



December 2015

NSW Office of Liquor, Gaming and Racing

Three Strikes Disciplinary Scheme

For the purpose of the 2016 review of the Three Strikes Disciplinary Scheme (TSDS) I would like to speak to the inconsistency of the current legislation.

It is my belief the reviewing panel should consider amending the TSDS so as to create parity between the various license types.

As it stands, a venue operating under a hotel license that incurs a third strike can face extensive licence conditions, suspension, cancellation and a freeze on granting a new licence for up to 12 months.

However, for the same offence, a registered club may incur licence conditions, disqualification of a club secretary, the dismissal of any or all directors and the possible appointment of an administrator to manage the venue.

As this demonstrates – under the current legislation – sanctions for the same offence are directed at different parties dependant on what licence the venue operates under.

For a club, the person or management group at the time of the offence are the subjects of disciplinary action. However, if the venue in question is a hotel, the same sanctions are placed on the hotel itself – the physical building.

This means any owner of a hotel who leases their investment risks the potentially devastating consequences of a strike for actions completely out of their control.

It simply seems fair to apply to the same sanctions a registered club faces – punish the offending individuals, not the innocent parties who merely own the building.

As an owner of a hotel myself, I am deeply concerned about this inconsistency of the TSDS and implore the Office of Liquor, Gaming and Racing to amend the Scheme.

Yours Faithfully,

A handwritten signature in blue ink, appearing to read "William Ryan", is written over the typed name.

William Ryan