



UNDERTAKING
Liquor Licensing Act 1997
Section 119A(1)

Undertaking given to the Liquor and Gambling Commissioner for the purposes of section 119A(1) of the *Liquor Licensing Act 1997* by:

Robert James Johnson

Persons Giving this Undertaking

1. This undertaking is given to the Liquor and Gambling Commissioner ("the Commissioner") by Robert James Johnson of 125 Bartschs Road, Eden Valley in the State of South Australia for the purposes of section 119A(1) of the *Liquor Licensing Act 1997* ("the Act").

Background

2. Robert James Johnson ("the Licensee") is a natural person.
3. The Licensee has held a Producer's Licence, number 50804690 ("the licence"), pursuant to Section 39 of the Act since 19 November 1998 in respect of the premises known as Robert Johnson Vineyards.
4. The premises address on the licence is listed as 2/59 Bridge Street, Kensington in the State of South Australia.

Conduct of Concern

5. From 30 January 2016 to 25 February 2017 the Licensee sold his wine produce from a cellar door located at 3C Main Street, Lobethal in the State of South Australia in circumstances in which the licensee did not hold any licence or authorisation under the Act to sell liquor from the cellar door.

Contraventions of the *Liquor Licensing Act 1997*

6. The Commissioner considers, and the Licensee acknowledges, that by engaging in the conduct described in paragraph 5, the Licensee contravened section 46(1) of the *Liquor Licensing Act 1997*.
7. The Commissioner considers that there is proper cause for disciplinary action pursuant to section 119(1)(b)(i) of the Act on the basis that the Licensee sold or supplied liquor contrary to the Act or without proper authority under the Act.
8. Upon being made aware of the Commissioner's concerns, the Licensee:
 - 8.1. Agreed to provide an undertaking to the Commissioner pursuant to Section 119A(1) of the Act;
 - 8.2. Indicated a willingness to ensure future compliance with sections 46(1) and 119(1)(b)(i) of the Act.

Undertaking

- 9. The Licensee undertakes to ensure that his wine produce will only be sold or supplied with proper authority under the Act in compliance with sections 46(1) and 119(1)(b)(i) of the Act.
- 10. The Licensee undertakes to obtain authorisation under the Act for any operational change to his business, including submitting any required application for a new licence or to have the licence altered.

Commencement of Undertaking

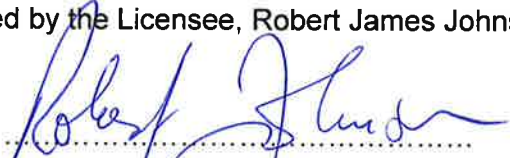

- 11. This undertaking comes into effect when:
 - 11.1. The undertaking is executed by the Licensee; and
 - 11.2. The Commissioner accepts the undertaking so executed.

Acknowledgments

- 12. The Licensee acknowledges that:
 - 12.1. CBS will make this undertaking publicly available including by publishing it on CBS' public register of undertakings on its website;
 - 12.2. CBS will, from time to time, make public reference to the undertaking including in news media statements and in CBS publications; and
 - 12.3. This undertaking in no way derogates from the rights and remedies available to any other person arising from the alleged conduct.

Executed as an Undertaking

Executed by the Licensee, Robert James Johnson:

	
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Robert James Johnson	Signature of Witness
Licensee	Name: <u>Samantha Mack</u>
Date: <u>29/10/2017</u>	Date: <u>29/10/17</u>

Accepted by the Liquor and Gambling Commissioner pursuant to s119A (1) of the *Liquor Licensing Act 1997*.



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Liquor and Gambling Commissioner

Date: 1/11/17