



NORTHERN TERRITORY OF AUSTRALIA

No. 47 of 1988

AN ACT

to amend the *Liquor 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 *Liquor Amendment Act 1988*.

2. REPEAL AND SUBSTITUTION

Section 106 of the *Liquor Act* is repealed and the following substituted:

"106. MINORS ON LICENSED PREMISES

"(1) A person who has not attained the age of 18 years shall not enter or remain on licensed premises that are not, or a part of licensed premises that is not, a licensed restaurant, a licensed club, a roadhouse, the residential or dining area of a hotel or the dining area of a tavern, or such other licensed premises or parts of licensed premises as the Commission declares for the purposes of this subsection.

"(2) The Commission may, by notice in the *Gazette*, declare licensed premises or parts of licensed premises for the purposes of subsection (1).

Liquor Amendment

"106A. SUPPLY OF LIQUOR TO MINORS

"(1) A person who is not the other person's parent, guardian or spouse (who has attained the age of 18 years) shall not on licensed premises sell or supply liquor to another person who is under the age of 18 years, except where the first-mentioned person is the licensee of the licensed premises or a person employed by the licensee and -

- (a) the person to whom it is sold or supplied is in the company of his or her parent, guardian or spouse (who has attained the age of 18 years); and
- (b) it is sold or supplied in conjunction with or ancillary to a meal supplied by the licensee.

"(2) In subsection (1) 'parent' and 'guardian', in relation to a person who is under 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).

"(3) In a prosecution for an offence against subsection (1) the onus of proving that the care and control of a person who is under 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."

3. MINORS NOT TO BUY OR CONSUME LIQUOR AT LICENSED PREMISES

Section 118 of the *Liquor Act* is amended -

- (a) by omitting the words in parenthesis and substituting the following "(who has attained the age of 18 years)"; and
- (b) by adding at the end the following:

"(2) In subsection (1) 'parent' and 'guardian', in relation to a person who is under 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).

"(3) In a prosecution for an offence against subsection (1) the onus of proving that the care and control of a person who is under 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."