



## NORTHERN TERRITORY OF AUSTRALIA

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No. 39 of 1984

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### AN ACT

To amend the *Liquor Act*

[Assented to 25 September 1984]

**B**E 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 1984*.

2. COMMENCEMENT

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

3. PRINCIPAL ACT

The *Liquor Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 4 of the Principal Act is amended by omitting from the definition of "licence" the words "Part III;" and substituting "Part III and includes a renewal of a licence;".

5. DURATION OF LICENCE

Section 30 of the Principal Act is amended by omitting paragraph (a) and substituting the following:

"(a) a period commencing on the date on which the licence is issued and expiring on 31 July next following that date; or".

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6. FEES FOR RENEWAL

Section 35(4A) of the Principal Act is amended by omitting "one year" and substituting "12 months".

7. LICENSEE TO KEEP RECORD OF LIQUOR PURCHASES

Section 111(1) of the Principal Act is amended by omitting "or 12 months, as the case may be,".

8. LICENSEE TO LODGE RETURN

Section 113 of the Principal Act is amended by omitting sub-section (1) and substituting the following:

"(1) Subject to the conditions of his licence, a licensee shall, within 28 days of the last day of March, June, September and December during the period of his licence, lodge with the Registrar a return, in a form approved by the Commission, showing details of all purchases of liquor for disposal in pursuance of his licence made by the licensee in the 3 months preceding the last day of that March, June, September or December, as the case requires."

9. NEW SECTIONS

The Principal Act is amended by inserting after section 113 the following:

"113AA. COMMISSION MAY MAKE INQUIRIES, &c.

"(1) Where an understatement relating to the amount of purchases of liquor for disposal in pursuance of a licence in a return lodged under section 113(1) is brought to the attention of the Commission, the Commission may -

(a) cause to be made such inquiries; or

(b) conduct a hearing in accordance with Part V,

in relation to the understatement as it thinks fit.

"113AB. LICENSEE LIABLE FOR UNDERSTATEMENT, &c.

"(1) Where, consequent on -

(a) the investigations or inquiries; or

(b) the hearing,

under section 113AA, the Commission is satisfied that a licensee has made an understatement relating to the amount of purchases of liquor for disposal in pursuance of his licence in a return under section 113(1), the Commission shall, as soon as practicable, by notice in writing, notify the licensee of -

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(c) the result of the investigations or inquiries;  
or

(d) its decision following the conduct of a hearing,

and such notice shall specify the value of the understatement.

"(2) The notice referred to in sub-section (1) shall be served personally or by post on the licensee.

"(3) The licensee on whom a notice referred to in sub-section (1) is served shall, within 28 days after such service, pay to the Commission the balance of the fee payable on the corrected value of the purchases of liquor for disposal in pursuance of his licence.

"(4) Where an understatement referred to in sub-section (1) is in value in excess of \$750, the licensee shall, within 28 days after service of the notice referred to in sub-section (1), in addition to payment of the balance of the fee referred to in sub-section (3), pay, subject to sub-section (5), to the Commission an amount equal to the value of the understatement specified in sub-section (1).

"(5) The Commission may, if it thinks fit, remit the whole or any part of the payment referred to in sub-section (4)."

10. TRANSITIONAL

(1) Nothing in the Principal Act, as amended by this Act, shall be construed as extending the duration of a licence or a renewal of a licence for a period exceeding 12 months.

(2) Where -

(a) a licence or renewal of a licence issued or renewed before the commencement of this Act expires before 31 July next following that commencement; and

(b) an application is made for a renewal of that licence or renewal of a licence for a period, being less than 12 months, expiring on that 31 July,

a proportionate amount only of the licence fee for the renewal is payable.