



NORTHERN TERRITORY OF AUSTRALIA

No. 48 of 1988

AN ACT

to amend the *Summary Offences Act*

[Assented to 20 October 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 *Summary Offences Amendment Act (No. 2) 1988*.

2. NEW SECTION

The *Summary Offences Act* is amended by inserting in Part VIA, after section 45J, the following:

"45K. DRINKING BY MINORS IN PUBLIC PLACE

"(1) A person who has not attained the age of 18 years shall not drink liquor in a public place or on unoccupied private land unless the person is in the company of his or her parent, guardian or spouse (who has attained the age of 18 years).

"(2) A person who is not the other person's parent, guardian or spouse (who has attained the age of 18 years) shall not in a public place or on unoccupied private land supply liquor to another person who has not attained the age of 18 years, except where the person to whom it is supplied is in the company of his or her parent, guardian or spouse (who has attained the age of 18 years).

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"(3) In this section 'parent' and 'guardian', in relation to a person who has not attained the age of 18 years, includes a person who has attained the age of 18 years to whom the care and control of the first-mentioned person has been given by a parent or guardian (irrespective of its duration).

"(4) In a prosecution for an offence against subsection (1) or (2) the onus of proving that the care and control of a person who has not attained the age of 18 years had, at the relevant time, been given to a particular person by a parent or guardian rests on the accused.

"(5) In this section 'public place' does not include licensed premises within the meaning of the *Liquor Act*.

"(6) Nothing in this section derogates from the other provisions of this Part."
