

NORTHERN TERRITORY OF AUSTRALIA

LIQUOR REGULATIONS 2019

As in force at 1 October 2020

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 October 2020

LIQUOR REGULATIONS 2019

Regulations under the *Liquor Act 2019*

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Liquor Regulations 2019*.

2 Commencement

- (1) These Regulations, except regulations 53 and 55, commence on the commencement of the *Liquor Act 2019*.
- (2) Regulations 53 and 55 commences on 1 October 2020.

3 Definitions

In these Regulations:

full meal means a meal expected to be served at a restaurant that is eaten when seated at a table or bar.

full-strength, in relation to liquor, means liquor that contains more than 3.99% ethyl alcohol by volume.

infringement notice offence is an offence against a provision specified in Schedule 6.

light meal means a meal that may be eaten with the hands while standing.

Examples for definition light meal

Finger food, canapé style plates, sandwiches, pies and tapas.

low-strength, in relation to liquor, means liquor that contains less than 3.01% ethyl alcohol by volume.

member, in relation to a club, means an individual who is entitled under the rules of the club to exercise the rights and privileges of membership or a class of membership in the club.

mid-strength, in relation to liquor, means liquor that contains between 3.01% and 3.99% ethyl alcohol by volume.

prescribed amount, in relation to an infringement notice offence, see regulation 113.

region, see regulation 4.

4 **Meaning of region**

The regions are the following 6 regions in accordance with the *Australian Statistical Geography Standard (ASGS) Volume 1 - Northern Territory Maps* dated July 2011:

- (a) Darwin Region;
- (b) Daly – Tiwi – West Arnhem Region;
- (c) East Arnhem Region;
- (d) Katherine Region;
- (e) Alice Springs Region;
- (f) Barkly Region.

Part 2 **Exemptions**

5 **Products exempt from licensing**

- (1) For section 43(2)(f) of the Act, no licence is required for the sale, supply or service of a product that:
 - (a) is manufactured for use as an additive or ingredient in preparing food; and
 - (b) is not drinkable or palatable as a beverage.

Examples for subregulation (1)

Asian cooking wine and soy sauce.

- (2) Despite subregulation (1), a licence is required for the sale, supply or service of flavour extract in containers of 50 ml or more.

Example for subregulation (2)

Vanilla extract.

Note for subregulation (2)

Section 43(2)(e) of the Act only exempts flavour extracts from needing a licence for their sale, supply or service if the containers do not exceed 50 ml.

6 Products exempt from minimum pricing

For section 116(c) of the Act, a product specified in regulation 5(1) is exempt from Part 5 of the Act.

Part 3 Fees**7 Application fee**

- (1) Subject to subregulation (2), the fees for making an application under the Act are set out in Schedule 1.
- (2) For section 70(1) of the Act, a prescribed criteria for the fee for making an application for a licence or authority is whether the applicant requests that a decision be on the application be expedited within 30 business days of the application being lodged.
- (3) The fee for an application with the expedited decision factor prescribed under subregulation (2) is 415 revenue units.
- (4) To avoid doubt, payment of the fee under subregulation (2) does not guarantee that a decision on the application will be made within 30 business days.

8 Initial fee for new licence

- (1) The fee to issue a new licence with new authorities to a licensee is the base fee determined under regulation 10.
- (2) The fee to issue a new authority to a licensee who already holds a licence and one or more other authorities is as follows:
 - (a) if the new authority has the same or lower risk classification as the other authorities – no fee;
 - (b) if the new authority has a higher risk classification than the other authorities – the base fee for the authority determined under regulation 10 pro-rated for the remaining portion of the year.

Note for regulation 8

Section 328 of the Act provides for fees for licences issued under the Liquor Act 1978 and converted under section 324 of the Liquor Act 2019.

9 Annual fee

- (1) For section 69(1) of the Act, the annual fee under this regulation is payable for the years after the year in which the licence or authority was issued.

- (2) The annual fee is not payable for any licence or authority issued in respect of a single event.

Examples for subregulation (2)

A community event authority or major event authority.

- (3) The total annual fee a licensee must pay for the licence and all authorities held by the licensee is calculated on the basis of the following formula:

$$F \text{ is } [(BF \times V \times H) \times (1 - D)] \times Br$$

where:

F is the annual fee payable for the licence and all authorities held by the licensee.

BF is the base fee determined under regulation 10.

Br is the breach multiplier determined under regulation 11.

D is the discount multiplier determined under regulation 12.

H is the hours multiplier determined under regulation 13.

V is the volume multiplier determined under regulation 14.

- (4) Despite the formula in subregulation (3), the total annual fee is a minimum of 50% of the base fee determined under regulation 10.

10 Base fee

- (1) The base fee for a licence and all authorities held by a licensee is the base fee for the authority with the highest risk classification held by the licensee.
- (2) In the case of a licence with more than one authority, there is no fee payable for any authority held by the licensee other than the authority with the highest risk classification.
- (3) The risk classification for each authority is set out in Schedule 2.

- (4) The base fee is listed in the following table opposite the risk classification.

Risk classification	Base fee (revenue units)
very high risk	1653
high risk	827
moderate risk	414
low risk	290
very low risk	83

11 Breach multiplier

- (1) The breach multiplier is listed in the following table opposite the number of the licensee's breaches during the previous 2 years.

Number of breaches	Breach multiplier
0	1.00
1	1.10
2	1.25
3	1.50
4	2.00
5	3.00

- (2) In this regulation:

breach means any of the following:

- (a) a finding of guilt for an offence against the Act committed by the licensee;
- (b) a finding of guilt for an offence against the Act committed by an employee of the licensee acting in the course of employment;
- (c) an infringement notice issued under the Act to the licensee if:
 - (i) the notice is paid; or

- (ii) the period allowed for an appeal of the notice expires without an appeal being made;
- (d) any disciplinary action taken against the licensee under the Act.

12 Discount multiplier

- (1) The discount multiplier is equal to 0.05 multiplied by the number of each of the following activities that the licensee adopts and maintains in relation to the licensed premises:
 - (a) providing live, original local music or entertainment on the licensed premises at least once a week in accordance with any guidelines issued by the Commission;
 - (b) voluntarily installing and maintaining video surveillance equipment for the licensed premises, keeping the licensed premises under video surveillance during the hours of operation, keeping a record of that surveillance during the hours of operation for at least 14 days and making that record available to inspectors and police officers on request;
 - (c) voluntarily hiring security personnel or crowd control personnel when not required to do so under the conditions of the licensee's authority;
 - (d) voluntarily installing and using a system to scan the identification documents of patrons entering the licensed premises;
 - (e) being a member of a liquor industry group, approved by the Director, that has a code of conduct for its members;
 - (f) voluntarily being a member of a liquor accord;
 - (g) in the case of a club authority or community club authority – implementing the Good Sports program or a similar program approved by the Director;
 - (h) having no breaches, as defined in regulation 11(2), within the previous 2 years.
- (2) To avoid doubt, the discount multiplier is limited to a maximum of 0.4.

13 Hours multiplier

- (1) The hours multiplier is calculated by the Director for each licensee in accordance with this regulation.

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- (2) The hours multiplier for a licensee is equal to number of hours the licensed premises were open for operation in an average week during the previous year divided by the average number of hours that all other licensees in the region were open for operation in an average week during the previous year.
 - (3) If the licensee holds more than one authority, the only hours of operation to be considered under this regulation are the hours the licensee operated under the authority with the highest risk classification.
 - (4) If the licensee holds more than one authority with the same highest risk classification under subregulation (3), the authority with the higher ranking in Schedule 2 is to be used for the hours multiplier.

14 Volume multiplier

- (1) The volume multiplier is calculated by the Director in accordance with subregulation (2) for each licensee.
- (2) The volume multiplier for a licensee is the number listed in the following table opposite the volume of pure alcohol contained in all liquor purchased by a licensee from a wholesaler in the previous year.

Volume of pure alcohol	Volume multiplier
< 500 L	0.50
≥ 500 L and < 7 500 L	0.75
≥ 7 500 L and < 25 000 L	1.00
≥ 25 000 L and < 50 000 L	2.00
≥ 50 000 L and < 90 000 L	3.00
≥ 90 000 L	4.00

15 Fee for licence and special event authority

There is no fee for a licence issued with a special event authority, other than the application fee.

16 Wholesaler registration fee

There is no fee for registration as a wholesaler, other than the application fee.

17 Transfer fee

For section 72(4)(c) of the Act, the fee to transfer a licence is 83 revenue units.

18 Payment of fees

- (1) The initial fee under regulation 8 is payable by the licensee on receipt of the decision notice that the licence or authority will be issued.
- (2) The annual fee under regulation 9 is payable by the licensee in accordance with section 69 of the Act.

Part 4 Conditions on authorities

Division 1 Standard operating conditions

19 Storage and display of liquor

- (1) All liquor must be stored and displayed in accordance with a plan of the licensed premises approved by the Director.
- (2) When the licensed premises are closed, all liquor must be stored securely to prevent access by the public.

20 Conditions in converted licence or authority

- (1) A licence and any authority issued by the Director under section 324(6) of the Act as being equivalent to a licence or special licence issued under the *Liquor Act 1978* operates in accordance with the conditions determined by the Director under that section.
- (2) If there is an inconsistency between a condition of a licence or authority issued by the Director under section 324(6) of the Act and a provision of these Regulations, the condition prevails to the extent of the inconsistency.

Note for regulation 20

Under section 324(1) of the Act, a licence or special licence issued under the Liquor Act 1978 continues to be subject to its terms and conditions until the licence is converted under section 324 of the Liquor Act 2019.

21 Voluntary reduction in hours of operation

- (1) A licensee may give the Director written notice that the licensee is voluntarily reducing the hours of operation of its licensed premises below the hours of operation allowed for an authority held by the licensee.

- (2) The notice referred to in subregulation (1) must include the following information:
 - (a) the location of the licensed premises;
 - (b) the proposed new hours of operation.
- (3) A notice given under subregulation (1) is not revocable and the new hours of operation become conditions of the authority.
- (4) If a notice under subregulation (1) is in effect, the licensee must not operate the licensed premises contrary to the reduced hours specified in the notice.

22 Variation of conditions

To avoid doubt, any conditions under these Regulations are subject to variation by:

- (a) the Minister under section 88 of the Act; and
- (b) the Commission under sections 112 and 113 of the Act.

Division 2 Adult entertainment authorities conditions

23 Application of Division

The following adult entertainment authorities are subject to the conditions specified in this Division:

- (a) adult entertainment authority;
- (b) adult entertainment R-rated authority;
- (c) adult entertainment explicit authority.

24 Adult entertainment authorities hours of operation

The hours of operation for all adult entertainment authorities are the same as the public bar authority held by the licensee.

25 Adult entertainment authorities operating conditions

- (1) All adult entertainment must be performed and supervised in accordance with guidelines made by the Commission under section 316 of the Act.
- (2) All adult entertainment authorities operate only in conjunction with a public bar authority.

- (3) To avoid doubt, all adult entertainment authorities only authorise adult entertainment and not the sale, service or supply of liquor.

Division 3 BYO authority conditions

26 Application of Division

A BYO authority is subject to the conditions specified in this Division.

27 BYO authority hours of operation

- (1) Subject to subregulation (2), the hours of operation for a BYO authority are from 10:00 to 24:00 every day of the year, except Good Friday and Christmas Day.
- (2) The hours of operation for a BYO authority on New Year's Day are from 00:00 to 02:00 if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.

28 BYO authority operating conditions

- (1) Complimentary tap water must be available to patrons during the hours of operation.
- (2) A patron may take away the unconsumed portion of liquor left in a bottle brought by the patron.
- (3) When the licensed premises are closed, any liquor left by a patron must be either emptied down a suitable drain or stored securely to prevent access by the public.

Note for regulation 28

The BYO authority does not authorise the sale or supply of liquor, only the service of liquor brought by the patron.

Division 4 Casino authority conditions

29 Application of Division

A casino authority is subject to the conditions specified in this Division.

Note for regulation 29

Regulations 20 and 22 apply to the complex conditions of a casino licence issued under the Liquor Act 1978 and converted under section 324(6) of the Liquor Act 2019.

30 Casino authority hours of operation

The hours of operation for a casino authority are the hours specified in the authority issued to the licensee.

31 Casino authority operating conditions

- (1) The licensee must hold a valid casino licence under the *Gaming Control Act 1993*.
- (2) The licensed premises must be licensed as a casino under the *Gaming Control Act 1993*.
- (3) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (4) Complimentary tap water must be available to patrons during the hours of operation.
- (5) Wine must not be sold in in a cask or box larger than 2 L.

32 Information required for casino authority

- (1) A licensee with a casino authority must notify the Director, in writing, of any reduction in the operating hours.
- (2) A licensee with a casino authority must keep a record of the licensed crowd controllers employed at the casino that includes the following information:
 - (a) the person's name and contact information;
 - (b) the person's licence number.
- (3) A licensee with a casino authority must provide the record of crowd controllers immediately to the following on request:
 - (a) an inspector;
 - (b) a person appointed as an inspector under the *Private Security Act 1995*.

Division 5 Catering authority conditions

33 Application of Division

A catering authority is subject to the conditions specified in this Division.

34 Catering authority hours of operation

The hours of operation for a catering authority are from 11:30 to 24:00.

35 Catering authority operating conditions

- (1) Liquor may only be sold, served or supplied to patrons who are consuming food from the licensee.
- (2) A reasonable range of non-alcoholic beverages must be available to patrons during the hours of operation.
- (3) Complimentary tap water must be available to patrons during the hours of operation.

36 Information required for catering authority

- (1) A licensee with a catering authority must notify the Director, in writing, of any reduction in the operating hours.
- (2) A licensee with a catering authority must keep a record of the licensed crowd controllers employed by the licensee that includes the following information:
 - (a) the person's name and contact information;
 - (b) the person's licence number.
- (3) A licensee with a catering authority must keep a record of the following information:
 - (a) the number of patrons attending the event;
 - (b) the volume of liquor consumed during the event.
- (4) A licensee with a catering authority must provide the records required under this regulation immediately to the following on request:
 - (a) an inspector;
 - (b) a person appointed as an inspector under the *Private Security Act 1995*.

Division 6 Club authority conditions

37 Application of Division

A club authority is subject to the conditions specified in this Division.

38 Club authority hours of operation

- (1) Subject to this regulation, the hours of operation for a club authority are from 10:00 to 24:00 every day of the year, except Good Friday and Christmas Day.
- (2) The hours of operation for a club authority on Good Friday and Christmas Day are from 11:00 to 21:00 if the liquor is served, sold or supplied only to patrons purchasing full meals during those hours.
- (3) The hours of operation for a club authority on New Year's Day are from 00:00 to 02:00 if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.
- (4) On ANZAC Day, the hours of operation for a club authority operated by a licensee authorised by the Returned Services League are from 04:30 to 10:00 if:
 - (a) the licensee gives the Director:
 - (i) written notice of the licensee's intention to open during those hours 28 days before ANZAC Day; and
 - (ii) a copy of the authorisation from a sub-branch of the Returned Services League; and
 - (b) a light meal or full meal is available to patrons during those hours.

39 Club authority operating conditions

- (1) A licensee with a club authority must ensure that no liquor is sold, served or supplied on the licensed premises except to the following:
 - (a) a member of the club;
 - (b) a member of another club with reciprocal rights granted by the club;
 - (c) a guest of a member who has complied with regulation 41;

- (d) other persons attending a function in accordance with regulation 42.
- (2) A light meal must be available for purchase by patrons at least 5 days a week during the following times:
 - (a) from 12:00 to 14:00;
 - (b) from 18:00 to 20:00.
- (3) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (4) Complimentary tap water must be available to patrons during the hours of operation.

40 Club organisation

- (1) The constitution, objects, purposes, membership provisions and rules of a club must not be altered without the written approval of the Director.
- (2) A licensee with a club authority must have a management committee that:
 - (a) ensures that the club complies with the licence, the Act and these Regulations when operating the licensed premises; and
 - (b) meets at least once a month, unless otherwise approved, in writing, by the Director; and
 - (c) keeps a record of its proceedings.
- (3) A licensee with a club authority must keep a record of the club's members that includes the following information:
 - (a) the member's name and contact information;
 - (b) the member's membership number.
- (4) A licensee with a club authority must keep a record of the licensed crowd controllers employed at the club that includes the following information:
 - (a) the person's name and contact information;
 - (b) the person's licence number.

- (5) A licensee with a club authority must keep a record of the functions referred to in regulation 42 that include the following information:
 - (a) the nature of the function;
 - (b) the name and contact information of the host of the function;
 - (c) the date and opening and closing times of the function;
- (6) A licensee with a club authority must provide the records under this regulation immediately to the following on request:
 - (a) an inspector;
 - (b) a person appointed as an inspector under the *Private Security Act 1995*.

41 Guests of members of the club

- (1) A licensee with a club authority must keep a guest book in a prominent and accessible place on the licensed premises during the hours of operation.
- (2) The guest book may be in either a manual form or an electronic form, but the form must be approved by the Director.
- (3) Before a guest of a member enters the licensed premises:
 - (a) both the member and the guest must sign the guest book; and
 - (b) the member or guest records the following information:
 - (i) the guest's name and address;
 - (ii) the date and time of the visit.
- (4) A licensee with a club authority must ensure that a member does not bring more than 6 guests per day, unless the guests are attending a function at the club hosted by the member.

42 Club functions

- (1) Subject to this regulation, a licensee with a club authority may sell, serve and supply liquor to persons attending the following functions held at the club:
 - (a) a function hosted by a member and attended by guests of the member;

- (b) a function hosted by a registered charity to raise money for the charity and attended, with or without charge, by guests of the charity;
 - (c) a function hosted by a person hiring the licensed premises and attended, without charge, by guests of the person;
 - (d) a function hosted by the licensee and attended, with or without charge, by members of the public.
- (2) The licensee must, by prior written notice to the Director, seek the Director's consent to a function referred to in subregulation (1)(c) or (d).
- (3) The notice must be given as follows:
- (a) at least 2 business days before holding a function referred to in subregulation (1)(c);
 - (b) at least 7 business days before holding a function referred to in subregulation (1)(d).
- (4) The licensee must not hold a function referred to in subregulation (1)(c) or (d) if the Director gives the licensee written notice that the Director refuses to consent to the function.
- (5) The Director is taken to have consent to a function if:
- (a) the licensee has notified the Director of the function in accordance with subregulations (2) and (3); and
 - (b) the Director has not, at least 24 hours before the function, notified the licensee that the Director refuses to consent to the function.
- (6) A licensee must not hold more than 6 functions referred to in subregulation (1)(d) in any 6 month period.

43 Conditions on club advertising

- (1) A licensee with a club authority must ensure that all its advertising and marketing material make it clear that liquor is only available on its premises to:
- (a) members of the club; and
 - (b) guests of members of the club; and
 - (c) visitors to the club who sign the visitors' book; and
 - (d) persons attending functions authorised under regulation 42.

- (2) A licensee with a club authority must not advertise a function referred to in regulation 42(1)(a) or (c) to the public.

Division 7 Community club authority

44 Application of Division

A community club authority is subject to the conditions specified in this Division.

45 Community club hours of operation

The hours of operation for a community club authority are the hours specified in the authority issued to the licensee.

46 Community club authority operating conditions

- (1) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (2) Complimentary tap water must be available to patrons during the hours of operation.

47 Community club functions

- (1) The licensee must, by prior written notice to the Director, seek the Director's consent to a function hosted by a member and attended by more than 6 guests of the member.
- (2) The notice must be given at least 7 business days before holding the function.
- (3) The licensee must not hold the function if the Director gives the licensee written notice that the Director refuses to consent to the function.
- (4) The Director is taken to have consented to a function if:
 - (a) the licensee has notified the Director of the function in accordance with subregulations (1) and (2); and
 - (b) the Director has not, at least 24 hours before the function, notified the licensee that the Director refuses to consent to the function.
- (5) All guests attending the function must be issued and wear wrist bans designed for the function.

Division 8 Community event authority conditions

48 Application of Division

A community event authority is subject to the conditions specified in this Division.

49 Community event authority hours of operation

The hours of operation for a community event authority are the hours specified in the authority issued to the licensee.

50 Community event authority operating conditions

- (1) The licensee must give written notice of the event to the Director at least 14 business days before holding the event.
- (2) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (3) Complimentary tap water must be available to patrons during the hours of operation.

Division 9 Grocery store authority conditions

51 Application of Division

A grocery store authority is subject to the conditions specified in this Division.

52 Grocery store authority hours of operation

The hours of operation for a grocery store authority are specified in Schedule 3 in accordance with one or more of the following factors:

- (a) the region where the licensed premises are located;
- (b) the day of operation.

53 Grocery store authority ancillary operations

- (1) The sale of liquor under a grocery store authority must be ancillary to the licensee's primary business of selling goods and services other than liquor.
- (2) For subregulation (1), the gross value of the sales of liquor by the licensee on the licensed premises must not exceed 25% of the gross value of the sales of all products by the licensee during the financial year at the licensee's premises and any adjacent area where the non-liquor products are sold.

- (3) A licensee with a grocery store authority must provide, on request from the Director, a declaration in the approved form that the licensee is complying with this regulation.

54 Grocery store authority operating conditions

- (1) Wine must not be sold in in a cask or box larger than 2 L.
- (2) Despite subregulation (1), wine (other than fortified wine) may be sold to a licensee in a cask not larger than 10 L.

Note for subregulation (2)

Green ginger wine is considered a fortified wine.

55 Separation of liquor from groceries

- (1) Each area of the licensed premises where liquor is displayed for sale or stored must be separated from any area where the licensee's non-liquor products are displayed or sold.
- (2) For subregulation (1), areas are taken to be separated from each other if:
- (a) the floor of one area clearly differs from the floor of the other area in colour, floor covering or other distinguishable feature; or
 - (b) a barrier at least 1.2 m in height separates the 2 areas; or
 - (c) the 2 areas are in separate rooms; or
 - (d) the area where liquor is displayed for sale or stored is accessible only to an employee of the licensee and there is no liquor advertising or marketing material on display anywhere in the store, other than product labels and prices.
- (3) Each area of the licensed premises where liquor is displayed for sale or stored must have a sign that clearly states that the area is prohibited to any child not accompanied by an adult.

56 Conditions on advertising liquor for grocery store authority

- (1) Advertising or marketing material for liquor must not be visible to persons outside the licensed premises or grocery store.
- (2) Inside the licensed premises or grocery store, advertising or marketing material for liquor must be kept within the area of the licensed premises where liquor is displayed for sale or stored.

- (3) The prohibitions in subregulations (1) and (2) do not apply to:
- (a) the brand name of the licensed premises or store; or
 - (b) any advertising or marketing in print or electronic media.

Division 10 Late night authority conditions

57 Application of Division

A late night authority is subject to the conditions specified in this Division.

58 Late night authority hours of operation

- (1) Subject to this regulation, the hours of operation for a late night authority are as follows:
- (a) for a late night liquor authority – from 00:00 to 02:00;
 - (b) for an extended late night liquor authority – from 00:00 to 04:00.
- (2) The hours of operation for a late night liquor authority on New Year's Day are extended an extra hour if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.

Example for subregulation (2)

A late night authority would be extended to 03:00 and an extended late night authority would be extended to 05:00.

59 Safety for late night authority

- (1) The licensee must employ or hire at least:
- (a) 2 licensed crowd controllers for the first 100 patrons on the premises; and
 - (b) one additional licensed crowd controller for each additional 100 patrons on the premises.

Example for subregulation (1)

For an event with 300 patrons, the licensee must employ at least 4 licensed crowd controllers.

- (2) At least 75% of the licensed crowd controllers on the licensed premises must wear clothing that identifies their function.

- (3) The licensed crowd controllers on the licensed premises must enforce the provisions of the Act and these Regulations that apply to the licensed premises.
- (4) The licensee must, in accordance with a code of practice established by the Commission under section 20 of the Act:
 - (a) install and maintain video surveillance equipment for the licensed premises; and
 - (b) keep the licensed premises under video surveillance during the hours of operation; and
 - (c) keep a record of that surveillance for at least 14 days; and
 - (d) make that record available to inspectors and police officers on request.

60 Late night authority operating conditions

- (1) Snacks must be available for purchase by patrons at all times the licensed premises are open.
- (2) No complimentary drinks may be served under this authority.
- (3) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (4) Complimentary tap water must be available to patrons during the hours of operation.

61 Live entertainment for extended late night authority

- (1) A licensee with an extended late night authority must provide live entertainment to patrons after 02:00.
- (2) Appropriate intermissions for the live entertainment are permissible.

62 Lock out for extended late night authority

- (1) Subject to this regulation, patrons are not allowed to enter the licensee's premises after 03:00.
- (2) A licensee with an extended late night authority may allow patrons, who entered the licensed premises before 03:00, to leave the premises and re-enter after 03:00.
- (3) The period between the exit and re-entry of a patron under subregulation (2) must not exceed 20 minutes, unless the licensee or the licensee's employee consider there are exceptional circumstances justifying it.

- (4) A record must be kept of any occasion when an exception to the 20 minute limit in subregulation (3) is exercised.

Division 11 Lodging authority conditions

63 Application of Division

A lodging authority is subject to the conditions specified in this Division.

64 Lodging authority hours of operation

The hours of operation for a lodging authority are as follows:

- (a) for a minibar – from 00:00 to 24:00 every day of the year;
- (b) for room service – from 10:00 to 24:00 every day of the year.

65 Lodging authority operating conditions

- (1) Liquor may be served, sold or supplied to a guest staying at the licensee's accommodations only by way of the following methods:
- (a) a minibar stocked with liquor in the guest's room or unit;
 - (b) room service of liquor delivered to the guest's room or unit.

Note for subregulation (1)

A licensee who also holds a restaurant authority or small bar authority may sell and serve liquor in the restaurant or bar.

- (2) A reasonable range of non-alcoholic beverages must be available for purchase by guests of the licensee's accommodations.
- (3) Complimentary tap water must be available to guests of the licensee's accommodations.

Division 12 Major event authority conditions

66 Application of Division

A major event authority is subject to the conditions specified in this Division.

67 Major event authority hours of operation

The hours of operation for a major event authority are the hours specified in the authority issued to the licensee.

68 Safety for major event

- (1) A licensee with a major event authority must comply with any reasonable order or direction given by an officer producing identification and acting with authority under any of the following Acts:
 - (a) the *Fire and Emergency Act 1996*;
 - (b) the *Police Administration Act 1978*;
 - (c) the *Public and Environmental Health Act 2011*.
- (2) A licensee with a major event authority must employ or hire at least:
 - (a) 2 licensed crowd controllers for the first 100 patrons attending the event; and
 - (b) one additional licensed crowd controller for each additional 100 patrons attending the event.

Example for subregulation (2)

For an event with 1 500 patrons, the licensee must employ at least 16 licensed crowd controllers.

- (3) At least 75% of the licensed crowd controllers at the event must wear clothing that identifies their function.
- (4) The licensed crowd controllers at the event must enforce the provisions of the Act and these Regulations that apply to the event.

69 Major event operating conditions

- (1) All liquor sold, served or supplied at the event must be in open containers.
- (2) No more than 4 containers of liquor may be sold, served or supplied at the event to one person at a time.
- (3) A reasonable range of non-alcoholic beverages and low alcohol content beverages must be available for purchase by patrons during the event.
- (4) Complimentary potable water must be available to patrons during the event.
- (5) Snacks must be available for purchase by patrons during the event.

70 Information required for major event authority

- (1) A licensee with a major event authority must keep a record of the licensed crowd controllers employed by the licensee that includes the following information:
 - (a) the person's name and contact information;
 - (b) the person's licence number.
- (2) A licensee with a major event authority must keep a record of the following information:
 - (a) the source from which that liquor was purchased for the event;
 - (b) the volume of the following categories of liquor purchased by the licensee for the event
 - (i) low-strength liquor;
 - (ii) mid-strength liquor;
 - (iii) full-strength liquor;
 - (c) the volume of the following categories of liquor not consumed during the event:
 - (i) low-strength liquor;
 - (ii) mid-strength liquor;
 - (iii) full-strength liquor;
 - (d) the manner in which any liquor not consumed during the event was disposed of after the event.
- (3) A licensee with a major event authority must keep a record of the number of patrons attending the event

Division 13 Producers' authority conditions

71 Application of Division

A producers' authority is subject to the conditions specified in this Division.

72 Producers' authority hours of operation

The hours of operation for a producers' authority are from 10:00 to 22:00 every day of the year, except Good Friday and Christmas Day.

73 Producers' authority operating conditions

- (1) A light meal must be available for purchase by patrons during the hours of operation.
- (2) Complimentary tap water must be available to patrons during the hours of operation.

Division 14 Public bar authority conditions

74 Application of Division

A public bar authority is subject to the conditions specified in this Division.

75 Public bar authority hours of operation

- (1) Subject to this regulation, the hours of operation for a public bar authority are from 10:00 to 24:00 every day of the year, except Good Friday and Christmas Day.
- (2) The hours of operation for a public bar authority on Good Friday and Christmas Day are from 11:00 to 21:00 if the liquor is served, sold or supplied to patrons purchasing full meals during those hours.
- (3) The hours of operation for a public bar authority on New Year's Day are from 00:00 to 02:00 if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.

76 Safety for public bar

The licensee must, in accordance with a code of practice established by the Commission under section 20 of the Act:

- (a) install and maintain video surveillance equipment for the licensed premises; and
- (b) keep the licensed premises under video surveillance during the hours of operation; and
- (c) keep a record of that surveillance for at least 14 days; and
- (d) make that record available to inspectors and police officers on request.

77 Public bar authority operating conditions

- (1) A full meal must be available for purchase by patrons at least 5 days a week during the following times:
 - (a) from 12:00 to 14:00;
 - (b) from 18:00 to 20:00.
- (2) A light meal must be available for purchase by patrons on any days a full meal is not provided under subregulation (1) during the same hours as in that subregulation.
- (3) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (4) Complimentary tap water must be available to patrons during the hours of operation.

Division 15 Restaurant authority conditions

78 Application of Division

A restaurant authority is subject to the conditions specified in this Division.

79 Restaurant authority hours of operation

- (1) Subject to this regulation, the hours of operation for a restaurant authority are from 10:00 to 24:00 every day of the year, except Good Friday and Christmas Day.
- (2) The hours of operation for a restaurant authority on Good Friday and Christmas Day are from 11:00 to 21:00 if the liquor is served, sold or supplied only to patrons purchasing full meals during those hours.
- (3) The hours of operation for a restaurant authority on New Year's Day are from 00:00 to 02:00 if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.

80 Restaurant authority operating conditions

- (1) Liquor must not be sold served or supplied to anyone who is not also consuming food on the premises.
- (2) Subject to subregulation (3), a full meal must be available for purchase by patrons during the hours of operation.

- (3) The kitchen must remain open during the hours of operation until 1.5 hours before the close of the licensed premises.
- (4) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (5) Complimentary tap water must be available to patrons during the hours of operation.
- (6) Although liquor must not be consumed off the licensed premises, it is not a breach of this authority if a patron takes away the unconsumed portion of wine left in a bottle purchased with the meal.
- (7) The appearance of the licensed premises must be appropriate for a restaurant.
- (8) The licensed premises must provide seating for 75% of the maximum number of patrons allowed on the premises under the *Fire and Emergency Act 1996*.
- (9) Subject to subregulation (10), patrons must be seated when consuming liquor.
- (10) Patrons may stand while consuming liquor if:
 - (a) they are invitees to a private function held on the licensed premises; and
 - (b) the function was booked at least 4 hours in advance; and
 - (c) at least a light meal will be served to them during the function.
- (11) Wait staff must be available to serve food in all areas of the licensed premises during the hours of operation.
- (12) The word "Bar" must not be used to identify, advertise or market the licensed premises.

Division 16 Restaurant bar authority conditions

81 Application of Division

A restaurant bar authority is subject to the conditions specified in this Division.

82 Restaurant bar authority hours of operation

- (1) Subject to this regulation, the hours of operation for a restaurant bar authority are from 10:00 to 24:00 every day of the year, except Good Friday and Christmas Day.
- (2) The hours of operation for a restaurant bar authority on Good Friday and Christmas Day are from 11:00 to 21:00 if the liquor is served, sold or supplied to patrons purchasing full meals during those hours.
- (3) The hours of operation for a restaurant bar authority on New Year's Day are from 00:00 to 02:00 if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.

83 Restaurant bar authority operating conditions

- (1) A light meal must be available for purchase by patrons during the hours of operation.
- (2) The kitchen must remain open during the hours of operation until 1.5 hours before the close of the licensed premises.
- (3) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (4) Complimentary tap water must be available to patrons during the hours of operation.
- (5) Although liquor must not be consumed off the licensed premises, it is not a breach of this authority if a patron takes away the unconsumed portion of wine left in a bottle purchased with the meal.
- (6) The consumption of liquor without the purchase of a meal must not be advertised or encouraged.
- (7) The licensed premises must appear to be a café, restaurant or eatery.
- (8) Subject to subregulation (9), patrons must be seated when consuming liquor.
- (9) Patrons may stand while consuming liquor if:
 - (a) they are invitees to a private function held on the licensed premises; and
 - (b) a meal will be served to them during the function.

- (10) Patrons must be able to be served and eat food in all areas of the licensed premises where liquor is served during the hours of operation.

Division 17 Small bar authority conditions

84 Application of Division

A small bar authority is subject to the conditions specified in this Division.

85 Small bar authority hours of operation

- (1) Subject to this regulation, the hours of operation for a small bar authority are from 10:00 to 24:00 every day of the year.
- (2) The hours of operation for a small bar authority on New Year's Day are from 00:00 to 02:00 if the licensee gives the Director written notice of the licensee's intention to open during those hours before 3 December of the year preceding the New Year's Day.

86 Small bar authority operating conditions

- (1) The capacity of the licensed premises for a small bar authority cannot exceed 100 persons.
- (2) A light meal must be available for purchase by patrons during the hours of operation.
- (3) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (4) Complimentary tap water must be available to patrons during the hours of operation.
- (5) Although liquor must not be consumed off the licensed premises, it is not a breach of this authority if a patron takes away the unconsumed portion of wine left in a bottle purchased with the meal.
- (6) No entertainment that is sexually explicit is allowed to be shown or performed on the licensed premises.
- (7) No entertainment that involves fighting is allowed to be performed on the licensed premises.

Division 18 Special event authority conditions

87 Application of Division

A special event authority is subject to the conditions specified in this Division.

88 Special event authority hours of operation

The hours of operation for a special event authority are the hours specified in the authority issued to the licensee.

89 Special event authority operating conditions

- (1) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (2) Complimentary tap water must be available to patrons during the hours of operation.

90 Safety at special event

- (1) The licensee must employ or hire licensed crowd controllers at the event if the Director gives the licensee written notice that the Director considers they are needed to mitigate a safety risk at the event.
- (2) At least 75% of any licensed crowd controllers at the event must wear clothing that identifies their function.
- (3) The licensed crowd controllers at the event must enforce the provisions of the Act and these Regulations that apply to the event.

Division 19 Special venture authority conditions

91 Application of Division

A special venture authority is subject to the conditions specified in this Division.

92 Special venture authority hours of operation

The hours of operation for a special venture authority are from 05:30 to 24:00 any day that the services, to which the liquor is ancillary, are provided by the licensee.

93 Special venture authority operating conditions

- (1) Liquor must not be sold, served or supplied to anyone other than customers of the licensee's services who have booked those services in advance.
- (2) Subject to subregulation (3), liquor must not be sold for consumption off the licensed premises.
- (3) Souvenir liquor products may also be sold to the customers of the licensee's services for consumption off the licensed premises if:
 - (a) the liquor product promotes the Northern Territory's produce, culture or history; and
 - (b) the Director approves the sale of the liquor product.
- (4) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (5) Complimentary tap water must be available to patrons during the hours of operation.
- (6) All liquor must be stored securely to prevent access by any person other than customers of the licensee's services who have booked those services in advance.

Division 20 Takeaway authority conditions

94 Application of Division

A takeaway authority is subject to the conditions specified in this Division.

95 Takeaway authority hours of operation

- (1) Subject to subregulation (2), the hours of operation for a takeaway authority are specified in Schedule 3 in accordance with one or more of the following factors:
 - (a) the region where the licensed premises are located;
 - (b) the day of operation;
 - (c) whether the authority is operated in conjunction with another authority.

- (2) A takeaway authority must not operate on a Sunday, or during any hours on a Sunday, if:
 - (a) the takeaway authority was issued under section 324(6) of the Act in respect of a licence issued under the *Liquor Act 1978*; and
 - (b) the licence did not authorise operations on a Sunday, or during those hours on a Sunday.

96 Takeaway authority operating conditions

- (1) Wine must not be sold in a cask or box larger than 2 L.
- (2) Beer must not be sold in glass bottles larger than 750 ml.

97 Takeaway authority delivery of liquor

- (1) This regulation applies in relation to a licensee who delivers liquor to a person off the licensed premises.
- (2) An order for delivery of liquor must be made by one of the following methods:
 - (a) an order placed on the licensee's website;
 - (b) a written order sent by electronic means to the licensee;
 - (c) a postal order sent to the licensee.
- (3) The delivery must be completed during the hours of operation specified in Schedule 3.
- (4) Liquor must not be delivered to a child or a person who is intoxicated.
- (5) Any person who delivers liquor, or who takes orders for delivery of liquor, must be an adult who holds a responsible service certificate under section 137 of the Act.
- (6) Any person who delivers liquor must get a signed receipt from the person to whom the liquor is delivered and may ask for identification.
- (7) Any person who delivers liquor may ask for identification to confirm that the person to whom the liquor is being delivered is an adult.
- (8) Liquor must not be delivered to a public place.

- (9) Liquor must not be delivered to a place where the possession or consumption of liquor is prohibited, unless the person receiving the liquor has a permit authorising the possession and consumption of the liquor.
- (10) The signed receipts referred to in subregulation (6) must be kept for at least 3 years.

98 Takeaway authority in conjunction with club authority

- (1) Despite any other regulation in this Division, the conditions in this regulation apply in relation to a takeaway authority issued to a licensee in conjunction with a club authority.
- (2) The sale, service or supply of liquor is prohibited on Good Friday and Christmas Day.
- (3) The licensee must ensure that no liquor is sold, served or supplied for consumption off the licensed premises except to members of the club.
- (4) All advertising and marketing material in relation to the licensed premises must make it clear that liquor is only available to members of the club.

Division 21 Wayside inn authority conditions

99 Application of Division

A wayside inn authority is subject to the conditions specified in this Division.

100 Wayside inn authority hours of operation

- (1) Subject to this regulation, the hours of operation for a wayside inn authority are from 07:00 to 24:00 every day of the year, except Good Friday and Christmas Day.
- (2) The hours of operation for a wayside inn authority may extend from 00:00 to 07:00 every day of the year, except Good Friday and Christmas Day, if fuel, meals and accommodation are available for purchase to patrons during those hours.

101 Wayside inn authority operating conditions

- (1) Overnight accommodation on or adjacent to the licensed premises must be available for purchase by patrons.

- (2) The overnight accommodation must consist of at least 3 separate rooms or units that:
 - (a) are able to accommodate at least 6 patrons; and
 - (b) are of reasonable quality.
- (3) A full meal must be available for purchase by patrons as follows:
 - (a) for breakfast – between 07:00 and 09:00;
 - (b) for lunch – between 12:00 and 14:00;
 - (c) for dinner – between 18:00 and 20:00.
- (4) A light meal must be available for purchase by patrons at all times the licensed premises are open.
- (5) A reasonable range of non-alcoholic beverages must be available for purchase by patrons during the hours of operation.
- (6) Complimentary tap water must be available to patrons during the hours of operation.
- (7) A reasonable range and supply of motor fuels and motor oils must be available for purchase by the travelling public 24 hours a day.

Part 5 Matters related to information

Division 1 Registered wholesaler's information

102 Information to be kept by registered wholesaler

- (1) For section 36(2)(b) of the Act, a registered wholesaler must keep a record of the volume and value of all liquor sold by the wholesaler to a purchaser in the Territory during each quarter.
- (2) The volume of liquor sold must be recorded in litres and include the following:
 - (a) the volume of liquor sold in each suburb and post code in the Territory;
 - (b) the total volume sold of each of the following types of liquor:
 - (i) cask wine;
 - (ii) bottled wine;
 - (iii) fortified wine;

- (iv) cider;
- (v) spirits;
- (vi) spirit based mixed drinks;
- (vii) low-strength beer;
- (viii) mid-strength beer;
- (ix) full-strength beer.

(3) The total of the sale prices of all liquor sold must be recorded.

103 Information to be provided to Director

- (1) For section 37(2)(b) of the Act, the return that a registered wholesaler must lodge with the Director must set out the information required to be kept under regulation 102.
- (2) The return must:
 - (b) identify the registered wholesaler by name, contact information and licence number; and
 - (b) be signed and dated by the registered wholesaler or the manager of the registered wholesaler.
- (3) The return must be lodged with the Director within 28 days of the end of each quarter.

Division 2 Licensee's information

104 Information to be kept by licensee

For section 108(1) of the Act, a licensee must keep a record of the volume (in litres) and value of all liquor sold by the licensee during each financial year.

Division 3 Identification system

105 Persons subject to prohibition relating to purchase of liquor

For section 128(1)(d) of the Act, the following provisions are prescribed:

- (a) a condition of a court order under section 11, 13, 39F(1)(c), 40, 44, 48F(1)(b) or 78K of the *Sentencing Act 1995* relating to liquor;

- (b) a condition of a court order made under section 83(1) or a family responsibility order made under section 140J of the *Youth Justice Act 2005* relating to liquor;
- (c) a condition of a parole order under the *Parole Act 1971*, including a parole order registered under the *Parole Orders (Transfer) Act 1981* relating to liquor;
- (d) a child protection prohibition order under section 72 or 75(1) of the *Child Protection (Offender Reporting and Registration) Act 2004* relating to liquor;
- (e) a supervision direction under section 123(1)(a)(i) of the *Care and Protection of Children Act 2007* relating to liquor;
- (f) a prohibition under section 42(3) of the *Alcohol Harm Reduction Act 2017*;
- (g) a requirement of a supervision order referred to in section 19 of the *Serious Sex Offenders Act 2013* relating to liquor.

106 Authorities requiring identification system

- (1) For section 129(1) of the Act, a licensee with any of the following authorities must use and maintain the identification system established by the Minister:
 - (a) a grocery store authority;
 - (b) a takeaway authority.
- (2) Despite subregulation (1), the identification system is not required for the licensed premises for which a licence was issued under the *Liquor Act 1978* and that is listed in Schedule 4.

Division 3 Minimum sale price

107 Minimum sale price indexing

- (1) For section 121(3) of the Act, the formula to calculate the indexing of the minimum sale price is:

$$\text{MSP} = \$1.30 \times [\text{C} \div \text{D}]$$

where:

MSP is the amount, in dollars, of the minimum sale price for the financial year for which the calculation is made.

C is the average of the CPI figures for Darwin for each of the 4 quarters of the calendar year immediately preceding the financial year for which the calculation is made.

D is the average of the CPI figures for Darwin for each of the 4 quarters of the calendar year 2016.

- (2) The amount of the minimum sale price, calculated in accordance with the formula in subregulation (1), is to be rounded down to 2 decimal places.

Example for subregulation (2)

If the MSP is calculated to equal \$1.429, the MSP is then rounded down to 2 decimal places to the value of \$1.42.

- (3) In this regulation:

CPI figure for Darwin means the Consumer Price Index: All Groups Index Number for Darwin published by the Australian Statistician under the authority of the *Census and Statistics Act 1905* (Cth).

108 Application of indexed minimum sale price

- (1) The amount calculated under regulation 107 only applies as the minimum sale price for a financial year if it is equal to or greater than the minimum sale price for the previous financial year.
- (2) If the amount calculated under regulation 107 is less than the minimum sale price for the previous financial year, the minimum sale price for the financial year remains the same as the previous financial year.
- (3) The minimum sale price takes effect on 1 July of each year.
- (4) The Director must publish, on the Director's website, the new amount of the minimum sale price before 1 July, if the minimum sale price for the next financial year will be greater than the minimum sale price for the current financial year.

Division 4 Form

109 Forfeiture form

For section 275(5) of the Act, the form for an application to the Local Court for the forfeiture of a vehicle, vessel or aircraft is set out in Schedule 5.

Part 6 Regulations for places and premises

Division 1 Area specific conditions

110 Alice Springs – limit on-sales for on premises consumption

Despite any other regulation, a licensee must not sell, serve or supply any liquor other than low-strength beer for consumption on the licensed premises in Alice Springs before 11:30 on any day from Monday to Friday, other than a public holiday.

Division 2 Restricted premises

111 Places included in restricted premises

- (1) For section 188(h) of the Act, the places specified in Schedule 7 may be included in restricted premises.
- (2) The coordinates in Schedule 7 are based on the datum known as WGS84.

Part 7 Enforcement

Division 1 Disciplinary action

112 Considerations for Director

In the case of a contravention of regulation 53(2), the Director must consider the following before taking action under section 163 of the Act:

- (a) whether the gross value of the sales of liquor by the licensee during the previous 12 month period have decreased since the 12 month period before that;
- (b) whether the licensee has increased the quantity or variety of its inventory of products other than liquor;
- (c) whether the licensee has decreased the quantity or variety of its inventory of liquor;
- (d) whether any matters beyond the control of the licensee may have caused or contributed to the contravention;

- (e) whether the licensee made reasonable efforts to prevent the contravention.

Example for paragraph (d)

Changes in seasonal demand, increased sales to tourists and increased excise taxes.

Division 2 Infringement notices

113 Prescribed amounts for infringement notice offences

The ***prescribed amount*** for an infringement notice offence is the monetary value of the penalty units specified in Schedule 5 for the offence for which the notice was given.

114 When infringement notice may be given

- (1) An inspector or a police officer may give an infringement notice to a person who the inspector or officer believes on reasonable grounds has committed an offence against a provision of the Act specified in Schedule 6, Part 1.
- (2) An inspector may give an infringement notice to a person who the inspector believes on reasonable grounds has committed an offence against a provision of the Act specified in Schedule 6, Part 2.

115 Contents of infringement notice

- (1) The infringement notice must specify the following particulars:
 - (a) the name and address of the person, if known;
 - (b) the date the infringement notice is given to the person;
 - (c) the date and time of the infringement notice offence and the place at which the infringement notice offence occurred;
 - (d) a description of the offence;
 - (e) the prescribed amount payable for the offence;
 - (f) the enforcement agency, as defined in the *Fines and Penalties (Recovery) Act 2001*, to which the prescribed amount is payable.

- (2) The infringement notice must include a statement to the effect of the following:
 - (a) the person may expiate the infringement notice offence and avoid any further action in relation to the offence by paying the prescribed amount to the specified enforcement agency within 28 days after the notice is given;
 - (b) the person may elect under section 21 of the *Fines and Penalties (Recovery) Act 2001* to have the matter dealt with by a court instead of under that Act by completing a statement of election and serving it on the specified enforcement agency;
 - (c) if the person does nothing in response to the notice, enforcement action may be taken under the *Fines and Penalties (Recovery) Act 2001*.
- (3) Also, the infringement notice must include an appropriate form for making the statement of election referred to in subregulation (2)(b).

116 Electronic payment and payment by cheque

- (1) If the person uses electronic means to pay the prescribed amount, payment is not effected until the amount is credited to the payee's bank account.
- (2) If the person tenders a cheque in payment of the prescribed amount, payment is not effected unless the cheque is cleared on first presentation.

117 Withdrawal of infringement notice

- (1) A police officer may withdraw an infringement notice given by a police officer by written notice given to the person.
- (2) An inspector may withdraw an infringement notice given by the inspector by written notice given to the person.
- (3) The notice must be given:
 - (a) within 28 days after the infringement notice is given to the person; and
 - (b) before payment of the prescribed amount.

118 Effect of this Division

- (1) This Division does not:
- (a) prejudice or affect the start or continuation of a proceeding for an infringement offence unless the offence is expiated; or
 - (b) limit the penalty that may be imposed by a court for the offence; or
 - (c) prevent more than one infringement notice for the same infringement offence being given to a person; or
 - (d) require an infringement notice to be given; or
 - (e) affect the liability of a person to be prosecuted in a court for an infringement notice offence for which an infringement notice was not given.
- (2) If more than one infringement notice for the same offence was given to a person, the person may expiate the offence by paying the prescribed amount in accordance with any of the notices.

Schedule 1 Application fees

regulation 7

	Application	Fee (revenue units)
1	wholesaler's registration – 1 year	17
2	wholesaler's registration – 3 years	17
3	wholesaler's registration – 5 years	83
4	licence and community event authority	17
5	licence and major event	17
6	licence and special event authority	17
7	licence and one or more authorities, other than special event authority	166
8	adding one or more authorities to an existing licence, other than special event authority	166
9	variation of condition	83
10	material alteration	83

Note for Schedule 1

The fees in this Schedule are for the application only. If the licence or authority is issued, there will be an initial fee and, in subsequent years, an annual fee. The following are exceptions to this:

- (a) an interstate retailer licence; and*
- (b) a special event authority; and*
- (c) a wholesaler registration.*

Schedule 2 Risk classification for authorities

regulations 10 and 13

Risk classification	Ranking	Authority
very high risk	1	takeaway authority
very high risk	2	grocery store authority
very high risk	3	late night authority: 02:00 – 04:00
very high risk	4	late night authority: 00:00 – 02:00
high risk	1	public bar authority
high risk	2	major event authority
high risk	3	casino authority
moderate risk	1	restaurant bar authority
moderate risk	2	adult entertainment explicit authority
moderate risk	3	adult entertainment R-rated authority
moderate risk	4	adult entertainment authority
moderate risk	5	club authority
moderate risk	6	small bar authority
moderate risk	7	wayside inn authority
low risk	1	producers' authority
low risk	2	restaurant authority
low risk	3	lodging authority
low risk	4	catering authority

Risk classification	Ranking	Authority
very low risk	1	special event authority
very low risk	2	special venture authority
very low risk	3	community club authority
very low risk	4	community event authority
very low risk	5	BYO authority

Schedule 3 Hours of operation of takeaway and grocery store authorities

regulations 52 and 95

Darwin region

	Takeaway authority only	Takeaway and other authority	Grocery store authority
Monday – Friday	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Saturday	09:00 – 22:00	09:00 – 22:00	09:00 – 22:00
Sunday	closed	10:00 – 22:00	closed
Public Holidays	09:00 – 22:00	09:00 – 22:00	09:00 – 22:00
Good Friday and Christmas Day	closed	closed	closed

Katherine region: other than Groot Eylandt

	Takeaway authority only	Takeaway and other authority	Grocery store authority
Monday – Friday	14:00 – 20:00	14:00 – 20:00	14:00 – 20:00
Saturday	12:00 – 20:00	12:00 – 20:00	12:00 – 20:00
Sunday	closed	14:00 – 20:00	closed
Public Holidays	12:00 – 20:00	12:00 – 20:00	12:00 – 20:00
Good Friday and Christmas Day	closed	closed	closed

Katherine region: Groote Eylandt

	Takeaway and other authority
Monday – Friday	12:00 – 22:00
Saturday	10:00 – 22:00
Sunday	12:00 – 22:00
Public Holidays	10:00 – 22:00
Good Friday and Christmas Day	closed

Alice Springs region

	Takeaway authority only	Takeaway and other authority	Grocery store authority
Monday – Friday	14:00 – 21:00	14:00 – 21:00	14:00 – 21:00
Saturday	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00
Sunday	closed	12:00 – 21:00	closed
Public Holidays	10:00 – 21:00	10:00 – 21:00	10:00 – 21:00
Good Friday and Christmas Day	closed	closed	closed

Barkly region: other than Elliot / Marlinja

	Takeaway authority	Grocery store authority
Monday - Friday	14:00 – 20:00	14:00 – 20:00
Saturday	12:00 – 20:00	12:00 – 20:00
Sunday	closed	closed
Public Holidays	12:00 – 20:00	12:00 – 20:00
Good Friday and Christmas Day	closed	closed

Barkly region: only Elliot / Marlinja

	Takeaway authority	Grocery store authority
Monday - Friday	12:00 – 19:00	12:00 – 19:00
Saturday	12:00 – 19:00	12:00 – 19:00
Sunday	closed	closed
Public Holidays	closed	closed
Good Friday and Christmas Day	closed	closed

East Arnhem region

	Takeaway and other authority	Grocery store authority
Monday - Friday	14:00 – 20:00	14:00 – 20:00
Saturday	10:00 – 21:00	10:00 – 21:00
Sunday	14:00 – 20:00	closed
Public Holidays	10:00 – 21:00	closed
Good Friday and Christmas Day	closed	

Schedule 4 Licensed premises exempt from identification system

regulation 106(2)

Licence number (Liquor Act 1978)	Licensed premises
80804456	AAOK Lakes Resort and Caravan Park
80117981	Adina Apartment Hotel Darwin Waterfront and Vibe Hotel Darwin Waterfront
80203860	Alice in the Territory
81403239	Alice Springs Police Club Inc
81417683	Alice Springs Prison Officers Social Club
81017060	Alice Springs Wine Club
80219220	Arnhem Land Barramundi Lodge
80201092	Asti Motel
80201870	Bluestone Motor Inn
80515400	Daly River Mango Farm
80118222	Darwin Airport Lodge
81403906	Darwin Prison Officers Social Club
81116370	Discovery Holiday Parks – Darwin
81002615	Elders Pastoral – Alice Springs
80202513	Elkira Court Motel
80519153	Enchanted Moments
80103715	Hilton Darwin
80102591	Ibis Styles Alice Springs Oasis
81002487	Independent Grocers
80104168	Kakadu Crocodile Hotel

Licence number (<i>Liquor Act 1978</i>)	Licensed premises
80204630	Kakadu Lodge and Caravan Park
81002471	Landmark – Alice Springs
81016250	Landmark – Darwin
81115530	Landmark – Katherine
80103004	Lasseters Hotel Casino
81117401	Litchfield Cafe
81117212	Lorella Springs Station
81116712	MacDonnell Range Holiday Park
80115620	Mantra on the Esplanade
80216470	Mary River Wilderness Retreat and Caravan Park
80219215	Murwangi Safari Camp
81401764	NT Police Club
81019401	One Mile Brewery
81117302	Outback Caravan Park
80204377	Outback Pioneer Hotel
80202018	Paraway Motel
81019253	Piper Collective
80216120	Point Stuart Wilderness Lodge
80117547	Ross River Resort
80204400	Seven Spirit Bay Eco Wilderness Resort
80100141	Mindil Beach Casino Darwin
81115970	Southern Cross Caterers
81117717	Stuart Caravan & Cabin Tourist Park
80201886	Territory Manor

Licence number (<i>Liquor Act 1978</i>)	Licensed premises
80204199	Travelodge Mirambeena Resort Darwin
80201864	Vitina Studio Motel
80304680	Wildman Wilderness Resort
80317565	Wisdom Bar & Cafe

Schedule 5 Application for forfeiture order

regulation 109

NORTHERN TERRITORY OF AUSTRALIA

Liquor Act 2019

regulation 109

APPLICATION TO LOCAL COURT FOR FORFEITURE ORDER

I, _____
a police officer in the Police Force of the Northern Territory make this application under section 275(1) of the *Liquor Act 2019* for a forfeiture order under section 278 of that Act.

1. This application is for the forfeiture of the following vehicle, vessel or aircraft (the **property**):
2. Description of the property:
3. The property:
 - was seized on _____ 20__
 - has not been seized.
4. I believe on reasonable grounds that the property was used in the commission of a forfeiture offence against section ____ of the *Liquor Act 2019*.
5. The particulars of the forfeiture offence are as follows (include sufficient detail to identify the occasion of the alleged offence):

6. I believe on reasonable grounds that the quantity of liquor involved in the forfeiture offence exceeded 10 standard drinks and the basis for that belief is:

7. I declare that:

- no person was charged with a forfeiture offence in respect of the property;
- a person was charged with a forfeiture offence in respect of the property but all proceedings for the offence have ended and no person was found guilty of a forfeiture offence.

8. I declare that the following persons were notified in accordance with section 274(3) of the *Liquor Act 2019*:

(a) Notified by statement of facts:

Name of Person	Notes

(b) Notified by service of written notice:

Name of Person	Date of service
	_____ 20__
	_____ 20__
	_____ 20__

- I have attached further information about the persons who were notified.
- Section 8 is not applicable because no person was charged with a forfeiture offence in respect of the property

9. I understand I must take reasonable efforts to:

- (a) identify any person who owns or has an interest in the property; and

(b) serve a copy of this application on any persons so identified and located.

Signature of applicant: _____

Date: _____ 20__

Application received by the Local Court on: _____

Signed: _____

Date: _____ 20__

Schedule 6 Infringement notice offences and prescribed amounts

regulation 113

Part 1 Inspector or police officer infringement notice offences and prescribed amounts

Provision	Prescribed amount in penalty units
section 18(1)	1
section 46(1)	5
section 101(2)	3
section 109(2)	1
section 126(1)	5
section 127(1)	3
section 131(1)	4
section 131(2)	3
section 141(3)	3
section 143(2)	1
section 144(2)	1
section 173(1)	2
section 183(1)	2
section 189(1)	1
section 197(2)	1
section 207(1)	1
section 207(3)	1
section 214(3)	1
section 214(5)	1

Provision	Prescribed amount in penalty units
section 218(1)	1
section 224(1)	1
section 228(2)	1
section 229(1)	5
section 229(2)	3
section 253(1)	2
section 254(1)	2
section 283(1)	3
section 284(2)	3
section 285(1)	5
section 286(2)	1
section 286(3)	1
section 286(4)	1
section 287(4)	1
section 288(1)	1
section 289(1)	2
section 290(2)	3
section 291(3)	1
section 292(1)	3
section 293(1)	5
section 294(1)	2
section 296(2)	3
section 297(4)	4
section 298(3)	1

Provision	Prescribed amount in penalty units
section 299(2)	3
section 300(2)	0.5
section 300(3)	0.5
section 300(4)	1
section 301(2)	3
section 303(1)	5
section 303(2)	3
section 305(1)	1
section 307(1)	Same infringement penalty

**Part 2 Inspector infringement notice offences and prescribed
 amounts**

Provision	Prescribed amount in penalty units
section 36(3)	2
section 37(3)	2
section 76(4)	2
section 76(7)	2
section 79(1)	1
section 79(2)	1
section 98(1)	3
section 98(2)	3
section 100(2)	3
section 100(3)	3
section 108(3)	2

Provision	Prescribed amount in penalty units
section 148(1)	3
section 148(2)	3
section 314(2)	2

Schedule 7 Places that may be included in restricted premises

regulation 111

- 1 The part of Northern Territory Portions 1192 and 1316 at Nhulunbuy that is particularly delineated on Survey Plans A708 and A952 and comprising the following:

ALCAN Sports and Social Club – Lot 1348 Townsite of Nhulunbuy
Banyan Road Park – Lot 457 Townsite of Nhulunbuy
Captain Cook Community Centre – Lot 1395 Townsite of Nhulunbuy
Casuarina Ave Park – Lot 163 Townsite of Nhulunbuy
Ferntree Close Park – Lots 798 and 1282 Townsite of Nhulunbuy
G3 Wet Mess – Lot 1628 Townsite of Nhulunbuy
Gove Hockey Club – Lot 1538 Townsite of Nhulunbuy
Gove Squash Club – Lot 1133 Townsite of Nhulunbuy
Harleys of Gove Hog Shed – Lot 98 Gove Industrial Area
Jasmine Close Park – Lot 699 Townsite of Nhulunbuy
Jasper Road Park – Lot 477 Townsite of Nhulunbuy
Lions Club – Lot 1618 Townsite of Nhulunbuy
Lions Park – Lot 488 Townsite of Nhulunbuy
Nhulunbuy BMX Club – Lot 1365 Townsite of Nhulunbuy
Nhulunbuy Community Child Care Centre – Lot 1392 Townsite of Nhulunbuy
Nhulunbuy Community Neighbourhood Centre – Lot 1258 Townsite of Nhulunbuy
Nhulunbuy High School – Lot 23 Townsite of Nhulunbuy
Nhulunbuy Primary School – Lot 71 Townsite of Nhulunbuy
Nhulunbuy Scout Hall – Lot 1229 Townsite of Nhulunbuy
Nhulunbuy Senior Citizens Association – Lot 1336 Townsite of Nhulunbuy
NT Fire & Rescue Service, Nhulunbuy – Lot 3 Townsite of Nhulunbuy
Sandlewood Avenue Park – Lot 162 Townsite of Nhulunbuy
South Oval – Lot 1438 Townsite of Nhulunbuy
Town Hall – Lot 8 Townsite of Nhulunbuy

Town Oval No. 1 – Lot 1347 Townsite of Nhulunbuy

Town Oval No. 2 – Lot 1626 Townsite of Nhulunbuy

Whitewood Circuit Park – Lot 1505 Townsite of Nhulunbuy;

2 Hagney Park – the part of Northern Territory Portion 1192 within the Townsite of Nhulunbuy contained within the north-eastern boundary of Beagle Circuit, the south-eastern boundary of lot 1266 extended north-easterly for 15 metres, the north-western boundary of lot 1316 extended north-easterly for 15 metres and a straight line connecting the north-eastern extremities of the aforesaid extended boundaries.

3 Rotary South Park – the part of Northern Territory Portion 1192 within the Townsite of Nhulunbuy contained within the south-western and north-western boundaries of Chippis and Enalu Roads respectively, south-eastern boundaries of lots 1084 and 1085 and north-eastern boundaries of lots 1103 and 1105.

4 Astronomers Club Dark Sky, being the part of Northern Territory Portion 1692 contained within a circle of radius 200 metres centred at 12°16'16.72"S, 136°47'47.07"E.

5 Arnhem Gun Club (incorporating the Bowman's Gove Club, Pistol Club, Shotgun Club and Rifle Club), being the part of Northern Territory Portion 1692 bounded by straight lines connecting in succession the following coordinates:

12°13'44"S, 136°49'26.68"E

12°13'34.8"S, 136°49'41.34"E

12°13'49.78"S, 136°49'59.5"E

12°13'58.25"S, 136°49'31.25"E

12°13'44"S, 136°49'26.68"E;

6 Wirrawuy and Middle Carpark (Cape Wirawawoi), being the parts of Northern Territory Portions 1172, 1192, 1646 bounded by straight lines connecting in succession the following coordinates:

12°09'27.6"S, 136°46'55.2"E

12°09'43.8"S, 136°47'16.8"E

12°10'02.4"S, 136°46'01.8"E

12°09'49.2"S, 136°45'58.8"E

12°09'27.6"S, 136°46'55.2"E;

- 7 Banamburrnga (Rainbow Cliffs), being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°12'35.4"S, 136°49'04.8"E
12°12'42.6"S, 136°49'18"E
12°12'31.8"S, 136°49'42.6"E
12°12'37.2"S, 136°49'51.6"E
12°12'42.6"S, 136°50'03.6"E
12°12'40.8"S, 136°50'06.6"E
12°12'32.4"S, 136°50'58.2"E
12°12'53.4"S, 136°51'00"E
12°12'48.6"S, 136°50'03.6"E
12°12'43.8"S, 136°49'49.8"E
12°12'50.4"S, 136°49'06.6"E
12°12'35.4"S, 136°49'04.8"E;

- 8 Yarrapay (Rocky Point), Baringgura (Little Bondi), Ngumuy (Turtle Beach), Garanhan (Macassan) and Binydjarrnga (Daliwuy), being the parts of Northern Territory Portions 1044, 1045, 1646, 1692 bounded by straight lines connecting in succession the following coordinates:

12°16'47.4"S, 136°54'34.2"E
12°16'04.2"S, 136°55'04.2"E
12°17'10.8"S, 136°56'15.6"E
12°19'48"S, 136°56'36.6"E
12°21'35.4"S, 136°54'27.6"E
12°16'47.4"S, 136°54'34.2"E;

- 9 Wanuwuy (Cape Arnhem) including Yukuwarra, Rangura, and Lurrupukurru, being the parts of Northern Territory Portions 1692, 1646 bounded by straight lines connecting in succession the following coordinates:

12°19'51.6"S, 136°54'40.2"E
12°20'09"S, 136°59'49.8"E
12°22'49.8"S, 136°58'02.4"E
12°27'03"S, 136°52'09"E
12°25'08.4"S, 136°50'31.8"E
12°19'51.6"S, 136°54'40.2"E;

- 10 Ganami (Wonga Creek), being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°26'01.8"S, 136°41'57"E
12°27'47.4"S, 136°43'57.6"E
12°28'27"S, 136°43'17.4"E
12°26'54.6"S, 136°41'01.8"E
12°26'01.8"S, 136°41'57"E;

- 11 Guwatjurumuru (Rock Holes/Giddy River), being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°21'28.2"S, 136°42'40.2"E
12°22'11.4"S, 136°42'52.2"E
12°23'58.2"S, 136°41'19.2"E
12°24'10.2"S, 136°39'46.8"E
12°23'26.4"S, 136°39'21"E
12°23'18.6"S, 136°39'55.2"E
12°21'40.8"S, 136°42'08.4"E
12°21'28.2"S, 136°42'40.2"E;

- 12 Gapuru (Memorial Park), being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°27'01.2"S, 136°34'51.6"E
12°27'18"S, 136°34'51.6"E
12°27'18"S, 136°34'33.6"E
12°27'01.8"S, 136°34'33"E
12°27'01.2"S, 136°34'51.6"E;

- 13 Wahawuy (Goanna Lagoon and the Latram River), being the parts of Northern Territory Portions 1646 and 1692 bounded by straight lines connecting in succession the following coordinates:

12°18'06"S, 136°46'49.2"E
12°20'55.8"S, 136°48'31.2"E
12°20'55.2"S, 136°46'02.4"E
12°18'01.8"S, 136°46'00"E

12°18'06"S, 136°46'49.2"E;

- 14 Ganinyara (Granite Islands), being those parts of Northern Territory Portion 1647 and sea bounded by straight lines connecting in succession the following coordinates:

12°13'55.2"S, 136°40'39.6"E

12°14'47.4"S, 136°40'37.8"E

12°14'48.6"S, 136°40'21.6"E

12°13'56.4"S, 136°40'21.6"E

12°13'55.2"S, 136°40'39.6"E;

- 15 Marngarr Airport Beach southeast of Drimmie Head, being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates (including land between the north-eastern and south-western extremities of the area extended seawards to the low water mark):

12°13'40.1"S, 136°42'15.2"E

12°13'38.8"S, 136°42'14.5"E

12°13'34.1"S, 136°42'19.6"E

12°13'35.1"S, 136°42'21"E

12°13'40.1"S, 136°42'15.2"E;

- 16 Marngarr Sports Oval, being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°12'59.5"S, 136°42'20.8"E

12°12'53.8"S, 136°42'21.7"E

12°12'55.2"S, 136°42'28.4"E

12°13'01.1"S, 136°42'27.1"E

12°12'59.5"S, 136°42'20.8"E;

- 17 Marngarr Reserve, being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°12'17.8"S, 136°42'33.4"E;

12°12'17.8"S, 136°42'34.7"E;

12°12'22"S, 136°42'34.1"E;

12°12'21.9"S, 136°42'32"E;

12°12'17.8"S, 136°42'33.4"E;

18 Manangaymi (Scout Camp), being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°18'50.2"S, 136°40'24.6"E

12°18'58.1"S, 136°41'E

12°20'19.1"S, 136°40'18.2"E

12°19'52.2"S, 136°39'47.9"E

12°18'50.2"S, 136°40'24.6"E;

19 Spring Camp, being the part of Northern Territory Portion 1646 contained within a circle of radius 500 metres centred at coordinates 12°31'41.8"S, 136°43'32.4"E;

20 Dhanya Outstation, being the part of Northern Territory Portion 1646 contained within a circle of radius 1 000 metres centred at coordinates 12°33'03.3"S, 136°44'18.1"E;

21 Nhulunbuy Speedway Club, being the part of Northern Territory Portion 1646 bounded by straight lines connecting in succession the following coordinates:

12°12'27.8"S, 136°47'09.8"E

12°12'32.4"S, 136°47'03.3"E

12°12'25.5"S, 136°46'58.4"E

12°12'21.5"S, 136°47'05.4"E

12°12'27.8"S, 136°47'09.8"E;

22 Nomad Fishing Charters (Bremer Island), being the part of Northern Territory Portion 1647 situated north-easterly of a straight line between the following coordinates:

12°04'33.2"S, 136°48'55.5"E

12°05'10.4"S, 136°49'23.9"E

ENDNOTES
1 KEY

Key to abbreviations

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

2 LIST OF LEGISLATION***Liquor Regulations 2019 (SL No. 25, 2019)***

Notified	25 September 2019
Commenced	rr 53 and 55: 1 October 2020 (r 2(2)); rem: 1 October 2019 (r 2(1), s 2 <i>Liquor Act 2019</i> and <i>Gaz G39</i> , 25 October 2019, p 2)

Liquor Amendment Regulations 2021 (SL No. 2, 2021)

Notified	31 March 2021
Commenced	31 March 2021 (no effect – see note 3)

3 LIQUOR AMENDMENT REGULATIONS 2021

The *Liquor Amendment Regulations 2021* (SL No. 2, 2021) were not tabled in accordance with section 63(1)(c) of the *Interpretation Act 1978* and are deemed to have no effect in accordance with section 63(8) of that Act – the amendments made by the amendment Regulations are not included in this reprint.

4 LIST OF AMENDMENTS

pt 8 hdg	exp No. 25, 2010, r 119
rr 119 – 137	exp No. 25, 2010, r 119