Receive notification of the sale and supply of a licensee's product at a producer's market or fair by the organiser of the market or fair at least 7 days before it is held  | A-D |
| 36(3)    | Approve a number other than 52 as the maximum number of functions that may be approved per year in relation to a limited licence   | A-G |
| 37(2)    | Be satisfied that the grant of a limited licence will not result in the frequent undue disturbance of the quiet and good order of the neighbourhood of the licensed premises   | A-F |
| 38(1)(b) | Specify the times that liquor may be sold or supplied pursuant to a limited licence (except for club social functions held by a surf lifesaving club)  | A-F |
| 38(4)(b) | Require details concerning social functions held by surf clubs to be recorded in a register  | A-F |
| 39(1)    | Grant a limited licence authorising the sale or supply of liquor for consumption on specified premises for a special event   | A-E |
| 39(4)    | Determine that an event of an infrequent or temporary nature and that is genuine and is in the public interest having regard to the objects of the <i>Liquor Act 2007</i>  | A-E |
| 40(4)(a) | Approve the form and manner of an application for a licence  | A-C |
|          | Approve amendments to the form of a licence application where the amendments do not impose any significant burden on the applicant beyond what is expressly required by legislation  | A-D |

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| 40(4)(d) | Approve other requirements with which a person must comply in making an application for a licence  | A-D |
| 42(1)(a) | Carry out such investigations and inquiries in relation to a licence application as considered necessary to enable proper consideration of it  | A-G |
| 42(1)(b) | Refer an application for a licence to the Secretary  | A-E |
| 42(2)    | Request the Secretary to inquire into and report on certain matters relating to the application  | A-E |
| 43(1)    | Require a licence applicant or close associate to do one or more of the following: <ul style="list-style-type: none"> <li>• provide specified information considered relevant to the investigation of the application</li> <li>• produce records considered relevant to the investigation of the application and permit their examination, extraction and copying</li> <li>• authorise a person to comply with a requirement in (a) or (b),</li> <li>• furnish such authorisations and consents as may be required to enable information (including financial and other confidential information) to be obtained from others concerning the person and the associates</li> </ul> | A-G |
| 43(3)    | Refuse to determine an application should a prescribed requirement not be complied with  | A-E |
|          | Refuse to determine the following types of application should a prescribed requirement not be complied with: <ul style="list-style-type: none"> <li>• application for an on-premises licence for a restaurant with standard trading hours and no authorisations under s24(3)</li> <li>• application for a producer/wholesaler licence with standard trading hours and no authorisation under s50</li> </ul>  | A-G |
| 45(1)    | Find that an application is invalid for non-compliance with procedural requirements, such as non-payment of fees or non-compliance with the Statement of Risks and Potential Effects ( <b>SoRPE</b> ) requirements<br>Note: The Authority may from time to time provide guidance to assist with handling instances of non-compliance with procedural requirements  | A-E |
|          | Determine an application for a small bar licence (whether or not a SoRPE is required)  | A-F |
|          | Determine an application for any type of licence that is not required to be accompanied by a SoRPE<br>Note: Delegation may be exercised to enable computer-generated determinations through an online system   | A-F |

|           |   |                                    |
|-----------|---|------------------------------------|
|           | (where applicable), provided such determinations are made in accordance with pre-defined parameters as described in an approved procedures manual   |                                    |
|           | Determine an application for a limited licence - single function  | A-G                                |
|           | Determine an application for a limited licence - multi function   | A-G                                |
|           | Determine an application for an on-premises licence for a restaurant with standard trading hours and no authorisation under s24(3), or a producer/wholesaler licence with standard trading hours and no authorisation under s50   | A-G                                |
|           | Determine an application for a new or removed packaged liquor licence where there are no objections, reduced or standard trading hours, no authorisations, and L&GNSW recommends imposing standard licence conditions   | Any single member of the Authority |
| 45(2)     | Treat application for a licence as withdrawn if the application is older than 120 days, and the applicant has failed to respond to 2 information requests, and has been put on notice that application will be withdrawn if the requested information is not provided   | A-D                                |
|           | Treat a small bar licence application as withdrawn (whether or not a SoRPE is required)   | A-E                                |
|           | Treat as withdrawn a licence application that is not required to be accompanied by a SoRPE  | A-F                                |
|           | Treat as withdrawn an application for an on-premises licence for a restaurant with standard trading hours and no authorisation under s24(3), or a producer/wholesaler licence with standard trading hours and no authorisation under s50  | A-G                                |
| 46(2)     | Approve arrangements for the surrender of a licence   | A-E                                |
| 46A(1)    | Approval to temporarily and voluntarily suspend a licence   | A-F                                |
| 46A(2)(a) | Approve the form and manner of an application to temporarily and voluntarily suspend a licence  | A-C                                |
| 47(2)     | Specify requirements that are to be complied with before a licence, when granted, takes effect  | A-E                                |
|           | Specify requirements that are to be complied with before a licence, when granted, takes effect, in respect of the following application types: <ul style="list-style-type: none"> <li>Application for grant of an on-premises licence for a restaurant with standard trading hours and no authorisation under s24(3)</li> </ul> | A-G                                |

|              |  |     |
|--------------|--|-----|
|              | <ul style="list-style-type: none"> <li>Application for grant of a producer/wholesaler licence with standard trading hours and no authorisation under s50</li> </ul>  |     |
| 47(3)        | Approve the form of a licence  | A-C |
| 47D(2)       | Determine whether the patron capacity of a hotel, club, packaged liquor outlet or public entertainment venue is likely to be increased, if a licence condition is varied or revoked  | A-E |
| 47F(2)       | Determine whether the patron capacity of an on-premises licence (other than a public entertainment venue) or a producer/wholesaler will be more, if the licence is removed to new premises within a prescribed precinct                                | A-E |
| 47G(1)       | Determine whether the patron capacity of a hotel, club, on-premises licence (other than a restaurant), packaged liquor licence or producer/wholesaler licence is likely to be increased, if the licensed boundaries of the premises is changed         | A-E |
| 48(2)(a)     | Approve the form of a SoRPE  | A-C |
| 48(2)(b)(ii) | Determine any additional requirements applying to the preparation of a statement of risk and potential effects   | A-C |
| 49(2)        | Authorise extended trading for consumption on premises, other than in relation to permanent extended trading hours for a hotel, club, packaged liquor or on-premises licence relating to a public entertainment venue (other than a theatre or cinema) | A-E |
| 49(2A)       | Authorise extended trading for an on premises licence on a restricted trading day, other than in relation to an on-premises licence relating to a public entertainment venue (not being a theatre or cinema)   | A-E |
| 49(5A)       | Authorise extended trading between midnight on a Sunday and 5am on a Monday for hotel licences in respect of special occasions only  | A-E |
| 49B          | Multi-occasion extended trading authorisation  | A-E |
| 50           | Authorise the sale, supply and consumption of liquor by retail on the licensed premises of a producer/wholesaler ( <b>'drink on- premises authorisation'</b> )   | A-F |
| 51(2)(a)     | Approve the form and manner of an application for an authorisation   | A-C |

|          |  |                                    |
|----------|--|------------------------------------|
|          | Approve amendments to the form of an application for an authorisation, where the amendments do not impose any significant burden on the applicant beyond what is expressly required by legislation   | A-D                                |
| 51(2)(d) | Approve such other requirements that apply to an application for an extended trading authorisation, a drink on-premises authorisation, any other authorisation that may be granted by the Authority under Pt3 (other than a licence), a minors area authorisation, or a minors functions authorisation   | A-C                                |
| 51(8)    | Specify requirements that are to be complied with before an extended trading authorisation under s51(3), when granted, takes effect – other than in respect of an application for permanent extended trading hours in relation to a hotel, club, packaged liquor or an on premises licence relating to a public entertainment venue (other than a theatre or a cinema)   | A-D                                |
|          | Specify requirements that are to be complied with before an authorisation (other than an extended trading authorisation) under s51(3), when granted, takes effect – other than in respect of an application for permanent extended trading hours in relation to a hotel, club, packaged liquor or an on premises licence relating to a public entertainment venue (other than a theatre or a cinema)   | A-E                                |
| 51(9)(b) | Vary or revoke an extended trading authorisation, other than: <ul style="list-style-type: none"> <li>• an extended trading authorisation granted or previously varied by the Authority, or</li> <li>• a condition to which an extended trading authorisation is subject and which was imposed or previously varied by the Authority, or</li> <li>• permanent extended trading hours in relation to a hotel licence, club licence, packaged liquor licence or on-premises licence relating to a public entertainment venue (other than a theatre or cinema), unless the application seeks to reduce or revoke the extended trading hours</li> </ul> | A-D                                |
|          | Vary or revoke an authorisation (other than an extended trading authorisation), other than an authorisation granted or previously varied by the Authority  | A-E                                |
|          | Authorise or vary extended trading between 10:00pm and midnight on a Sunday except where the application relates to a previous refusal by the Authority, the proposed new premises is located within a prescribed precinct or there are any objections.  | Any single member of the Authority |
| 52(1)    | Impose conditions on a licence prohibiting or restricting activities (such as promotions or discounting) that could encourage misuse or abuse of liquor (such as binge drinking or excessive consumption)  | A-E                                |
| 52(2)    | Impose conditions on a licence requiring a licensee to serve liquor, or restrict access to licensed premises in a manner and to the extent provided by the conditions, or both, from a time earlier than the time at which, as   | A-E                                |

|          |   |     |
|----------|---|-----|
|          | otherwise required by the licence, trading must cease   |     |
| 52(3)    | Impose conditions on a licence requiring a licensee to participate in, and to comply with, a local liquor accord  | A-E |
| 53(1)(b) | Impose conditions on a licence  | A-F |
|          | Impose conditions on the grant of an on-premises licence for a restaurant with standard trading hours and no authorisation under s24(3), or a producer/wholesaler licence with standard trading hours and no authorisation under s50  | A-G |
| 53(2)    | Vary or revoke a condition of a licence, <b>except</b> where the condition was imposed or varied by the Authority on or after 1 July 2008   | A-E |
|          | Vary or revoke a condition of a licence (including a condition imposed or varied by the Authority) where the condition relates to varying Sunday trading hours within standard trading hours if recent consultation has been undertaken and there were no objections  | A-D |
|          | Vary or revoke a condition of a packaged liquor licence where the condition relates to varying trading hours within standard trading hours, except where: <ul style="list-style-type: none"> <li>the application relates to a previous refusal by the Authority,</li> <li>the premises is located within a prescribed precinct, or</li> <li>there are objections to the application or there were objections to a related application that was granted within the last 12 months</li> </ul> | A-C |
|          | Vary a condition on a licence imposed by the Authority relating to a Gaming Plan of Management  | A-D |
| 53(3)(a) | Approve the form and manner of an application to impose, vary or revoke a licence condition   | A-C |
| 53(3)(e) | Approve such other requirements that apply to an application to impose, vary or revoke conditions of a licence  | A-D |
| 58(1)    | Require an applicant or class of applicants for specified kinds of licences to attend a course of training or instruction   | A-E |
| 58(2)(a) | Refuse to grant a licence if a required training course has not been completed to the required standard   | A-E |
| 58(2)(b) | Impose a condition on the grant of a licence that a required training course is completed within a specified time   | A-E |

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| 58(3)    | Require a licensee to undertake and satisfactorily complete such further courses of training or instruction as may be approved in respect of the class of licence concerned  | A-E |
| 58(3)    | Approve further courses of training or instruction which must be undertaken by licensees in respect of the class of licence concerned  | A-C |
| 59(2)(a) | Approve the form and manner of an application for the removal of a licence   | A-C |
|          | Approve amendments to the form of an application for the removal of a licence, where the amendments do not impose any significant burden on the applicant beyond what is expressly required by legislation   | A-D |
| 59(2)(d) | Approve such other requirements that apply to an application for the removal of a licence  | A-D |
| 59(3)    | Determine an application for the removal of a packaged liquor licence within the same suburb, except where: <ul style="list-style-type: none"> <li>the application relates to a previous refusal by the Authority</li> <li>the proposed new premises is located within a prescribed precinct</li> <li>the proposed new premises is larger than 240m<sup>2</sup>, or</li> <li>there are any objections</li> </ul> | A-C |
|          | Determine an application for the removal of a limited licence, on-premises licence (other than an on-premises relating to a public entertainment venue – not being a theatre or cinema), or producer/wholesaler licence  | A-E |
|          | Determine an application for the removal of a small bar licence  | A-F |
|          | Determine an application for the removal of an on-premises licence that is not required to be accompanied by a SoRPE   | A-F |
|          | Determine an application for the removal of a packaged liquor licence (but only if a ‘remote sales’ business)  | A-F |
|          | Determine an application for the removal of an on-premises licence for a restaurant with standard trading hours and no authorisation under s24(3) or an application for the removal of a producer/wholesaler licence with standard trading hours and no authorisation under s50  | A-G |
|          | Determine an application for the removal of a packaged liquor licence (but only if a ‘remote sales’ business)  | A-F |
| 60(1)    | Approve the transfer of a licence to a person who is considered to be entitled to apply for the same kind of licence in relation to the licensed premises  | A-F |
| 60(4)(a) | Approve the form and manner of an application for the transfer of a licence  | A-C |
| 60(4)(d) | Approve such other requirements that apply to an application for the transfer of a licence   | A-E |

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| 60(6)    | Determine whether the requirements of Division 1A or 1B of the <i>Registered Clubs Act 1976</i> or applicable regulations have been complied with  | A-D |
| 60(7)    | Provisionally approve the transfer of a licence to another person  | A-F |
| 60(8)    | Confirm a provisional approval for the transfer of a licence before the end of the specified period when provisionally approving the transfer (or such later permitted period before the expiration of the specified period)   | A-F |
| 60(9)    | Make orders in relation to a licence where a provisional approval to transfer a licence ceases to have effect under s60(8)   | A-F |
| 60A      | Endorse the transfer of a licence  | A-F |
| 60A(5)   | Approve the form of a notice for the transfer of a licence   | A-C |
| 61       | Approve the transfer of a licence where the application relates to the dispossession of the licensee   | A-F |
| 62(8)    | Notify the Secretary and the Commissioner of Police of any application for carrying on a licensee's business after death etc. of a licensee  | A-G |
| 63(1)    | Grant an application for carrying on a licensee's business after death etc. of the licensee  | A-E |
| 68(1)    | Approve the form and manner of an application for approval of a person to manage licensed premises   | A-C |
| 68(2)    | Grant or refuse an application for approval of a person to manage licensed premises  | A-F |
| 68(4)    | Approve of an application where the Authority is satisfied that requirements in sub ss68(4)(a-c) have been met.  | A-F |
| 68(5)    | Give provisional approval of a person to be a manager of licensed premises   | A-F |
| 68(6)    | Confirm a provisional approval under s68(5)  | A-F |
| 69(5)(a) | Approve the form of a notice required for appointment of a person as manager of licensed premises  | A-C |
| 69(5)(b) | Approve the form of a declaration of a person to be appointed as manager of licensed premises: <ul style="list-style-type: none"> <li>• signifying the person's acceptance of the appointment and</li> <li>• certifying such matters as the form of notice may require (including matters relating to the person's responsibilities in relation to, and capacity to implement, practices in place at the premises for</li> </ul> | A-C |

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|          | ensuring the responsible sale, supply and service of alcohol, and the prevention of intoxication, on the premises)  |     |
| 76(2)    | Approve the form of a self-exclusion agreement  | A   |
| 78(1)    | Give an order prohibiting a person from entering or remaining on specified licensed premises  | A-E |
| 78(3)    | Approve the form of an application for an order prohibiting a person from entering or remaining on specified licensed premises  | A-C |
| 92(1)(a) | Approve an application by a licensee for another person to have the personal supervision and management of the conduct of the business under the licence for a longer continuous period than 6 week   | A-F |
| 92(1)(d) | Approve an application by a licensee or a related corporation to lease or sublease any part of the licensed premises (other than any part on which liquor is ordinarily sold or supplied for consumption on the premises or on which approved gaming machines are ordinarily kept, used or operated)  | A-F |
| 92(2)(b) | Approve an application by an owner of licensed premises to lease or sublease any part of the licensed premises (other than any part on which liquor is ordinarily sold or supplied for consumption on the premises or on which approved gaming machines are ordinarily kept, used or operated) to any person other than the licensee or a related corporation of the licensee | A-F |
| 92(3)(b) | Approve an application by the owner of a shopping centre to lease or sublease any part of the premises on which liquor is sold or supplied for consumption on the premises  | A-F |
| 94(1)    | Specify the boundaries of licensed premises when a licence is granted   | A-E |
|          | Specify the boundaries of licensed premises upon the granting of a limited licence  | A-F |
|          | Specify the boundaries of licensed premises upon the granting of an on-premises licence for a restaurant with standard trading hours and no authorisations under s24(3), or a producer/wholesaler licence with standard trading hours and no authorisation under s50  | A-G |
| 94(2)    | Change the specified boundaries of any licensed premises, except where the proposed licensed area is significantly larger than the area approved by the Authority in the last 12 months   | A-F |
| 94(3)    | Give the licensee, the Secretary and the Commissioner of Police a reasonable opportunity to make submissions in relation to a proposed change to the boundaries of any licensed premises (whether on application or otherwise), and take any such submissions into consideration before deciding whether to   | A-H |

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|           | make the change   |     |
| 95(2)     | Approve a proposed new name for licensed premises and endorse the change of name on the applicable licence  | A-F |
|           | Approve a proposed new name for licensed premises and endorse the change of name on the applicable licence in respect of an on-premises licence for a restaurant with standard trading hours and no authorisations under s24(3), or a producer/wholesaler licence with standard trading hours and no authorisations under s50   | A-G |
| 95(5)(b)  | Notify a licensee in writing that a name for licensed premises is prohibited because it is objectionable, inappropriate or misleading   | A-F |
| 96(1)     | Approve an application by a licensee for authorisation to temporarily carry on business under the licence either on some other approved part of the licensed premises or on some other approved premises (where for any reason, the licensed premises are, or are about to be, rendered unfit for the carrying on of business on the premises)  | A-E |
| 96(2)     | Approve an application by a licensee to be allowed to carry on business on temporary premises for an additional period (i.e. longer than the period originally approved which can be no more than 12 months)  | A-E |
| 106(2)    | Exempt a person from the requirement that a person must not: <ul style="list-style-type: none"> <li>• indicate or state, by way of an advertisement or any other manner, that the person will, or is prepared to, accept orders from, or act as agent for, another person for the purchase, supply or delivery of liquor, and</li> <li>• deliver liquor ordered by another person, or obtained by the person as agent for another person, from premises that are not licensed premises</li> </ul> | A-D |
| 116G      | Decide whether a long-term banning order should be issued   | A-E |
| 119       | Approve a licensee causing or allowing a minor to sell, supply or serve liquor on the licensed premises   | A-E |
| 121(1)    | Grant an application by a hotel licensee for a minors area authorisation  | A-F |
| 122(2)    | Grant an application by a hotel or public entertainment venue licensee for a minors functions authorisation   | A-F |
| 122(4)(c) | Give directions to a licensee and a person conducting a function under a minors functions authorisation with respect to the conduct of functions for minors   | A-D |

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| 122A(1)             | Determine an application for a minors authorisation   | A-F |
| 122A(2)             | Decide the purpose or circumstances, and time that minors are authorised to enter and remain in the small bar   | A-F |
| 122A(3)(a)          | Approve the form and manner of an application for a minors authorisation.   | A-C |
| 123(1)(b3)          | Issue a written order to the licensee declaring a small bar off-limits to minors during a specified period  | A-F |
| 123(2)(c)           | Approve the purpose or circumstances a minor has entered, or is on, the licensed premises   | A-F |
| 124(1)(b)(3)        | Issue a written order to the licensee declaring a small bar off-limits to minors during a specified period  | A-F |
| 124(3)(c)           | Approve circumstances, to be specified in the licence concerned, in which a minor may enter, or be on an area of licensed premises or the licensed premises where a licensee does not commit an offence   | A-F |
| 140(3)              | Invite written submissions from specified parties before taking disciplinary actions against a licensee   | A-C |
| 140(4)              | Specify timeframe and any other requirements for submissions under s140(3)  | A-C |
| 141(3)              | Cancel or suspend the licence if a monetary penalty is not paid by the specified time   | A-C |
| 142(1)              | Serve on the licensee, manager, close associate or other person a notice informing the person of the decision in a disciplinary matter  | A-C |
| 142(4)              | Serve a further notice on the licensee, manager, close associate or person concerned cancelling a notice under s142(1) before the notice takes effect   | A-C |
| 142(6)              | Approve an application by: <ul style="list-style-type: none"> <li>• a spouse or de facto partner of the licensee</li> <li>• a member of the family of the licensee who is of or above the age of 18 years</li> <li>• the owner of the licensed premises or</li> <li>• a person directly or indirectly interested in the business, or the conduct of the business, carried out on the licensed premises, to transfer the licence to that spouse, de facto partner or member of the family or to an approved person where a licensee is disqualified from holding a licence resulting from disciplinary action</li> </ul> | A-D |
| Sch 1,<br>cl8(1)(g) | Specify the business or activity of an existing on-premises licence pursuant to s18(4)(g) of the <i>Liquor Act 1982</i>   | A-F |

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| Sch 1,<br>cl8(5)      | Approve the form of a statement of the trading hours for public hall or airport licensed premises under the <i>Liquor Act 1982</i>  | A-F |
| Sch 1, cl8(6)         | Grant an extended trading authorisation for a public hall or airport licensed premises if satisfied that the trading hours of those premises under the <i>Liquor Act 1982</i> extended beyond the standard trading period | A-D |
| Sch1,<br>cl13(1)(a)   | Specify in an on-premises licence (as a corresponding licence for a Governor's licence) the business or activity to which that on-premises licence relates  | A-F |
| Sch 1,<br>cl13(1)(b)  | Determine another type of licence in relation to a Governor's licence under the <i>Liquor Act 1982</i>  | A-F |
| Sch 1,<br>cl15(4)(b)  | Determine another type of licence in relation to an on- licence (wine) under the <i>Liquor Act 1982</i>   | A-F |
| Sch 1,<br>cl.15(6)(b) | Determine another type of licence in relation to an on/off- licence (wine) under the <i>Liquor Act 1982</i>   | A-F |

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### 3. Liquor Regulation 2018

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the Liquor Regulation 2018 are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

#### Liquor Regulation 2018

| <i>Liquor Regulation 2018</i> |  |          |
|-------------------------------|--|----------|
| Clause                        | Power or function delegated  | Delegate |
| 21(1)(b)<br>(v)               | Determine the stakeholders that must be notified in respect of a full notification application   | A-D      |
| 21(3)(c)                      | Approve the form of a notice, and the manner in which it is given, to each relevant stakeholder for limited and full notification applications   | A-C      |
| 23(1)                         | Approve the form of a notice that an applicant must fix to premises to which an application relates  | A-C      |
| 23(4)(b)                      | Direct that a notice of an application must be fixed to premises or land at another specified position   | A-D      |
| 26(1)                         | Be satisfied that an applicant has made all reasonable efforts to comply with the advertising requirements   | A-E      |
| 26(2)                         | Disregard non-compliance with the advertising requirement, if satisfied the failure is of a minor or technical nature  | A-E      |
| 27(c)                         | Require an application, or one of a class of applications, to be accompanied by a statement of risks and potential effects, where not already required by s48  | A-C      |
| 30(2)(b)                      | Reduce the 30-day period during which a person may make submissions on a particular application  | A-E      |
| 30(4)                         | Reduce the 14-day period during which a person may make submissions on an application for a limited licence, a pop-up licence, a special occasion extended trading authorisation, an authorisation under s14(6) relating to hotel functions on other premises, or certain temporary drink on-premises authorisations or a music festival licence | A-E      |

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| 30(5)    | Where thought fit, extend the 14-day or 30-day period (as applicable) during which a person may make submissions on a particular application or class of applications   | A-E |
| 33(1)    | Require an application (other than a Division 1 application) to be advertised in such manner as considered appropriate  | A-D |
| 33(2)    | Refuse to determine an application if it has not been advertised in accordance with any requirements  | A-E |
|          | Refuse to determine an application for a limited licence if it has not been advertised in accordance with any requirements  | A-F |
|          | Refuse to determine an application for the grant of or amendment to an on-premises licence for a restaurant with standard trading hours and no authorisation under s24(3), or an application for the grant of or amendment to a producer/wholesaler licence with standard trading hours and no authorisation under s50, if such an application has not been advertised in accordance with any requirements  | A-G |
| 37(1)    | Grant an application for an authorisation for a drink on-premises authorisation relating to micro-breweries and small distilleries licensed premises in an eligible local government area, subject to a condition that the authorisation authorises the licensee to sell liquor by retail on the licensed premises, for consumption on the licensed premises, if all of the matters set out in cls37(1)(a)-(f) apply  | A-E |
| 38(2)(b) | Grant a licence or authorisation in relation to a large-scale commercial event application that is made 28 days before the relevant function or event is to begin, but only if the delegate is satisfied that it has sufficient time to consider the merits of the application  | A-E |
| 48C(1)   | Grant a pop-up licence, if the delegate is satisfied that:  | A-E |
|          | <ul style="list-style-type: none"> <li>• the licence will not result in the frequent undue disturbance of the quiet and good order of the neighbourhood of the licensed premises, and</li> <li>• the proposed pop-up bar or event will have a social or economic benefit for the community in the trial area by: <ul style="list-style-type: none"> <li>○ encouraging more diverse and vibrant social, cultural or business activities after 6pm on the days of the pop- up bar or event, or</li> <li>○ increasing the activation of, or revitalising, local places and spaces in the trial area</li> </ul> </li> </ul> |     |
| 48C(2)   | Grant a pop-up licence for a period of up to 12 weeks and specify in the licence the day or days on which the pop-up bar or event may operate under the licence during that period  | A-E |

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| 48C(3)    | Not grant the licence if the delegate is of the opinion that: <ul style="list-style-type: none"> <li>the sale or supply of liquor under the licence would more appropriately be provided under another type of licence, or</li> <li>the pop-up bar or event is not temporary or infrequent having regard to any other pop-up licence issued for substantially the same purpose in close proximity to the proposed licensed premises (whether or not to the same applicant)</li> </ul> | A-E |
| 48C(4)    | Form the opinion that the applicant has made appropriate arrangements to ensure that the number of patrons does not exceed 300  | A-E |
| 48C(4)    | Impose a condition on a pop-up licence (event) specifying the maximum number of patrons not exceeding 300, permitted at the pop-up event  | A-E |
| 48D(1)(a) | Impose a condition on a pop-up licence (bar) specifying the maximum number of patrons, not exceeding 100, permitted on the licensed premises  | A-E |
| 61A       | Update, amend and include any other information the Authority considers appropriate in the Music Festival Licence Guidelines as required from time to time<br>Publish the Music Festival Licence Guidelines on the website as required from time to time  | A-C |
| 61F(b)    | Prescribe the form of the safety management plan checklist (which will require the production of any other information the Authority considers appropriate) provided with the application for a music festival  | A-C |
| 61G(2)    | Accept applications made less than 90 days before the first day of the music festival   | A-D |
| 61L(2)    | Provide advice received from other agencies during the assessment process back to the Applicant   | A-G |
| 61O       | Prescribe the form and manner of the approved agent application   | A-C |
| 61X       | Attend on behalf of the Authority at briefings held by the music festival licensee with the person engaged to provide health services at the festival   | A-G |
| 61ZC      | Accept or reject a change to safety management plan   | A-D |
| 66(1)     | Determine whether a current licensee endorsement is in force on the recognised competency card held by the applicant in relation to cls(66)(1)(a)-(e) (applicant for a tier 1 licensed premises or a drink on-premises authorisation that would, if granted, make a licence held by the person a tier 1 licence; applicant for a removal of a tier 1 licence; transfer of a tier 1 licence or approval of a person as a manager of a tier 1 licensed premises)                        | A-E |

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| 66(2)             | Determine whether a current licensee and a current advanced licensee endorsement are in force on the recognised competency card held by the applicant in relation to cls (66)(2)(a)-(e) (applicant for a tier 2 licensed premises or a drink on-premises authorisation or an extended trading authorisation that would, if granted, make a licence held by the person a tier 2 licence; applicant for a removal of a tier 2 licence; transfer of a tier 2 licence or approval of a person as a manager of a tier 2 licensed premises)  | A-E |
| 66(3)             | Approve the transfer of a tier 1 licence or a tier 2 licence to a person who does not hold a recognised competency card with a current licensee endorsement or a current advanced licensee endorsement (as the case requires) if a provisional approval to transfer the licence to that person is in force under section 60 of the Act   | A-F |
| 67(1)             | Determine whether a current licensee endorsement is in force on the recognised competency card held by the applicant in relation to a function or event that is to be attended by 2,000 or more persons on any day for any one of the following licences: <ul style="list-style-type: none"> <li data-bbox="416 568 1245 600">• a limited licence in respect of a function that is a trade fair</li> <li data-bbox="416 616 943 647">• a limited licence for a special event</li> </ul>  | A-E |
| 67(2)             | Determine whether a current licensee and a current advanced licensee endorsement are in force on the recognised competency card held by the applicant in relation to a function or event that is to be attended by 2,000 or more persons on any day, where the sale or supply of liquor at any time between midnight and 5 am is sought for any one of the following licences: <ul style="list-style-type: none"> <li data-bbox="416 823 1245 855">• a limited licence in respect of a function that is a trade fair</li> <li data-bbox="416 871 943 903">• a limited licence for a special event</li> </ul>   | A-E |
| 67(3)             | Exempt a person from a requirement to hold a recognised competency card with a current licensee endorsement or a current advanced licensee endorsement under clause 67, after considering whether the training required to obtain the recognised competency card will be effective in reducing the risk of alcohol-related violence or anti-social behaviour on or about the licensed premises   | A-E |
| 67A(2)<br>and (3) | Exempt an applicant for a music festival licence, or the proposed manager for the licence, from a requirement to hold a recognised competency card with a current licensee endorsement or a current advanced licensee endorsement after considering: <ul style="list-style-type: none"> <li data-bbox="416 1206 1783 1302">• whether the training required to obtain the recognised competency card with a current licensee endorsement or a current advanced licensee endorsement will be effective in reducing the risk of alcohol-related violence or anti-social behaviour on or about the licensed premises</li> <li data-bbox="416 1318 1872 1385">• whether the safety management plan for the music festival includes sufficient harm reduction initiatives that aim to reduce the risk of alcohol-related violence or anti-social behaviour on or about the licensed</li> </ul> | A-D |

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|          | <p>premises</p> <ul style="list-style-type: none"> <li>if a person is proposed to be the approved agent – whether the person proposed to be the approved agent for the music festival licence holds a recognised competency card with a current licensee endorsement and current advanced licensee endorsement</li> </ul>  |     |
| 68(3)    | <p>Determine whether there is a requirement to withhold the grant of any licence on the grounds that the applicant does not have one or both of the following endorsements on their recognised competency card:</p> <ul style="list-style-type: none"> <li>a current licensee endorsement</li> <li>a current advanced licensee endorsement</li> </ul>  | A-D |
| 76(1)(a) | <p>Make an order and specify the period for suspending a recognised competency card (and all of its endorsements) or a particular competency card endorsement</p>  | A-D |
| 76(1)(b) | <p>Make an order revoking a recognised competency card (and all of its endorsements) or a particular competency card endorsement</p>   | A-D |
| 76(1)(c) | <p>Make an order declaring that a person is disqualified from holding a recognised competency card, or a particular recognised competency card endorsement, for such period (not exceeding 12 months) as is specified in the order</p>   | A-D |
| 76(2)    | <p>In order to make an order under cl76(1), to suspend or revoke a person’s competency card (and all of its endorsements) or a particular competency card endorsement, or declare that a person is disqualified from holding a recognised competency card, or a particular recognised competency card endorsement, be satisfied that a person has:</p> <ul style="list-style-type: none"> <li>contravened any of the person’s obligations under the <i>Liquor Act 2007</i> or this Regulation that, in the opinion of the delegate, relate to the responsible service of alcohol, or</li> <li>been charged with, or found guilty of, a serious indictable offence involving violence that was committed on licensed premises or in the immediate vicinity of licensed premises on a patron of the premises or a person attempting to enter the premises, or</li> <li>while a staff member of licensed premises situated in a prescribed precinct, contravened any of the person’s obligations under the <i>Liquor Act 2007</i> or this Regulation that relate to the use of a patron ID scanner, or</li> <li>obtained a recognised competency card or recognised competency card endorsement fraudulently or by deception</li> </ul> | A-D |

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| 76(4)  | Provide a person with notice of an application for an order made under cl76(1) to suspend or revoke a person's competency card (and all of its endorsements) or a particular recognised competency card endorsement and give the person a reasonable opportunity to make submissions to the delegate in relation to the application | A-D |
| 76(5)  | Specify the date in an order under cl76(1) to suspend or revoke a person's competency card or competency card endorsement is to take effect, and provide the person who is the subject of the order, notice of the order  | A-D |
| 76(9)  | Require a person to surrender to the delegate their recognised competency card (and all of its endorsements) or particular recognised competency card endorsement if it has been suspended or revoked   | A-D |
| 131(1) | Be satisfied that development consent granted under the <i>Environmental Planning and Assessment Act 1979</i> would permit the premises to which an on-premises licence relates to operate as a small bar   | A-E |
| 131(2) | Accept the surrender of an existing licence during the period of 12 months immediately following the commencement of this Regulation  | A-E |
| 131(3) | On the surrender of an existing licence in accordance with cl131(2), cancel the existing licence, and at the same time issue a small bar licence for the existing premises (a new licence) to the person who was the holder of the existing licence   | A-E |

## 4. Registered Clubs Act 1976

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Registered Clubs Act 1976* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Registered Clubs Act 1976

| <i>Registered Clubs Act 1976</i>               |   |          |
|--|---|----------|
| Section  | Power or function delegated   | Delegate |
| 12(a)(ii)                                      | Determine a minimum number of members other than the number provided for by s12(a)(ii)  | A-D      |
| 12(b)(ii)                                      | Determine a minimum number of members other than the number provided for by s12(b)(ii)  | A-D      |
| 17AC(1)<br>definition of<br>“main<br>premises” | Determine the premises that are the main premises of a club   | A-D      |
| 17AI(1)  | Approve the disposal of any of the major assets of a dissolved club during the period of 3 years(or such longer period as may be agreed on by the clubs in their MoU) following the amalgamation of 2 or more clubs if satisfied that the disposal is necessary to ensure the financial viability of the parent club, and a majority of the members of the dissolved club have approved of the disposal | A-D      |
| 17AK(3)  | Take into consideration any written submissions made in relation to a proposed de-amalgamation before deciding whether or not to approve the de- amalgamation under s60 <i>Liquor Act 2007</i>  | A-C      |
| 17AM   | Not approve a de-amalgamation unless satisfied that the de-amalgamated club will meet the requirements of s10(1) and will be financially viable; and the proposed de-amalgamation is in members’ interests and has been approved at the clubs’ general meetings   | A-C      |
| 22(1)  | Grant a non-restricted area authorisation   | A-F      |
| 22A(1)   | Grant a junior members authorisation  | A-F      |
| 23(1)  | Grant a club functions authorisation  | A-F      |

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|-----------|--|-----|
| 23(3)(c)  | Give directions with respect to the conduct of functions for minors with which the secretary of the club and the person conducting the function must comply                                      | A-C |
| 23A(2)    | Approve the form and manner of an application for a non-restricted area authorisation, a junior members authorisation, and a club functions authorisation  | A-C |
| 23A(2)(d) | Approve such other requirements with which an application for a non-restricted area authorisation, a junior members authorisation, or a club functions authorisation must comply                 | A-D |
| 23A(3)    | Determine an application for a non-restricted area authorisation, a junior members authorisation, or a club functions authorisation  | A-F |
| 23A(8)    | Specify requirements that are to be complied with before a non-restricted area authorisation, a junior members authorisation, or a club functions authorisation takes effect                     | A-F |
| 23A(9)(a) | Impose conditions on a non-restricted area authorisation, a junior members authorisation, or a club functions authorisation, whether at the time the authorisation is granted or at a later time | A-F |
| 23A(9)(b) | Vary or revoke a non-restricted area authorisation, a junior members authorisation, or a club functions authorisation  | A-F |
| 30B       | Approve a period of more than 7 days but no more than 30 days for temporary membership   | A-F |
| 33(1)     | Approve the form and manner of an application for approval to act as the secretary of a registered club  | A-C |
| 33(2)     | Grant, or refuse to grant, an application for approval to act as the secretary of a registered club  | A-F |
| 34(3)     | Allow a period longer than 2 months for a person to be appointed to act as the secretary of a registered club  | A-D |
| 36(4)     | Determine that an application that is otherwise deemed to be valid for the Electoral Commissioner to conduct an election is not valid where specified procedural requirements have not been met  | A-C |
| 36(5)     | Order that the first election of the governing body of a registered club referred to in the order, to be held after the date of the order, be conducted by the Electoral Commissioner            | A-D |
| 57I(1)    | Serve on a club or person a notice informing of the Authority's decision to take disciplinary action against the club or person under s57H   | A-D |
| 57I(4)    | Serve on a club or person a further notice to cancel a previous notice under s57I before it takes effect   | A-D |

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|-------------------|---|-----|
| 70A(e)            | Impose conditions with respect to any matter relating to the Authority's functions under the Act and revoke or vary any such condition, except where the condition was imposed or previously varied by members of the Authority | A-C |
| Sch 2,<br>cl94(5) | Vary an existing club's restricted on-premises trading hours  | A-D |
| Sch 2,<br>cl95(3) | Vary an existing club's restricted off-premises trading hours   | A-D |

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## 5. Registered Clubs Regulation 2015

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Registered Clubs Regulation 2015* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Registered Clubs Regulation 2015

| <i>Registered Clubs Regulation 2015</i> |  |          |
|---|--|----------|
| Clause                                  | Power or function delegated  | Delegate |
| 6(2)                                    | Extend the 30 day period within which a submission may be made under s17AEA in relation to a proposed amalgamation   | A-D      |
| 10(2)                                   | Extend the 30 day period within which a submission may be made under s17AK in relation to a proposed de-amalgamation   | A-D      |
| 13(3)                                   | Approve the form of a notice to be given to police and a local consent authority by an applicant for a non-restricted area authorisation, junior member authorisation and club functions authorisation | A-C      |
| 14(1)(b)                                | Direct another specified location where a notice of an application must be fixed to premises or land   | A-D      |
| 14(2)(a)                                | Approve the form of a notice that an applicant must fix to club premises when applying for a club functions authorisation  | A-C      |
| 15(2)(b)                                | Reduce the 30-day period during which a person may make submissions on a particular application  | A-D      |
| 15(3)                                   | Extend the 30-day period during which a person may make submissions on a particular application or class of applications   | A-D      |
| 16(1)                                   | Require an application (other than applications covered by cl8 to be advertised in such manner as considered appropriate   | A-D      |
| 16(2)                                   | Refuse to determine an application if it has not been advertised in accordance with any requirements imposed under cl12(1)   | A-D      |
| 33(2)                                   | Approve the form of notice required by s50B(2) of the Act  | A-C      |

## 6. Gaming Machines Act 2001

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Gaming Machines Act 2001* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Gaming Machines Act 2001

| Gaming Machines Act 2001  |   |          |
|---|---|----------|
| Section   | Power or function delegated   | Delegate |
| 4(1)<br>definition of<br>“approved<br>gaming<br>machine”<br>para(a) | Approve subsidiary equipment for use in connection with a gaming machine  | A-D      |
| 8(1)  | Approve the use of a gaming machine for therapeutic purposes, with or without conditions  | A-D      |
| 8(2)  | Approve the use of a gaming machine for research, educational, cultural or promotional purposes, with or without conditions   | A-D      |
| 8(3)  | Waive compliance with the 7-day advance notice requirement under s8(2)  | A-D      |
| 16(1)   | Issue a certificate to a hotelier or club specifying the number of gaming machine entitlements held in respect of the hotel or club licence from time to time   | A-H      |
| 19(2)(a)  | Determine a transfer of gaming machine entitlements application when there <b>is not</b> an increase in the availability of gaming machines in a band 1 or band 2 after 2:00am or band 3 after midnight, and the licensee has developed a gaming plan of management | A-F      |
|   | Determine a transfer of gaming machine entitlements application when there <b>is</b> an increase in the availability of gaming machines in a band 1 or band 2 after 2:00am or band 3 after midnight, but the transfer is to:  | A-F      |

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|----------|--|-----|
|          | <ul style="list-style-type: none"> <li>• A lower band with the same or fewer trading hours, or</li> <li>• The same band with fewer trading hours, or</li> <li>• The same band with same trading hours with forfeiture</li> </ul> <b>and</b> , the licensee has developed a gaming plan of management |     |
| 19(3)(b) | Require particulars to be provided with an application to approve the transfer of a gaming machine entitlement   | A-F |
| 19(3)(c) | Determine who has a financial interest in a hotel licence in respect of which an application for the transfer of a gaming machine entitlement is made  | A-F |
|          | Determine that a proposed transfer of a gaming machine entitlement is supported by each person financially interested in the hotel licence   | A-F |
| 19(3)(d) | Determine the form and manner in which an application for a gaming machine entitlement transfer must be made   | A-C |
| 20(7)    | Decrease, when approving a transfer of gaming machine entitlements, the gaming machine threshold for the hotel or club from which the entitlements are transferred   | A-F |
| 20A(3)   | Decrease, when approving a transfer of all remaining gaming machine entitlements held by a hotel, the gaming machine threshold for the hotel from which the entitlements are transferred to zero   | A-F |
| 23(4)    | In the case of a club, allow a gaming machine entitlement to be retained for a further period of up to 12 months without payment of the \$500 levy if satisfied that the delay in transferring the remaining entitlements is beyond the transferor's control   | A-D |
| 25(1)    | Determine a gaming machine entitlement lease application when licensee has developed a gaming plan of management   | A-F |
| 25(2)    | Vary a gaming machine entitlement lease so as to change the term of the lease or the number of gaming machine entitlements leased  | A-F |
| 25(4)(b) | Require particulars to be provided with an application to approve the lease of a gaming machine entitlement  | A-F |
| 25(4)(c) | Determine that a proposed lease of a gaming machine entitlement is supported by each person financially interested in the hotel licence  | A-F |

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|----------|---|-----|
| 25(4)(d) | Determine the form and manner in which an application for a gaming machine entitlement lease must be made   | A-C |
| 25A(1)   | Make minor amendments to the standard form of lease of gaming machine entitlements that: <ul style="list-style-type: none"> <li>• Fix any typographical errors</li> <li>• Update legislative references</li> <li>• Update references to Authority or L&amp;GNSW processes that have been changed</li> </ul> | A-C |
| 25A(4)   | Approve the lease of a gaming machine entitlement with a lease that includes additional terms that are not inconsistent with the terms set out in the standard form of lease of gaming machine entitlements   | A-F |
| 25C(1)   | Confirm that a levy paid in respect of a lease of a gaming machine entitlement approved by the Authority has been paid to the Secretary under the <i>Casino Control Act 1992</i> for payment into the Responsible Gambling Fund as a gaming machine lease levy  | A-F |
| 27       | Decrease, by the number of permits transferred, the gaming machine threshold for a hotel from which the permits are transferred to another hotel licence  | A-F |
| 32(1)    | Set, for each hotel and each set of club premises, the maximum number of approved gaming machines that may be authorised to be kept in the hotel or on those premises   | A-D |
| 32(5)    | Increase or otherwise vary the gaming machine threshold for a Hotel or the premises of a Club.  | A-E |
| 32A(2)   | Determine the maximum number of gaming machine entitlements to be permitted in Fairfield LGA or a restricted increase area and that number is the area cap for the area concerned   | A   |
| 32A(5)   | Vary or revoke a determination made under s32A(2) where that determination was made under delegation  | A   |
| 33(3)    | Specify the classification of local statistical areas on a publicly available website   | A-C |
| 34(4)    | Refuse any gaming threshold increase application set out below  | A-F |
|          | Approve a threshold increase when an LIA is not required as part of the increase when licensee has developed a gaming plan of management  | A-F |
|          | Approve a threshold increase when an LIA has also been approved in accordance with section 36   | A-F |
|          | Approve a threshold increase application if:  | A-D |

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|       | <ul style="list-style-type: none"> <li>• A class 2 Local Impact Assessment (LIA) is <b>not</b> required for the application</li> <li>• The venue’s current gaming machine threshold is <b>not</b> zero</li> <li>• The licensee has developed a gaming plan of management, <b>and</b> the proposed threshold increase <b>does not</b> exceed 10 entitlements or 50 percent of the venue’s current gaming machine threshold, unless an LIA is not required for the transfer</li> </ul>   |     |
|       | <p>Approve a threshold increase application if:</p> <ul style="list-style-type: none"> <li>• all of the above are satisfied</li> <li>• approving the application would not result in a gaming machine threshold of more than 450, <b>and</b> the application does not require a class 1 LIA</li> </ul>   | A-F |
| 34(5) | Increase the gaming machine threshold for the relevant venue in accordance with the approval under s34(4)  | A-F |
| 35(8) | Approve the form and manner in which a LIA is to be provided   | A   |
| 36(2) | Refuse to determine a LIA until any costs incurred in connection with the determination of the LIA are paid, or satisfactory provision has been made for payment   | A-C |
| 36(3) | Refuse any Class 1 LIA applications set out below  | A-C |
|       | <p>Approve a class 1 LIA when a venue is in a band 1 or 2 and the venue is authorised to trade up until 2:00am or past 2:00am with an Occasional Extended Trading condition if:</p> <ul style="list-style-type: none"> <li>• the venue’s current gaming machine threshold is <b>not</b> zero, <b>and</b></li> <li>• the proposed threshold increase <b>does not</b> exceed 10 entitlements or 50 percent of the venue’s current gaming machine threshold, <b>and</b></li> <li>• the licensee has developed a gaming plan of management</li> </ul>  | A-D |
| 36(6) | <p>Partly approve a class 1 LIA when a venue is in a band 1 or 2 and the venue is authorised to trade up until 2:00am or past 2:00am with an Occasional Extended Trading condition, and increase the venue’s gaming machine threshold by a number that is less than the number to which the threshold increase application relates, if:</p> <ul style="list-style-type: none"> <li>• the venue’s current gaming machine threshold is <b>not</b> zero, <b>and</b></li> <li>• the proposed threshold increase <b>does not</b> exceed 10 entitlements or 50 percent of the venue’s</li> </ul> | A-D |

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|           | current gaming machine threshold, <b>and</b>   |     |
|           | <ul style="list-style-type: none"> <li>The licensee has developed a gaming plan of management</li> </ul>   |     |
| 36(7)     | Specify conditions of a class 1 LIA approval, if: <ul style="list-style-type: none"> <li>the venue's current gaming machine threshold is <b>not</b> zero, <b>and</b></li> <li>the proposed threshold increase <b>does not</b> exceed 10 entitlements or 50 percent of the venue's current gaming machine threshold</li> </ul>  | A-D |
|           | Approve minor variations of any conditions of a class 1 LIA approval (e.g. variation in respect of administrative issues and payment timing)   | A-D |
| 36B(1)    | In determining a threshold increase application, treat the additional positive contributions (as defined in s36B(2)) by the venue as being in partial satisfaction of a community benefit requirement (so as to reduce what is required to satisfy a community benefit requirement)  | A-C |
|           | In determining a threshold increase application, treat the additional positive contributions (as defined in s36B(2)) by the venue as being in partial satisfaction of a community benefit requirement (so as to reduce what is required to satisfy a community benefit requirement), <b>except</b> where the contributions relate to matters not covered in the Authority's guidelines | A-F |
| 37(3)     | Extend or further extend the limited period during which a venue can acquire its approved increase in gaming machine entitlements  | A-D |
| 37(4)     | Decrease the gaming machine threshold for a venue, at the end of the limited period for it to acquire its approved increase in gaming machine entitlements, by the number of entitlements not acquired   | A-F |
| 37A(1)(a) | Determine a description similar to an 'urban release area' in an environmental planning instrument as a description of a 'new development area'  | A-C |
| 37A(1)(b) | Determine that a 'new development area' does not have the full benefit of the services and facilities of the kind provided by registered clubs   | A-C |
| 37A(2)(b) | Determine that the acquisition of a number of gaming machine entitlements for the premises of a registered club that are situated in a new development area would not increase the density of gaming machines in the local statistical area in which the premises are situated to the extent that the classification of the area is affected   | A-C |

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| 37A(3)(c) | Decrease the gaming machine threshold for club premises where, at the end of 5 years, the club has not acquired gaming machine entitlements for its special class 1 quota  | A-F |
| 41(2)     | Approve of a hotel or the premises of a registered club having different shutdown periods for 'early openers'  | A-D |
| 42(3)(b)  | Impose conditions on an approval given under ss40 and 40A  | A-D |
| 42(3)(c)  | Revoke an approval given under ss40, 40A and 41 where there is no increase in in the availability of gaming machines in a band 1 or band 2 after 2:00am or band 3 after midnight   | A-D |
| 56(2)     | Authorise a hotelier or registered club to keep or dispose of approved gaming machines   | A-G |
| 56(2)     | Vary an authorisation given to a hotelier or registered club to keep or dispose of approved gaming machines, <b>except</b> where the authorisation was granted or previously varied by the Authority   | A-E |
| 56(6)(a)  | Impose conditions on an authorisation to keep or dispose of approved gaming machines   | A-D |
| 56(7)     | Vary conditions imposed on an authorisation to keep or dispose of approved gaming machines, <b>except</b> where the conditions were imposed or previously varied by the Authority  | A-D |
| 57(1)(a)  | Approve the application form for an authorisation to keep or dispose of an approved gaming machine   | A-C |
| 57(1)(b)  | Approve the application form for a variation of an authorisation to keep an approved gaming machine  | A-C |
| 57(3)     | Require an applicant to provide, or require the applicant to authorise another person to provide, further specified information in relation to the application and defer consideration of the application until the information is provided  | A-G |
| 58(1)(a)  | Suspend or cancel an authorisation to keep or dispose of an approved gaming machine  | A-C |
| 58(1B)(a) | Suspend or cancel an authorisation to keep an approved gaming machine if the hotelier of club fails to pay a monitoring fee in accordance with s134.   | A-C |
| 58(1B)(b) | Suspend or cancel an authorisation to keep an approved gaming machine if the hotelier of club fails to pay tax within the meaning of the <i>Gaming Machine Tax Act 2001</i> , or an instalment of any such tax, within the time allowed by or under that Act, or fails to pay a penalty or increase due for late payment of any such tax or instalment | A-C |

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| 59(1)    | Determine that the hotel primary purpose test is satisfied by a hotel, so as to authorise an approved gaming machine to be kept in the hotel   | A-D |
| 59(4)    | Where satisfied that a hotelier has failed to comply with the primary purpose test in respect of the hotel, give a direction in writing to the hotelier requiring the hotelier to take specified remedial action within a specified time | A-C |
| 59(6)    | Revoke or vary a direction given to a hotelier under s59(4), <b>except</b> where the direction was given or previously varied by the Authority   | A-D |
| 61(2)    | Authorise a registered club to keep a multi-terminal gaming machine  | A-G |
| 62(1)    | Approve technical standards for gaming machines for integrity purposes   | A   |
| 63(2)(a) | Investigate an application to declare a device an approved gaming machine, or authorise its investigation  | A-D |
| 63(2)(b) | Require an applicant to meet the cost of investigating an application to declare a device an approved gaming machine   | A-D |
| 63(2A)   | Impose a fee as part of the cost of an investigation under s63(2)(b)   | A   |
| 63(3)    | Specify the time within which an applicant for a declaration under s63 must pay the costs of an investigation  | A   |
| 63(3)    | Determine the time allowed for the applicant to pay the costs of the investigation determined under s63(2)(b)  | A   |
| 64(1)    | Declare a device as an approved gaming machine   | A-D |
| 64(3)    | Refuse to declare a device as an approved gaming machine if the declaration would relate to a device that does not meet the approved technical standards   | A-C |
| 64(6)    | Revoke a declaration of a device as an approved gaming machine if considered necessary in the public interest or if it is a temporary declaration  | A-C |
|          | Revoke a declaration of a device as an approved gaming machine if considered necessary in the public interest or if it is a temporary declaration, in cases where the dealer does not object to the revocation                           | A-D |
| 65(1)    | Serve notice in writing on the dealer's licensee concerned if it is proposed to terminate an investigation of an application for declaration of a device as an approved gaming machine, refuse such an application                       | A-D |

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|           | or revoke the declaration of a device as an approved gaming machine   |     |
| 65(4)     | After considering any submissions made by the licensee, proceed with the action proposed in a notice served under s65(1), or conditionally or unconditionally decide not to take the proposed action                        | A-D |
| 66(1)     | Approve, with or without conditions, a hotelier or club keeping a non- approved gaming machine on a trial basis, and determine the duration of the period   | A-D |
| 68A(2)    | Approve the circumstances in which s68A(1)(a) does not apply in relation to the location and operation of an approved gaming machine kept by a hotelier   | A-C |
| 70(3)(b)  | Approve financial or other arrangements under which an unauthorised person may possess an approved gaming machine   | A-D |
| 71(1)     | Approve, with or without conditions, the financial or other arrangements under which a person may supply or offer to supply an approved gaming machine otherwise than by way of sale  | A-D |
| 71(5)     | Approve, with or without conditions, a hotelier or registered club disposing of an approved gaming machine where the hotel or club licence is cancelled and the supply is effected in accordance with approved arrangements | A-C |
| 72(1)(b)  | Approve financial and other arrangements under which a hotelier or registered club may keep or modify an approved gaming machine  | A-D |
| 72(2)     | Consent to a change in the financial or other arrangements under which a hotelier or registered club keeps or modifies an approved gaming machine   | A-C |
| 74(2)(b)  | Approve financial or other arrangements under which a hotelier or registered club may grant an interest in an approved gaming machine   | A-C |
| 79(1)     | Specify the time period (not being 7 days) within which the holder of a dealer or seller's licence must provide notification of required particulars when consigning or moving an approved gaming machine                   | A-C |
| 79(3)     | Grant an exemption from the operation of s79 in a particular case or class of cases, either conditionally or unconditionally  | A-C |
| 81A(1)(b) | Authorise the destruction of an approved gaming machine and impose conditions upon such an authorisation  | A-E |

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| 83(1)(e) | Determine additional circumstances in which a licensed gaming machine testing facility may test gaming machines  | A-C |
| 83(4)    | Vary by endorsement on a licence the premises at which the holder of a gaming machine dealer's licence may manufacture and assemble gaming machines, <b>except</b> where the premises was endorsed or previously varied by the Authority | A-E |
| 84(3)(a) | Agree to the making of an application by a licensed dealer to have a gaming machine declared as an approved gaming machine   | A-C |
| 85(5)    | Approve, with or without conditions, a hotelier or club selling an approved gaming machine where the hotel or club licence is cancelled and the supply is effected in accordance with approved arrangements                              | A-C |
| 88(2)    | Grant an application for a gaming-related licence<br>Note: the Authority's power under this section to refuse an application for a gaming-related licence is not delegated   | A-D |
|          | Grant an application for a gaming-related licence other than a gaming machine dealer's licence or tester's licence   | A-E |
| 88(3)    | Approve the application form for a gaming-related licence  | A-C |
| 89(1)    | Issue a work permit pending determination of an application for a seller's licence, a technician's licence, or a testing facility licence  | A-E |
| 89(1)    | Approve the form of a work permit  | A-C |
| 89(2)    | Impose conditions or restrictions on the holder of a work permit   | A-E |
| 89(3)    | Cancel a work permit, <b>except</b> where the holder of the work permit does not consent to the proposed cancellation  | A-E |
| 94(1)    | Investigate and inquire into, and refer to the Secretary, an application for a gaming-related licence  | A-E |
| 94(2)    | Specify the matters on which the Secretary is to report when an application for a gaming-related licence is referred to the Secretary  | A-D |
| 95(3)    | Refuse to grant an application if the applicant does not provide further information sought by the Secretary   | A-D |

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| 95A(2)    | Take into consideration any submission made in relation to an application for a gaming-related licence before deciding whether or not to grant the licence   | A-E |
| 96(1)     | Determine in a particular case that the applicant need not pay the reasonable costs incurred by the Secretary or the Commissioner of Police in investigating and inquiring into an application for a gaming-related licence                                | A-D |
| 96(2)     | Require part or full payment of the amount of investigation costs estimated to be payable by an applicant for a gaming-related licence, and refuse to deal with the application until the required payment is made   | A-D |
| 101(1)    | Grant an application for a gaming-related licence<br>Note: the Authority's power under this section to refuse an application for a gaming-related licence is not delegated   | A-E |
| 101(3)    | Specify requirements that are to be complied with before a gaming-related licence takes effect, when granting the licence  | A-E |
| 101(4)    | Approve the form of a gaming-related licence   | A-C |
| 102(3)    | Approve an application to change the premises specified in a testing facility licence if satisfied that the premises concerned are suitable for the testing of gaming machines   | A-D |
| 104(1)(a) | Impose (at or after the time of grant) conditions on a gaming-related licence  | A-E |
| 104(4)    | Vary or revoke a condition imposed on a gaming-related licence, <b>except</b> where the condition was imposed or previously varied by the Authority  | A-E |
| 104(5)(a) | Approve the form and manner of an application by the holder of a gaming-related licence to vary or revoke a condition imposed on the licence   | A-C |
| 106(1)    | Require the holder of a dealer's licence to arrange, at the expense of the dealer and within a specified time, for a specified alteration to be made to an approved gaming machine that is to be, or has been, supplied by the licensee to a hotel or club | A-D |
| 110(4)    | Reinstate a gaming-related licence or work permit if satisfied that there is a reasonable explanation for the failure to pay the licence fee that resulted in the cancellation of the licence or work permit   | A-E |

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| 110(6)  | Refund, subject to specified deductions, the licence fee paid with the application if the application for reinstatement is not successful.   | A-D |
| 110(7)  | Determine the number of trading days that is to be calculated for the purposes of reinstating a cancelled gaming-related licence or work permit  | A-D |
| 111     | Authorise the refund of the whole or a part of any fee paid in respect of the licence or work permit where a gaming- related licence or work permit is suspended or cancelled                                  | A-E |
| 120     | Issue a duplicate of a gaming-related licence if satisfied that a gaming-related licence has been lost or destroyed  | A-F |
| 121(1)  | Approve the manner in which a compliance plate must be attached to a gaming machine  | A-C |
| 121(3)  | Exempt a particular case or class of cases from the requirements in s121   | A-C |
| 121(4)  | Approve the substance of which a compliance plate must be made, the minimum dimensions for a compliance plate and the minimum size for particulars or symbols on a compliance plate                            | A-C |
| 122(1)  | Approve a transaction between the holder of a gaming-related licence and a hotelier or club where the licensee provides financial assistance to the hotelier or club   | A-C |
| 122(2)  | Vary a term or condition of a transaction approved under s122(1), <b>except</b> where the term or condition was imposed or previously varied by the Authority  | A-C |
| 124     | Approve the form of a notification to be given where a person who is a technician or the holder of a seller's licence commences or ceases employment with the holder of a dealer's licence                     | A-C |
| 126(1)  | Approve the form of identification to be worn by a technician or the holder of a dealer's licence while servicing, repairing or maintaining an approved gaming machine in a hotel or on the premises of a club | A-C |
| 126(3)  | Exempt a person or the members of a class of persons from the requirement to display identification  | A-C |
| 131A(1) | Serve on a licensee or close associate a notice informing the person of a decision to take disciplinary action against the licensee or close associate under Pt8   | A-C |
| 131A(4) | Cancel a notice served under s131A(1) before the notice takes effect by serving a further notice on the licensee or close associate  | A-C |

## Schedule 1

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|-----------------|--|-----|
| 134(2)(b)       | Approve the arrangements under which the monitoring fee is payable by a hotelier or club to the CMS licensee   | A-C |
| 141             | Approve a class of approved gaming machines as a specially- approved gaming machine  | A-D |
| 156(3)(b)       | Approve the denomination of a bank note for use in order to operate a gaming machine   | A-D |
| 156(3)(c)       | Approve the type of a card for use in order to operate a gaming machine  | A-D |
| 199             | Determine a specified course of training that a responsible person is required to undertake for the purpose of promoting responsible practices, where disciplinary action is taken   | A-C |
| 205B(1)(e)      | Approve the fitting to a gaming machine of a device for the purposes of the secure keeping and operation of the gaming machine   | A-C |
| 206(2)(a)       | Certify that it is in the public interest to disclose information to a particular person or persons  | A-C |
| Sch 1, cl.34(5) | Deal with outstanding pending matters that were not dealt with by the Liquor Administration Board within the prescribed period   | A-C |
| Sch 1, cl.44(5) | When approving a threshold increase application for the premises of a registered club, convert the relevant number of retained entitlements into poker machine entitlements that are allocated in respect of the club's premises and that are transferable by the club under Pt3, Div2   | A-E |
| Sch 1, cl.45(3) | If, before 31 January 2009, the SIA threshold for a venue was not decreased as a result of the transfer of poker machine entitlements from the venue in accordance with Pt3, Div2, decrease - on the second anniversary of that date - the gaming machine threshold for the venue by a number that is equal to so much of the unused portion of the venue's SIA threshold as was not decreased as the result of the transfer | A-E |
| Sch 1, cl.50(1) | Decrease - on the first anniversary of the commencement of this clause - the gaming machine threshold for a relevant hotel by a number that is equal to so much of the unused portion of the hotel's gaming machine threshold or SIA threshold as was not decreased as the result of the transfer of permits from the hotel in accordance with the relevant arrangements   | A-E |
| Sch 1, cl.52(2) | Exercise functions in relation to the repealed s31 to issue notifications to relevant venues and to make allocations of entitlements for each approved hardship gaming machine   | A-C |
| Sch 1, cl.53(1) | Decrease - on the first anniversary of the commencement of this clause - the gaming machine threshold  | A-C |

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for a relevant hotel or club premises by a number that is equal to so much of the unused portion of the venue's AAD threshold or gaming machine threshold as was not decreased as the result of the surrender or disposal from venue in accordance with the relevant arrangements

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## 7. Gaming Machines Regulation 2019

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Gaming Machines Regulation 2019* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Gaming Machines Regulation 2019

| <i>Gaming Machines Regulation 2019</i> |   |          |
|--|---|----------|
| Clause                                 | Power or function delegated   | Delegate |
| 6                                      | Amend the specification document for an approved gaming machine by endorsing modifications to the specifications  | A-C      |
| 7(2)                                   | Approve of the CMS licensee exercising any of the Authority's functions that would result in an approved gaming machine being required to be withdrawn from operation   | A-C      |
| 7(3)(a)                                | Determine the records that the CMS licensee, in exercising the Authority's functions, must keep with respect to the authorisation of approved gaming machines   | A-C      |
| 7(3)(b)                                | Determine the reports that the CMS licensee, in exercising the Authority's functions, must provide with respect to the authorisation of approved gaming machines  | A-C      |
| 7(3)(c)                                | Determine the directions that the CMS licensee, in exercising the Authority's functions, must comply with   | A-C      |
| 13(1)                                  | Approve of a hotelier or registered club varying the prize schedule of any approved gaming machine kept in the hotel or club  | A-C      |
| 13(4)                                  | Approve of a hotelier or registered club, or a person acting on behalf of the hotelier or club, who purchases an item to be offered as a prize, purchasing the item from a person other than a person whose business comprises the production or sale of items of that kind   | A-C      |
| 14(1)(b)                               | Approve a person or body - other than a bank or recognised financial institution - that can supply a formal guarantee for an amount equal to the total value of the maximum jackpot prize that may be won on each multi-terminal gaming machine kept by a registered club, where the maximum jackpot prize is greater than \$20,000 | A-C      |
| 14(2)                                  | Approve the form of a written record that a registered club must keep for any:  | A-C      |

|   |   |     |
|---|---|-----|
|   | <ul style="list-style-type: none"> <li>• special account established under cl16(1)(a) or</li> <li>• guarantee obtained under cl16(1)(b)</li> </ul>  |     |
| 34(6)                                       | Determine that the local community comprises the people in the area, or who belong to a group, that are likely to derive or suffer social or economic benefit or detriment if a threshold increase application is approved  | A-D |
| 35(2)<br>definition of<br>“main<br>premises | Determine the premises that are the main premises of a club   | A-C |
| 36(3)(c)                                    | Decrease the gaming machine threshold for the club premises if the club has not acquired the relevant poker machine entitlements 5 years after the date of approval to acquire them   | A-F |
| 42(3)                                       | Approve the form of the minimum information that must be included in a participant’s player activity statement  | A   |
| 57(1)                                       | Refuse an application by a hotelier or registered club under s57 of the Act (“Application for authorisation to keep or dispose of gaming machines”) to: <ul style="list-style-type: none"> <li>• keep an approved gaming machine or</li> <li>• vary an existing authorisation to keep an approved gaming machine,</li> </ul> unless satisfied that the hotelier or secretary of the club has holds a recognised RCG certification | A-D |
| 59(2)                                       | Extend the period in which persons may make submissions in relation to a particular application for a gaming-related licence or class of applications   | A-C |
| 61(2)                                       | Approve the form of notice used to notify specified parties of an application for a dealer’s licence  | A-C |
| 62(1)                                       | Approve the form of notice that is to be affixed by an applicant for a dealer’s licence to the premises to which the application relates  | A-C |
| 62(4)(b)                                    | Direct that a notice fixed to the premises of an applicant for a dealer’s licence be fixed in another specified position  | A-C |
| 63(2)(b)                                    | Approve the form of an advertisement that must be published by an applicant for a dealer’s licence  | A-C |

## Schedule 1

|   |   |     |
|---|---|-----|
| 65(2)   | Allocate to a dealer a code consisting of 2 alphabetical characters that are unique to the dealer   | A-E |
| 65(4)   | Require additional information to be included in a serial number, under special circumstances   | A-C |
| 67(1)   | Approve the form of a record a dealer must keep in respect of every approved gaming machine or logic board sold by the dealer   | A-C |
| 67(3)   | Determine, and notify a dealer, when the dealer must extract from the dealer's record the particulars required by the written notice  | A-C |
| 70(1)   | Approve of a technician conducting the technician's business on or from premises - other than the premises approved at the time of grant of the technician's licence - as the premises on or from which the activities authorised by the licence are to be carried on | A-D |
| 71  | Approve the removal and replacement of a meter that has been installed in respect of an approved gaming machine   | A-C |
| 76<br>definition of<br>"progressive<br>gaming machine"<br>para (b)  | Approve a progressive gaming machine that complies with the technical standards for progressive gaming machines   | A-D |
| 76<br>definition of<br>"progressive<br>gaming machine<br>" para (c) | Approve a progressive gaming machine for the purposes of Pt5  | A-D |
| 76<br>definition of<br>"progressive<br>gaming machine"<br>para (d)  | Declare an approved gaming machine as having ceased to be a progressive gaming machine  | A-C |
| 76<br>definition of   | Approve approved gaming machines for the purposes of Pt5  | A-D |

|   |  |     |
|---|--|-----|
| “progressive system”<br>para (c)            |  |     |
| 76  | Declare gaming machines as having ceased to be a progressive system  | A-C |
| definition of “progressive system” para (d) |  |     |
| 81(d)                                       | Approve a person - other than a person nominated by a hotelier or by a registered club’s board or committee or its delegate; a technician; or an inspector - as a person who can access authorised progressive gaming machines or systems                            | A-C |
| 82(1)                                       | Approve of a hotelier or registered club making alternative use of any such progressive jackpot amounts  | A-D |
|   | Approve of a hotelier or register club:  | A-H |
|   | <ul style="list-style-type: none"> <li>• disposing of an authorised progressive machine</li> <li>• disposing of an authorised progressive system</li> <li>• disposing of any accumulated progressive jackpot amounts on any such gaming machine or system</li> </ul> |     |
| 82(2)(d)                                    | Approve, in exceptional circumstances, of an alternative proposal to use any accumulated progressive jackpot amounts if satisfied that those amounts are to be used in accordance with that proposal   | A-D |
| 83(3)                                       | Approve of a period in excess of 6 months during which a hotelier or registered club must disperse accumulated progressive jackpot amounts - generally or in a particular case   | A-D |
| 86(2)                                       | Approve the form and manner in which a hotelier must read and record meters and jackpot reconciliations  | A-C |
| 86(4)                                       | Approve the form of a progressive jackpot reconciliation that must be retained by a hotelier for not less than 3 years after the reconciliation is carried out   | A-C |
| 86(6)                                       | Determine and direct a hotelier to adjust a progressive jackpot amount and pay an additional amount to a jackpot recipient if the reconciliation referred to in cl89(3) indicates a malfunction has occurred with an authorised progressive system                   | A-D |
| 86(7)                                       | Approve the form in which a hotelier must - within 21 days after the end of each instalment period - report to the Authority under cl89(4)   | A-C |

|          |   |     |
|----------|---|-----|
| 87(2)(b) | Approve a person or body - other than a bank or recognised financial institution - that can supply a formal guarantee for an amount equal to the total value of the maximum jackpot prize that may be won on each authorised progressive gaming machine or system   | A-C |
| 87(2)(c) | Approve of other arrangements that a hotelier or registered club may enter into in order to guarantee payment of prizes won on an authorised progressive gaming machine or system   | A-C |
| 87(3)    | Approve the form of a written record for: <ul style="list-style-type: none"> <li>• a special account established under cl90(2)(a)</li> <li>• a guarantee obtained under cl90(2)(b) or</li> <li>• an arrangement entered into under cl90(2)(c)</li> </ul>  | A-C |
| 87(4)    | Approve the form in which a hotelier must - within 21 days after the end of each instalment period - report to the Authority under cl90(3)  | A-C |
| 88(2)    | Approve the form and manner in which a registered club must read and record: <ul style="list-style-type: none"> <li>• monthly, the turnover meters (both electro-mechanical and electronic) of the approved gaming machines comprising an authorised progressive system operated in the club</li> <li>• monthly, the amount shown on the progressive meters of the authorised progressive system, and</li> <li>• the amount shown on the progressive meter of the authorised progressive system at the time the progressive jackpot is won</li> </ul> | A-C |
| 88(3)    | Approve the form in which a registered club must at monthly intervals record, for readings under cls 92(2)(a) and (b), the: <ul style="list-style-type: none"> <li>• serial number of the approved gaming machines comprising the authorised progressive system</li> <li>• date of the reading</li> <li>• turnover meter reading, and</li> <li>• amount shown on the progressive meters</li> </ul>  | A-C |
| 88(5)    | Approve the form of a progressive jackpot reconciliation that must be retained by a registered club for not less than 3 years after the reconciliation is carried out   | A-C |
| 88(7)    | Determine and direct a registered club to adjust a progressive jackpot amount and pay an additional amount to a jackpot recipient if the reconciliation referred to in cl92(4) indicates a malfunction has occurred with an authorised progressive system   | A-D |

|                |   |     |
|----------------|---|-----|
| 97(3)          | Approve the form of the minimum information that must be included in a player activity statement under player reward schemes for the period covered by the statement  | A   |
| 106(4)         | Approve the use of cash-back terminals, or a class of cash-back terminals, that may be used to redeem gaming machine tickets issued in a hotel or registered club   | A-D |
| 109(2)         | Approve the form of a notice that a hotelier or registered club must post in a conspicuous place in the hotel or club, listing any unclaimed gaming machine tickets that are due to expire in the next month  | A-C |
| 110(1)         | Approve the form of a record required by Pt   | A-C |
| 116            | Approve a 'specially approved gaming machine' for the purposes of Pt10  | A-D |
| 117(2)         | Investigate, or authorise the investigation of, an application to determine whether the relevant class of approved gaming machines is suitable for special approval, and require the applicant to meet the assessed costs of the investigation  | A-D |
| 118(1)         | Specially approve a class of approved gaming machines for the purposes of Pt10, or refuse to specially approve a class of approved gaming machines  | A-D |
| 119(1)         | Revoke the special approval of a class of approved gaming machines under Pt 8, Div2 where it is considered necessary in the public interest, where any one of the approved gaming machines of the class specially approved has been modified without approval, or for such other appropriate reason   | A-C |
| 120(2)         | Serve on an applicant a notice in writing that: <ul style="list-style-type: none"> <li>• specifies the reasons why the Authority is considering taking the action specified in the notice and</li> <li>• gives the applicant an opportunity to show cause within such period of at least 14 days as is specified in the notice why the Authority should not take that action</li> </ul> | A-D |
| 120(4) and (5) | Give written notice of the Authority's decision to proceed with the proposed action, or refrain from taking the proposed action   | A-C |
| 143(2)         | Determine the place - other than at the dealer's premises, the hotelier's licensed premises or the technician's place of business - where a dealer, hotelier or technician must keep records relating to the person's business (in so far as the person's business relates to approved gaming machines)   | A-D |
| 149(3)         | Approve the form of any particulars, information, report or certificate that must be furnished  | A-C |

## 8. Gaming Machine Tax Act 2001

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Gaming Machine Tax Act 2001* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Gaming Machine Tax Act 2001

| <i>Gaming Machine Tax Act 2001</i>                                    |  |          |
|---|--|----------|
| Clause  | Power or function delegated  | Delegate |
| 3(1)<br>definition of<br>“progressive<br>jackpot payment”<br>Para (a) | Approve a subsequent modification of the design of a gaming machine in which a combination of symbols is designated as a progressive jackpot combination   | A-D      |
| 3(1)<br>definition of<br>“progressive<br>jackpot payment”<br>Para (b) | Approve another event or contingency as being a due occasion of a progressive jackpot payment  | A-D      |
| 8(1)  | Require, by notice published in the Gazette, all or specified hoteliers or registered clubs, or specified classes thereof, to lodge with the CMS licensee a return relating to the performance of those gaming machines and the tax payable in relation to them  | A-C      |
| 8(1)  | Approve the form of a return relating to the performance of gaming machines and the tax payable in relation to them  | A-C      |
| 9(2)  | Recalculate the amount of any quarterly instalment of tax payable by a hotelier or registered club, and advise the Chief Commissioner accordingly, where information provided in a return might be incorrect, or for such other reason as seems sufficient, and after making such inquiries as thought fit | A-H      |

|       |   |     |
|-------|---|-----|
|       | and taking into account such information as may be available  |     |
| 10(1) | On application by the hotelier (or any relevant previous hotelier) or club concerned, make a comparison of the tax payable in respect of a tax year and the total of the relevant 4 quarterly instalments made in that year, and advise the Chief Commissioner of the result of that comparison | A-H |
| 17(1) | Determine, on the basis of such evidence as may be required, the proportion of prescribed profits that has been applied by a registered club to community development and support   | A-H |
| 17(3) | Determine, based on information provided by a Club Grants Local Committee in accordance with the Club Grants guidelines, that the registered club claiming a reduction in the amount of tax payable has not complied with the Club Grants guidelines  | A-D |
| 23    | Determine, in respect of a registered club whose premises include two or more areas, those areas to be separate and distinct premises   | A-C |

## 9. Unlawful Gambling Act 1998

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Unlawful Gambling Act 1998* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Unlawful Gambling Act 1998

| <i>Unlawful Gambling Act 1998</i> |   |                 |
|-----------------------------------|---|-----------------|
| <b>Section</b>                    | <b>Power or function delegated</b>  | <b>Delegate</b> |
| 7(g)(ii)                          | Approve, with or without conditions, the exhibiting of a gaming device at recognised industry trade shows and/or conferences for promotion purposes | A-D             |

## 10. Music Festivals Act 2019

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Music Festivals Act 2019* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Music Festivals Act 2019

| Music Festivals Act 2019 |  |          |
|--------------------------|--|----------|
| Section                  | Power or function delegated  | Delegate |
| 5(1)                     | Determine that a music festival is not a subject festival if it has been assessed that the festival is low risk as part of an approved process.<br><br>Determine that a music festival is a subject festival if: <ul style="list-style-type: none"> <li>it has been assessed that the festival is high risk as part of an approved process;</li> <li>it has the same name and organiser and has previously been determined a subject festival by the Independent Liquor and Gaming Authority; and</li> <li>the organiser has agreed to submit a safety management plan.</li> </ul> | A-G      |
| 6(1)(j)(i)               | Require any other information to be included in a safety management plan for a subject festival  | A-D      |
| 6(2)(b)                  | Approve the form of the festival early notification notice   | A-C      |
| 6(2)(c)                  | Determine that a music festival organiser must provide the safety management plan for the subject festival for approval within a shorter period than 90 days before the festival is to be held   | A-C      |
| 6(4)(a)                  | Approve the safety management plan if satisfied that the risks associated with the subject festival and the premises are suitably addressed by the plan, <b>and</b> there are no issues of contention raised by any of the stakeholders consulted in respect of the plan   | A-C      |
| 9(2)                     | Approve or reject any proposed change to an approved safety management plan  | A-D      |
| 10(1)                    | Require a music festival organiser to hold a briefing for health service providers   | A-D      |
| 11(1)(a)                 | Approve the form of the incident register that must be kept for a subject music festival   | A-C      |

## 11. Miscellaneous

Powers or functions conferred or imposed on the Independent Liquor and Gaming Authority by the *Music Festivals Act 2019* are delegated in accordance with the table below under section 13 of the *Gaming and Liquor Administration Act 2007*.

### Miscellaneous

| Source                                     | Power or function delegated   | Delegate |
|--|---|----------|
| General Liquor and Gaming-related Licenses | Any approval of an activity or matter under a liquor or gaming-related licence issued, or taken to be issued, by the Authority and requiring Authority approval | A        |

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