

# Prescribed offences

The prescribed offences are set out in regulation 13AA of the *Liquor Licensing (General) Regulations 2019*.

1. An offence against Part 3A of the *Summary Offences Act 1953* (other than an offence against section 21C(1) or 21E of the Act).
  - Part 3A of the *Summary Offences Act 1953* relates to 'weapons etc'
  - Section 21C(1) is the offence of carrying an offensive weapon or an article of disguise, or possessing an implement of housebreaking
  - Section 21E contains offences relating to knives in schools and public places.
2. A serious and organised crime offence (as defined in the *Criminal Law Consolidation Act 1935*)
  - The *Criminal Law Consolidation Act 1935* defines a serious and organised crime offence as:
    - an offence against Part 3B of the Act; OR
      - Part 3B relates to 'criminal organisations'
    - an offence that:
      - is punishable by life imprisonment; OR
      - is an aggravated offence against a provision of this or any other Act

AND

  - the offence was committed for the benefit, at the direct of or in association with a criminal organisation; OR
  - in the course of, or in connection with, the offence the offender identified themselves as belonging to or being associated with a criminal organisation.

3. An offence against the *Controlled Substances Act 1984* involving a controlled drug, controlled precursor or controlled plant (other than an offence constituted of possessing a controlled drug, controlled precursor or controlled plant).

4. An indictable offence involving violence.
  - An indictable offence is any offence under an Act, where the provision that gives rise to the offence stipulates that it is an indictable offence (whether it be a minor or major indictable offence).
5. An offence against the *Firearms Act 2015*, other than –
  - An offence against section 16 – relates to ‘nominees of licensed companies’
  - An offence against:
    - i. section 22(6) or (7) – relates to ‘trafficking in firearms’
    - ii. section 25(4) – relates to ‘transfer of possession of firearms’
    - iii. section 29(4)(c) – relates to ‘registered firearms to have identifying marks’
 

committed in relation to a category of firearm that is not a prescribed firearm or category C, D or H firearm.
  - An offence against section 31(1) – relates to ‘acquisition and possession of ammunition’.
  - An offence against section 34 – relates to ‘restriction on quantity and possession of certain ammunition’.
  - a category E or F offence against the code of practice under section 35 of the Act.
  - An offence against section 62 – relates to ‘procedures on surrender of firearms etc’.
  - An offence against section 65 – relates to ‘disposal of forfeited or surrendered firearms etc’.
6. An offence of attempting to commit, or assault with an attempt to commit, an offence prescribed by a preceding paragraph.
7. An offence against the law of another jurisdiction that would, if committed in this State, constitute an offence prescribed by a preceding paragraph.