



NORTHERN TERRITORY OF AUSTRALIA

No. 62 of 1988

AN ACT to amend the Liquor Act

[Assented to 15 December 1988]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the Liquor Amendment Act (No. 2) 1988.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. FORFEITURE

Section 96(1) of the Liquor Act is amended by omitting "A thing seized under this Part" and substituting "A thing seized under this Part and not released under section 100A".

4. NEW SECTION

The Liquor Act is amended by inserting after section 100 the following:

"100A. RELEASE OF SEIZED VEHICLE, &c., PENDING PROSECUTION

"(1) The owner or other person who, but for its being seized, would be entitled to possession of a vehicle, vessel or aircraft seized under this Part may, before the trial of a person for the alleged offence in connection with which it was seized, apply to the Minister for its release to the owner or that other person, as the case may be.

Liquor Amendment (No. 2)

"(2) The Minister may, in his absolute discretion, after considering the recommendations of the Chairman and being satisfied that the applicant was not knowingly involved in the act constituting the alleged offence in connection with which it was seized and had no reason to suspect that the vehicle, vessel or aircraft might be used in connection with the commission of the alleged offence, release it to the applicant on such conditions relating to its production as evidence at the trial of the alleged offence as the Minister thinks fit."

5. DISPOSAL OF FORFEITED THINGS

Section 101 of the Liquor Act is amended by omitting "thinks fit" and substituting "thinks fit, including, with the approval of the Minister where, in the case of a vehicle, vessel or aircraft, the Minister is of the opinion that the person was not knowingly involved in the act constituting the offence as a result of which it was forfeited and had no reason to suspect that it might be used in connection with such an offence, by selling or otherwise returning it to a person who, immediately before the forfeiture, had a legal or equitable interest in the vehicle, vessel or aircraft".
