



UNDERTAKING
Liquor Licensing Act 1997
Section 119A(1)

Undertaking to the Liquor and Gambling Commissioner given for the purposes of s119A(1) of the *Liquor Licensing Act 1997* by:

Mr Philip David Rogers

Persons Giving this Undertaking

1. This Undertaking is given to the Liquor and Gambling Commissioner (the Commissioner) by Mr Philip David Rogers of 4 Booroo Street, ST PETERS, in the State of South Australia for the purposes of section 119A(1) of the *Liquor Licensing Act 1997*.

Background

2. Mr Philip Rogers is a natural person.
3. Mr Philip Rogers does not hold a licence pursuant to Section 29 of the *Liquor Licensing Act 1997*.
4. Mr Philip Rogers offered and exposed his produce for sale, wine from the McLaren Vale region branded as Caught Redhanded, without a licence or the authority to do so.

Conduct of Concern

5. The conduct of concern is that Mr Philip Rogers offered and exposed his produce for sale without holding the required licence pursuant to s29 of the *Liquor Licensing Act 1997*.

Contraventions of the *Liquor Licensing Act 1997*

6. The Commissioner considers, and Mr Rogers acknowledges, that by engaging in the conduct described in paragraph 5, Mr Rogers contravened:
 - 6.1. Section 29 of the *Liquor Licensing Act 1997*.
7. Upon being made aware of the Commissioner's concerns, Mr Philip Rogers has:
 - 7.1. Agreed to provide an undertaking to the Liquor and Gambling Commissioner pursuant to section 119A of the *Liquor Licensing Act 1997*;
 - 7.2. Ceased offering the sale of his produce, Caught Redhanded wine;
 - 7.3. Removed all existing advertising of his produce, Caught Redhanded wine;
 - 7.4. Ensured Caught Redhanded wine is not available for sale until such time as Mr Rogers is licensed or authorised to do so.

Commencement of Undertaking

8. This undertaking comes into effect when:
 - 8.1. The undertaking is executed by Mr Philip Rogers; and
 - 8.2. The Commissioner accepts the undertaking so executed.


Acknowledgments


Mr Philip Rogers acknowledges that:

- 9. CBS will make this undertaking publicly available including by publishing it on CBS' public register of undertakings on its website;
- 10. CBS will, from time to time, make public reference to the undertaking including in news media statements and in CBS publications; and
- 11. 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 Mr Philip Rogers:


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Mr Philip Rogers
Date: 4-10-16.....


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Signature of Witness
Name:.....Allison McKay.....

Accepted by the Liquor and Gambling Commissioner pursuant to s119A of the *Liquor Licensing Act 1997*


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Liquor and Gambling Commissioner
Date: 17/10/16.....