



THE NORTHERN TERRITORY OF AUSTRALIA

No. 33 of 1981

AN ACT

To amend the Liquor Act

[Assented to 30 March 1981]

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 1981.

2. PRINCIPAL ACT

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

3. APPLICATION

Section 5(2)(h) of the Principal Act is amended by inserting after "person who is licensed" the words "(otherwise than by a special licence issued under Part VI)".

4. SURRENDER OF LICENCE

Section 39 of the Principal Act is amended -

(a) by omitting from sub-section (1) "A licensee" and substituting "Subject to this section, a licensee";

(b) by inserting after sub-section (1) the following:

"(1A) The surrender of a licence shall not have effect until it is accepted by the Commission.

"(1B) The Commission shall accept the surrender of a licence if it is satisfied that all persons who have an interest in the licensed premises to which the licence relates have been given by the licensee not less than 2 weeks notice of the licensee's intention to surrender the licence."; and

Liquor Amendment

- (c) by omitting from sub-section (2) "Upon surrender" and substituting "Upon the acceptance by the Commission of the surrender of a licence".

5. PROCEDURE AT HEARING

Section 51(3)(e) of the Principal Act is amended by omitting "the Chairman" and substituting "the member presiding".

6. BREACH OF CONDITION OF PERMIT

Section 93 of the Principal Act is amended by inserting after "condition of his permit" the words ", in addition to any penalty to which he may be subject for an offence against section 75(1) as a consequence of that contravention or failure".

7. POWER TO EXCLUDE OR REMOVE PERSONS

Section 121 of the Principal Act is amended -

- (a) by omitting sub-section (1A) and substituting the following:

"(1A) A licensee may exclude or remove from his licensed premises -

- (a) a bona fide resident of the premises, if that resident is intoxicated, violent, quarrelsome, disorderly or incapable of controlling his behaviour; or
- (b) any person (including a bona fide resident), if the presence or continued presence of that person on or at the premises would or might render the licensee liable to a penalty under this Act or any other law of the Territory."; and
- (b) by omitting from sub-section (2) "sub-section (1)(a) or (b)" and substituting "sub-section (1) or (1A)".

8. NEW SECTION

The Principal Act is amended by inserting after section 122 the following:

"122A. DUPLICATE LICENCES, &c.

"Where the Commission is satisfied that a licence, special licence or permit issued under this Act has been destroyed, lost or stolen, it may, upon the application of the licensee or permit holder and upon payment to it of a fee of \$2, issue to the licensee or permit holder a duplicate licence or permit, as the case may be."