

NORTHERN TERRITORY OF AUSTRALIA

LIQUOR LEGISLATION AMENDMENT ACT 2024

Act No. 10 of 2024

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 10 of 2024

An Act to amend the *Liquor Act 2019* and the *Liquor Regulations 2019*

[Assented to 24 May 2024]
[Introduced 20 March 2024]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Liquor Legislation Amendment Act 2024*.

2 Commencement

- (1) This Act (except Part 3) commences on the day after the day on which the Administrator's assent to this Act is declared.
- (2) Subject to subsection (3), Part 3 commences on the day fixed by the Administrator by *Gazette* notice.
- (3) If Part 3 does not commence before 26 March 2025, it commences on that day.

Part 2 Amendment of Liquor Act 2019

3 Act amended

This Part amends the *Liquor Act 2019*.

4 Section 18A inserted

After section 18, in Part 2, Division 3

insert

18A Officers under other Acts who may exercise certain powers of inspectors

- (1) The Minister may, by *Gazette* notice, specify a class of persons appointed under another Act for the purposes of subsection (2).
- (2) A person who is a member of a class of persons specified in a *Gazette* notice under subsection (1) is taken to be an inspector for the purposes of the following provisions:
 - (a) each other provision of this Division;
 - (b) section 25;
 - (c) section 154;
 - (d) section 236(1);
 - (e) section 243(1)(a), (2) to (4), (5)(a) and (b) and (6);
 - (f) sections 264 and 265;
 - (g) section 305.
- (3) A *Gazette* notice under subsection (1) may limit the exercise of a power or performance of a function referred to in subsection (2) by a particular class of appointees, as specified in the notice.
- (4) A person who is taken to be an inspector under this section must not exercise a power or perform a function referred to in subsection (2) unless the person is wearing body-worn video.
- (5) In this section:

body-worn video means equipment worn on the body of a person that is capable of recording visual images or sound or both.

5 Section 47 amended (Authorities attached to licence)

- (1) Section 47(1)(j)

omit

amounts of the liquor prescribed by regulation

insert

liquor

(2) Section 47(1), example 2

omit

of its beer and limited

insert

or

Part 3 Amendment of Liquor Regulations 2019

6 Regulations amended

This Part amends the *Liquor Regulations 2019*.

7 Regulation 3 amended (Definitions)

Regulation 3

insert

ASGS NT maps means *Australian Statistical Geography Standard Volume 1 – Northern Territory Maps* dated July 2011.

Darwin urban liquor control area means the Darwin region, other than the Humpty Doo, Koolpinyah and Weddell localities of the Litchfield Statistical Area 70103, as delineated in the ASGS NT maps.

8 Regulation 4 amended (Meaning of *region*)

Regulation 4

omit

Australian Statistical Geography Standard (ASGS) Volume 1 - Northern Territory Maps dated July 2011:

insert

ASGS NT maps:

9 Regulation 56B inserted

After regulation 56A, in Part 4, Division 9

insert

56B Special transaction restriction for Darwin urban liquor control area

- (1) This regulation applies to a licensee in the Darwin urban liquor control area.
- (2) Before selling liquor to a customer, the licensee or an employee of the licensee must request the customer to state the place where the liquor is intended to be consumed.
- (3) The licensee or employee is not required to comply with subregulation (2) if the licensee or employee believes that doing so would be a risk to the safety of any person on the licensee's premises.
- (4) If a customer who proposes to purchase liquor indicates to the licensee or an employee of the licensee that the liquor is intended to be consumed at a place at which the consumption of the liquor would contravene the Act, the licensee or employee must not sell the liquor to the customer.

10 Regulations 73A, 73B and 73C inserted

After regulation 73, in Part 4, Division 13

insert

73A Exception for wholesale sales

Regulations 72 and 73 do not apply in relation to the wholesale sale of liquor by a licensee in accordance with the licensee's registration under section 33 of the Act.

73B Notification of off-premises sales

A licensee must not sell, serve or supply liquor off the licensee's premises unless the licensee gives the Director written notice of the licensee's intention to do so at least 7 days before the sale, service or supply occurs.

Examples for regulation 73B

Sales at liquor industry shows, community festivals, farmers' markets or fairs.

73C Consent required for certain off-premises sales

A licensee must not sell, serve or supply liquor at an event in respect of which a major event authority or a special event authority is in force unless the licensee who holds the major event authority or special event authority gives written consent to the sale, service or supply.

11 Regulation 98C inserted

After regulation 98B, in Part 4, Division 20

insert

98C Special transaction restriction for Darwin urban liquor control area

- (1) This regulation applies to a licensee in the Darwin urban liquor control area.
- (2) Before selling liquor to a customer, the licensee or an employee of the licensee must request the customer to state the place where the liquor is intended to be consumed.
- (3) The licensee or employee is not required to comply with subregulation (2) if the licensee or employee believes that doing so would be a risk to the safety of any person on the licensee's premises.
- (4) If a customer who proposes to purchase liquor indicates to the licensee or an employee of the licensee that the liquor is intended to be consumed at a place at which the consumption of the liquor would contravene the Act, the licensee or employee must not sell the liquor to the customer.

12 Schedule 6 amended (Infringement notice offences and prescribed amounts)

Schedule 6, Part 1, entries for sections 143(2) and 144(2)

omit

1

insert

5

Part 4 Repeal of Act

13 Repeal of Act

This Act is repealed on the day after it commences.