

# Decision Notification

## Application Details

Application no.	85004
Licence No.	57003499
LGO Reference	L41713
Premises Name	Rob Roy Hotel
Premises Address	106 Halifax Street ADELAIDE SA 5000
Licensee	EST 1840 PTY LTD
Applicant	ROB ROY HOTEL 1840 PTY LTD
Application Type	Application for Transfer of a Gaming Machine Licence
Representative	Cheryl Ho - H&O Lawyers

## Outcome

Decision	Granted
Effective Date	27 May 2022

## Requirements

The following requirements in support of the application have been satisfied:

- The application has been advertised
- The applicant has a Responsible Gambling Agreement with Gaming Care
- The applicant has a Service Agreement with Max Technical Services (MAX)

## Licensee

### Transfer

A general and hotel licence in relation to the premises has been transferred to the transferee. I consent to this gaming machine licence being transferred to the transferee.

The licence is transferred to ROB ROY HOTEL 1840 PTY LTD effective from 27 May 2022.

The licence is transferred, subject to settlement taking place on or before that date. If settlement does not take place on or before that date the applicant must advise this office in writing of the new settlement date.

The transferor is to leave all documentation and signage required to be kept and displayed in the gaming areas pursuant to the Act and Gambling Code of Practice in the gaming area to ensure compliance by the transferee.

## People

### Position of Authority

The following persons are approved to occupy any position of authority in the entity holding the licence:

- Shang Ju Yang (93148)
- Liu Chien Yang (139146)

## Premises

### Gaming Machines

I note that the number of gaming machines approved is 20, and the number of gaming machine entitlements is 20.

## Reasons for Decision

In accordance with section 81 of the Act, this application will be determined on the basis of the written submissions as lodged, without holding a hearing.

The Commissioner of Police has lodged an intervention, opposing the grant of the application and the approval of Mr Liu Chien Yang on the basis of prior disciplinary proceedings against him in the Licensing Court.

In particular, the police referred to a recent disciplinary action before the Court *Yang and K Illusion Pty Ltd trading as K Illusion Karaoke Lounge [2021] SALC 76*, where the Court made the following order:

*I revoke Mr Yang's approval. In lieu thereof, I grant K Illusion an interim licence and I grant Mr Yang an interim approval. Both are for a period of two years. If K Illusion does nothing seriously wrong over that period, then the status will revert to an ongoing basis.*

Given that Mr Liu Chien Yang is currently subject to an order of the Licensing Court, I am required to consider this application in light of the existing order. The Court has considered Mr Yang's history as a licensee, (and as a person in a position of authority of an entity holding a licence), and whilst the offending was so serious that his approval was revoked, the Court deemed it appropriate to grant an interim approval, on that basis, I find that Mr Liu Chien Yang is approved to occupy a position in the entity holding the licence, for an interim period until 23 September 2023, if Mr Yang does not come to the attention of the licensing authority during that period, then the approval will become ongoing.

Similarly, the application for transfer is granted for an interim period until 23 September 2023, if the licensee does not come to the attention of the authority during that period, then the licence will be held by the licensee on an ongoing basis

## Under Delegation from the Liquor and Gambling Commissioner



Vicki Brunello  
Hearings Delegate  
27 May 2022