

INDUSTRY UPDATE - URGENT

NEW BIKIE LAWS TO IMPACT CLUBS IMMEDIATELY

The Queensland Government has just passed legislation in line with their crack down on Biekie Gangs that also has some impact on community clubs that you should be aware of.

The new legislation essentially prohibits the wearing and display of bikie 'colours' at licensed venues.

NEW BIKIE LAWS TO IMPACT CLUBS IMMEDIATELY

Page 2 of 3

In particular, the Bill:

- defines clothing, jewellery and other accessories with symbols and insignias or other items that relate to criminal organisations as prohibited items;
- makes it an offence for a liquor licensee, permittee, approved manager or employee to allow a person wearing or carrying a prohibited item from entering or remaining on licensed premises; and
- makes it an offence for a person to enter liquor licensed premises wearing or carrying prohibited items.

A full list of prohibited gangs, insignia, items etc is available on the OLGR website and can be found [here](#).

ACTION

This legislation has been passed on royal assent, meaning the laws are in place effective immediately. All clubs will need to comply with the above legislation immediately and brief employees of these changes.

Your existing club 'conditions of entry' may now need to be updated to include the above conditions. We will as a matter of urgency seek legal opinion around this statement and advise same ASAP.

Naturally, **employee safety should be the clubs number one priority**, should the need arise to enforce the legislation.

Should you have any questions or require clarification, please do not hesitate to contact Policy and Research Manager, Dr Mukesh Prasad on 3252 0770.



Office of Liquor and Gaming Regulation

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Department of Justice and Attorney-General

New laws to Liquor Act 1992 to affect State's liquor and gaming industries

New laws have been introduced targeting the illegal activities of criminal gangs in Queensland. The reforms introduce new offences, increased penalties, enhanced powers for Police and the Crime and Misconduct Commission, and stricter bail laws.

Changes have been made to the *Liquor Act 1992* to prohibit people from entering or remaining on premises, subject to a licence or permit under the Liquor Act, if they are wearing or carrying certain **prohibited items** (outlined below) which are associated with a **declared criminal organisation**. It also places obligations on licensees/permittees, approved managers, employees and agents of licensees/permittees that they not knowingly allow anyone wearing or carrying the prohibited items to enter or remain on the premises.

The Liquor Act provides for authorised persons, which include the licensee/permittee, employees or agents of the licensee/permittee, and police officers, to tell a person wearing or carrying prohibited items to immediately leave the premises.

Penalties apply and the maximum penalty for the licensee/permittee, approved manager or employee/agent of the licensee/permittee for knowingly allowing a person wearing or carrying prohibited items to enter or remain on the premises is \$11,000.

Significant penalties also apply if the person refuses to leave when required, or resists an authorised person who is removing them from the premises (maximum penalty for first offence \$41,250, second offence \$57,750 or 6 months imprisonment and third or later offences \$82,500 or 18 months imprisonment).

Prohibited item is defined in the Liquor Act as meaning:
an item of clothing or jewellery or an accessory that displays—

- (a) the name of a declared criminal organisation; or
- (b) the club patch, insignia or logo of a declared criminal organisation; or

Note—

The things mentioned in paragraph (b) are also known as the 'colours' of the organisation.

- (c) any image, symbol, abbreviation, acronym or other form

of writing that indicates membership of, or an association with, a declared criminal organisation,

including—

- (i) the symbol '1%'; and
- (ii) the symbol '1%er'; and
- (iii) any other image, symbol, abbreviation, acronym or other form of writing prescribed under a regulation for this paragraph.

A **declared criminal organisation** is an entity declared to be a criminal organisation under the Criminal Code, section 1, definition *criminal organisation*, paragraph (c). A list of these organisations as at 17 October 2013 is provided below.

- the motorcycle club know as the Bandidos
- the motorcycle club know as the Black Uhlans
- the motorcycle club know as the Coffin Cheaters
- the motorcycle club know as the Comancheros
- the motorcycle club know as the Finks
- the motorcycle club know as the Fourth Reich
- the motorcycle club know as the Gladiators
- the motorcycle club know as the Gypsy Jokers
- the motorcycle club know as the Hells Angels
- the motorcycle club know as the Highway 61
- the motorcycle club know as the Iron Horsemen
- the motorcycle club know as the Life and Death
- the motorcycle club know as the Lone Wolf
- the motorcycle club know as the Mobshitters
- the motorcycle club know as the Mongols
- the motorcycle club know as the Muslin Brotherhood Movement
- the motorcycle club know as the Nomads
- the motorcycle club know as the Notorious
- the motorcycle club know as the Odins Warriors
- the motorcycle club know as the Outcasts
- the motorcycle club know as the Outlaws
- the motorcycle club know as the Pheonix
- the motorcycle club know as the Rebels
- the motorcycle club know as the Red Devils
- the motorcycle club know as the Renegades
- the motorcycle club know as the Scorpions

The patches of these declared criminal organisations are:

Last reviewed 18 October 2013

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|--|---|---|---|---|--|
| <p>Bandidos</p>  | <p>Black Uhlans</p>  | <p>Coffin Cheaters</p>  | <p>Comancheros</p>  | <p>Finks</p>  | <p>Fourth Reich</p>  |
| <p>Gladiators</p> <p>No image</p> | <p>Gypsy Jokers</p>  | <p>Hells angels</p>  | <p>Highway 61</p>  | <p>Iron Horsemen</p>  | <p>Life and death</p>  |
| <p>Lone Wolf</p>  | <p>Mobshitters</p>  | <p>Mongols</p>  | <p>Muslim Brotherhood Movement</p>  | <p>Nomads</p>  | <p>Notorious</p>  |
| <p>Odins Warriors</p>  | <p>Outcasts</p>  | <p>Outlaws</p>  | <p>Phoenix</p>  | <p>Rebels</p>  | <p>Red devils</p>  |
| <p>Renegades</p>  | <p>Scorpions</p>  | | | | |