NORTHERN TERRITORY OF AUSTRALIA

LIQUOR COMMISSION ACT 2018

As in force at 13 August 2026

Table of provisions

Part 1 Preliminary matters

1 Short title 1
2 Commencement 1
3 Definitions 1
4 Application of Criminal Code 2

Part 2 Northern Territory Liquor Commission

Division 1 Establishment, functions and powers of Commission

5 Establishment of Commission 2
6 Powers and functions of Commission 3

Division 2 Membership of Commission

7 Membership of Commission 3
8 Chairperson and Deputy Chairperson 4
9 Chairperson administers affairs of Commission etc. 4
10 Deputy members 5
11 Term of office 5
12 Leave of absence 6
13 Resignation of member 6
14 Termination of appointment of member 6
15 Validity of acts 6

Division 3 Proceedings of Commission

16 Convening of Commission 6
17 Constitution of Commission 7
18 Sittings of Commission 7
19 Quorum 7
20 Procedure of Commission 7
21 Disclosure of interest 7

Part 3 Matters relating to hearings by Commission

22 Power to require person to give evidence or produce evidentiary material 8

23 Person fails to comply with summons 8
24 Documents produced at hearing 9
25 Contempt 9
26 Conduct constituting contempt of the Commission 9
27 Person engaging in contempt 10

Part 4 Review of Director's decisions

29 Application for review 11
30 Effect of application on decision of Director 12
31 Commission to consider application 12
32 Conducting and deciding review 12
33 Notice of decision on review 12
34 Subject to other Acts 13

Part 5 Miscellaneous matters

Division 1 Offences

35 Unauthorised disclosure of confidential information 13
36 Misleading information 14

Division 2 Administrative matters

37 Delegation 15
38 Annual report 15
39 Protection from liability 15

Division 3 Regulations

40 Regulations 16

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 13 August 2026

LIQUOR COMMISSION ACT 2018

An Act to establish the Northern Territory Liquor Commission, and for related purposes

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Liquor Commission Act 2018*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

3 Definitions

In this Act:

Chairperson:

(a) means the Chairperson of the Commission appointed under section 8(1); and

(b) includes the Deputy Chairperson while acting as the Chairperson.

Commission means the Northern Territory Liquor Commission established by section 5.

contempt, of the Commission, see section 26.

Deputy Chairperson means the Deputy Chairperson of the Commission appointed under section 8(1).

deputy, of a member, means a person appointed under section 10 to be the deputy of a member.

Director, see section 4(1) of the *Liquor Act 2019*.

member means a member of the Commission appointed under section 7 (including the Chairperson and Deputy Chairperson).

Note for section 3

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

4 Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against this Act.

Note for section 4

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

Part 2 Northern Territory Liquor Commission

Division 1 Establishment, functions and powers of Commission

5 Establishment of Commission

(1) The Northern Territory Liquor Commission is established.

(2) The Commission:

(a) is a body corporate with perpetual succession; and

(b) has a common seal; and

(c) is capable, in its corporate name, of:

(i) acquiring, holding and disposing of real, leasehold and personal property; and

(ii) suing and being sued.

(3) All courts, judges and persons acting judicially must take judicial notice of the common seal of the Commission affixed to a document and must presume that it was duly affixed.

(4) The Commission is an emanation of the Crown in the right of the Territory.

6 Powers and functions of Commission

(1) The Commission has the functions imposed on it under this Act or the *Liquor Act 2019*, and must do any other thing that is necessary or convenient to be done for the proper performance of those functions.

(2) Without limiting subsection (1), the Commission's functions include making decisions on all matters referred to it under the *Liquor Act 2019*.

(3) The Commission has the power to do all things that are necessary or convenient to be done for, or incidental to, the performance of its functions.

Division 2 Membership of Commission

7 Membership of Commission

(1) The Minister must, by *Gazette* notice, appoint the members of the Commission.

(2) The Commission consists of the number of members, not less than 4, that the Minister considers appropriate for the proper conduct of the business of the Commission.

(3) A person is qualified for appointment as a member if the Minister is satisfied that the person has the appropriate knowledge, experience and expertise to be a member.

(4) A person is not eligible to be appointed as a member if:

(a) the person holds an office, or has an interest, in a club or body corporate that holds a liquor licence or a gaming machine licence; or

(b) in the previous 2 years, the person has been disqualified from holding a liquor licence, either in the person's own right or as a nominated manager; or

(c) the person has been declared bankrupt, applied to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounded with creditors or made an assignment of the person's remuneration for their benefit.

(5) At least one member must have qualifications or appropriate knowledge, experience and expertise in health-related matters, and be of good standing.

(6) For subsection (5), appropriate knowledge, experience and expertise in health-related matters includes:

(a) current or previous registration with the Australian Health Practitioner Registration Agency for at least 5 years; or

(b) clinical experience the Minister considers to be the equivalent of registration mentioned in paragraph (a).

(7) The exercise of the powers or the performance of the functions of the Commission is not affected by a vacancy in the office of a member.

8 Chairperson and Deputy Chairperson

(1) The Minister must appoint:

(a) one of the members to be the Chairperson of the Commission; and

(b) another of the members to be the Deputy Chairperson of the Commission.

(2) A person appointed to be the Chairperson or Deputy Chairperson must be a lawyer who has been admitted to the legal profession for at least 5 years and who is of good standing.

(3) The Deputy Chairperson acts as Chairperson if:

(a) there is a vacancy in the office of the Chairperson; or

(b) the Chairperson:

(i) is or is expected to be absent from duty; or

(ii) is unable to exercise the powers, or perform the functions, of the Chairperson.

9 Chairperson administers affairs of Commission etc.

(1) The Chairperson:

(a) administers the affairs of the Commission; and

(b) must perform the functions imposed on the Chairperson under this Act or another Act.

(2) The Chairperson has power do all things that are necessary or convenient to be done for, or incidental to, the administration of the affairs of the Commission and the performance of the Chairperson's functions.

10 Deputy members

(1) The Minister may appoint a person to be the deputy of a member.

(2) A person appointed to be the deputy of the Chairperson or Deputy Chairperson must be a lawyer who has been admitted to the legal profession for at least 5 years and who is of good standing.

(3) The deputy of the member mentioned in section 7(5) must have qualifications or appropriate knowledge, experience and expertise in health-related matters and be of good standing.

(4) The appointment of a deputy of a member has effect while the member holds office, but the person may be reappointed as the deputy of the member (if the member is reappointed) or another member.

(5) If a member is absent from a meeting or other proceeding of the Commission, the deputy of the member may act in place of the member.

(6) When a deputy of a member attends a meeting or other proceeding in place of the member, the deputy is taken to be a member:

(a) for the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*; and

(b) for the exercise of the powers and the performance of the functions of the Commission.

(7) A reference in this Act or the *Liquor Act 2019* to a member of the Commission includes a reference to the deputy of the member while acting in place of the member.

(8) The validity of a decision of the Commission, or an act done by a person as the deputy of a member, is not affected by an irregularity in the substitution of a deputy for a member.

Note for section 10

The deputy of the member who is the Chairperson stands in for that member when the member is absent, but does not stand in the role of Chairperson. The Deputy Chairperson stands in that role.

11 Term of office

(1) A member holds office for the period, not exceeding 5 years, specified in the instrument of appointment and is eligible for reappointment.

(2) Despite subsection (1), unless a member sooner vacates the member's office or is removed from office under section 14, on the expiration of the term of office of the member the member continues to hold office until a successor is appointed.

12 Leave of absence

The Minister may grant a member leave of absence.

13 Resignation of member

A member may resign from office by written notice given to the Minister.

14 Termination of appointment of member

(1) The Minister may terminate the appointment of a member on any of the following grounds:

(a) inability to perform core functions as a member;

(b) misbehaviour;

(c) physical or mental incapacity;

(d) failure to disclose an interest in accordance with section 21.

(2) The Minister must terminate the appointment of a member if the member:

(a) is absent, except on leave granted by the Minister, from 3 consecutive meetings of the Commission; or

(b) becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with creditors or makes an assignment of the member's remuneration for their benefit.

15 Validity of acts

A decision of the Commission is not invalidated by a vacancy in the membership of the Commission or a defect in the appointment of a person as a member.

Division 3 Proceedings of Commission

16 Convening of Commission

(1) The Commission must convene as often as is necessary for the exercise of its powers and the performance of its functions.

(3) The Chairperson must make the arrangements that enable the Commission to convene.

17 Constitution of Commission

For dealing with a matter, the Commission is constituted by:

(a) a presiding member (who must be either the Chairperson or the Deputy Chairperson); and

(b) at least 2 other members (of whom at least one must have health expertise) selected by the Chairperson.

18 Sittings of Commission

The Commission constituted by 3 or more members may convene to deal with a matter at the same time as the Commission constituted by 3 or more other members is convening to deal with another matter.

19 Quorum

When the Commission convenes, 3 members constitute a quorum.

20 Procedure of Commission

(1) Questions before the Commission are determined by a majority of the members present and determining the questions but, in the event of an equal number of members deciding for and against a question, the presiding member may determine that question.

(2) The Commission must keep records of its proceedings.

(3) The procedures of the Commission are as the Commission determines, subject to any provisions of the *Liquor Act 2019* that apply when the Commission is dealing with a matter under that Act.

21 Disclosure of interest

(1) This section applies if a member has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Commission.

(2) The member must, as soon as possible after the relevant facts come to the attention of the member, disclose the nature of the interest:

(a) for a member who is not the Chairperson – to the Chairperson; and

(b) for the Chairperson – to the Minister.

(3) The member who makes the disclosure:

(a) must not take part in any deliberation or decision of the Commission in relation to the matter that occurs after the member makes the disclosure; and

(b) must be disregarded for the purpose of constituting a quorum of the Commission while the matter is deliberated and the Commission's decision about the matter is made.

(4) The Commission must make and publish guidelines specifying the types of interests that a member must disclose under this section.

Part 3 Matters relating to hearings by Commission

22 Power to require person to give evidence or produce evidentiary material

The Commission may, on the application of a party to a proceeding or on its own initiative, issue a summons requiring a person to appear before the Commission at a specified time and place to give evidence or produce evidentiary material.

23 Person fails to comply with summons

(1) A person commits an offence if:

(a) the person has been served with a summons to appear as a witness at a hearing; and

(b) the person intentionally fails to do either or both of the following:

(i) attend as required by the summons;

(ii) appear and report from day-to-day unless excused, or released from further attendance by the Commission.

Maximum penalty: 100 penalty units or imprisonment for 6 months.

(2) A person commits an offence if:

(a) the person has been served with a summons to produce documents or other evidentiary material; and

(b) the person intentionally does not comply with the summons.

Maximum penalty: 100 penalty units or imprisonment for 6 months.

(3) Strict liability applies to subsections (1)(a) and (2)(a).

(4) It is a defence to a prosecution for an offence against subsection (1) or (2) if the defendant has a reasonable excuse.

24 Documents produced at hearing

(1) If documents or other evidentiary material are produced at a hearing, the Commission may:

(a) inspect the documents or other material; and

(b) make, and retain, copies of the documents or other material.

(2) The Commission must return the original documents or other material to the person who produced them as soon as practicable after the completion of the hearing.

25 Contempt

(1) A person commits an offence if:

(a) the person intentionally engages in conduct; and

(b) the conduct constitutes contempt of the Commission and the person is reckless in relation to that result.

Maximum penalty: 100 penalty units or imprisonment for 6 months.

(2) It is a defence to a prosecution for an offence against subsection (1) if the defendant has a reasonable excuse.

26 Conduct constituting contempt of the Commission

(1) A person's conduct constitutes ***contempt*** of the Commission if the person:

(a) appears before the Commission as a witness; and

(b) fails to do one or more of the following when required by the Commission to do so:

(i) take an oath;

(ii) answer a question;

(iii) produce a document or other thing.

(2) A person's conduct constitutes ***contempt*** of the Commission if:

(a) the Commission has made an order requiring the person to do or not do something; and

(b) the order:

(i) was made orally to the person during a proceeding; or

(ii) has been served on the person; and

(c) the person contravenes the order.

(3) However, subsection (2) does not apply if another law of the Territory provides a penalty for the contravention, or enforcement, of the order.

(4) A person's conduct constitutes ***contempt*** of the Commission if the person contravenes an undertaking the person has given to the Commission.

(5) A person's conduct constitutes ***contempt*** of the Commission if the person:

(a) insults, threatens, intimidates or obstructs a member of the Commission in relation to the member's performance of functions or exercise of powers under this Act; or

(b) interrupts, obstructs or hinders a proceeding of the Commission; or

(c) creates, or takes part in creating, a disturbance at or near the place where the Commission is sitting; or

(d) engages in any other conduct that, under a law of the Territory, would constitute contempt in the face of the court if the Commission were a court of record.

27 Person engaging in contempt

If a person is engaging in conduct that the Commission considers constitutes contempt, the Commission may order the person to leave the place where the Commission is sitting and may continue the proceeding in the person's absence.

Part 4 Review of Director's decisions

29 Application for review

(1) Any decision of the Director is reviewable by the Commission, except:

(a) a decision under section 52A(2) or 161(2) of the *Liquor Act 2019*; and

(b) a decision of a delegate of the Director that is reviewable by the Director under the *Liquor Act 2019*.

(2) The following persons may apply for review of a decision of the Director:

(a) the applicant affected by a decision regarding an application;

(b) any person affected by a decision regarding disciplinary action;

(c) a licensee affected by a decision regarding the licence or authority held by the licensee;

(d) any person who made a submission, complaint or objection during the process that resulted in the decision;

(e) any other person given a right to review under the *Liquor Act 2019*.

(3) The application must be made to the Commission by the later of:

(a) 28 days after written notice of the decision of the Director is given to the person referred to in subsection (2); or

(b) any later date allowed by the Commission.

(4) The application must:

(a) be in the form approved by the Commission; and

(b) be accompanied by the fee prescribed by regulation; and

(c) state the grounds on which it is made and the facts relied on to establish the grounds.

(5) To avoid doubt, a decision made by the Director as a delegate of the Commission is reviewable by the Commission under this Part.

30 Effect of application on decision of Director

(1) Applying for review does not stay the operation of the decision of the Director.

(2) However, the Commission may stay the operation of the decision of the Director pending completion of the review.

31 Commission to consider application

(1) On receipt of the application, the Commission must review the decision of the Director.

(2) The Commission may reject an application if satisfied the application is frivolous or vexatious.

32 Conducting and deciding review

(1) In reviewing the decision of the Director, the Commission must:

(a) take into account any matter that the Act under which the decision of the Director was made requires the Director to take into account in reviewing the decision; and

(b) follow the procedures for review determined by the Commission; and

(c) comply with the rules of natural justice.

(2) After reviewing the decision of the Director, the Commission must:

(a) confirm the decision; or

(b) vary the decision; or

(c) set aside the decision and substitute a new decision.

33 Notice of decision on review

(1) As soon as practicable after making a decision under section 32, the Commission must give written notice of the decision to the following persons:

(a) the applicant for the review;

(b) each person who has a right to apply for a review of, or to appeal, the decision under the Act under which the decision of the Director was made.

(2) The notice must state the following:

(a) the Commission's decision and the reasons for it;

(b) details of any right the person has, under the Act under which the decision of the Director was made, to apply for a review of, or to appeal, the Commission's decision.

34 Subject to other Acts

This Part is subject to any other Act.

Part 5 Miscellaneous matters

Division 1 Offences

35 Unauthorised disclosure of confidential information

(1) A person commits an offence if:

(a) the person obtains information in the course of performing functions connected with the administration of this Act; and

(b) the information is confidential information and the person has knowledge of that circumstance; and

(c) the person intentionally engages in conduct; and

(d) the conduct results in the disclosure of the information and the person is reckless in relation to that result.

Maximum penalty: 200 penalty units or imprisonment for 2 years.

(2) Strict liability applies to subsection (1)(a).

(3) Subsection (1) does not apply if:

(a) the person discloses the information:

(i) for the administration of this Act; or

(ii) with the consent of the person to whom the information relates; or

(iii) for legal proceedings arising out of the operation of this Act; or

(b) the information is otherwise available to the public.

Note for subsection (3)

In addition to the circumstances mentioned in subsection (3), a person who discloses confidential information will not be criminally responsible for an offence if the disclosure is justified or excused by or under a law (see section 43BE of the Criminal Code).

36 Misleading information

(1) A person commits an offence if:

(a) the person intentionally gives information to the Commission; and

(b) the information is misleading and the person has knowledge of that circumstance.

Maximum penalty: 400 penalty units or imprisonment for 2 years.

(2) A person commits an offence if:

(a) the person intentionally gives a document or other evidentiary material to the Commission; and

(b) the document or material contains misleading information and the person has knowledge of that circumstance.

Maximum penalty: 400 penalty units or imprisonment for 2 years.

(3) Subsection (2) does not apply if the person, when giving the document or evidential material:

(a) draws the misleading aspect of the document or material to the Commission's attention; and

(b) to the extent to which the person can reasonably do so – gives the Commission the information necessary to remedy the misleading aspect of the document or material.

(4) In this section:

misleading information means information that is misleading in a material particular or because of the omission of a material particular.

Division 2 Administrative matters

37 Delegation

(1) The Commission may, in writing, delegate its powers and functions under this Act or the *Liquor Act 2019* to the following:

(a) the Chairperson or another member;

(b) the Director;

(c) a public sector employee.

(2) Subject to any limits determined by the Commission, a delegation under subsection (1) to the Chairperson or Director may be further delegated if the Chairperson or Director, as the case may be, considers it appropriate.

38 Annual report

(1) The Commission must at the end of each financial year report to the Minister on its operations during that year under each Act that confers powers or imposes functions on it.

(2) The Commission must give the report to the Minister within 3 months after the end of the financial year.

(3) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

39 Protection from liability

(1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as a member of the Commission.

(2) In addition, the person is not civilly or criminally liable for an act done or omitted to be done by the Commission in the exercise of a power or performance of a function under this Act.

(3) Subsections (1) and (2) do not affect any liability the Territory or the Commission would, apart from those subsections, have for the act or omission.

(4) In this section:

exercise, of a power, includes the purported exercise of the power.

performance, of a function, includes the purported performance of the function.

Division 3 Regulations

40 Regulations

The Administrator may make regulations under this Act.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Liquor Commission Act 2018* (Act No. 1, 2018)**
Assent date 16 February 2018
Commenced 28 February 2018 (*Gaz* S14, 28 February 2018)

***Liquor Act 2019* (Act No. 29, 2019)**
Assent date 3 September 2019
Commenced 1 October 2019 (*Gaz* G39, 25 September 2019, p 2)

***Statute Law Revision and Repeals Act 2019* (Act No. 33, 2019)**
Assent date 6 November 2019
Commenced pts 2 and 3: 11 December 2019 (*Gaz* G50, 11 December 2019, p 2); rem: 7 November 2019 (s 2)

***Liquor Legislation Amendment (Fast Track Approvals) Act 2026* (Act No. 13, 2026)**
Assent date 4 June2026
Commenced 22 June 2026 (*Gaz* G12, 18 June 2026, p 2)

***Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Act 2026* (Act No. 21, 2026)**
Assent date 12 August 2026
Commenced 13 August 2026 (s 2)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 3, 6, 10, 16, 20, 28 and 37.

4 LIST OF AMENDMENTS

s 3	amd No. 29, 2019, s 381
s 6	amd No. 33, 2019, s 50
s 8	amd No. 21, 2026, s 18
s 10	amd No. 33, 2019, s 50
s 16	amd No. 29, 2019, s 382
s 20	amd No. 33, 2019, s 50
pt 4 hdg	sub No. 29, 2019, s 383
s 28	rep No. 29, 2019, s 383
s 29	sub No. 29, 2019, s 383
	amd No. 13, 2026, s 23
ss 30 – 34	sub No. 29, 2019, s 383
s 37	sub No. 29, 2019, s 384