



Serial 228
Liquor
Amendment
Mr Perron

NORTHERN TERRITORY OF AUSTRALIA

A BILL for AN ACT

to amend the *Liquor Act*

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 1993*.

2. DURATION OF LICENCE

Section 30 of the *Liquor Act* is amended by omitting all words after "until" and substituting "surrendered, suspended or cancelled under this Act".

3. COMMISSION'S POWER TO SUSPEND LICENCE

Section 66 of the *Liquor Act* is amended by omitting subsections (6) and (7).

4. OFFENCES, PENALTIES, &c.

Section 124 of the *Liquor Act* is amended -

- (a) by omitting from subsection (2) "is punishable upon conviction" and substituting "is liable on conviction to a penalty not exceeding"; and
- (b) by omitting subsection (2A).

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5. NEW SECTION

The *Liquor Act* is amended by inserting after section 124 the following:

"124AAA. ADDITIONAL PENALTY

"(1) Notwithstanding anything in this Act, the Commission may, in relation to the conviction of a licensee for an offence against section 102, 105, 106B, 106C or 121, by notice in writing served on the licensee and for a period specified in the notice, not exceeding that prescribed by subsection (2) -

- (a) suspend the licensee's licence; or
- (b) vary the licence so that the licence applies to and in relation to part only of the premises to which it previously applied,

or, where the offence is a third or subsequent offence, instead of suspending or varying the licence, cancel the licence.

"(2) For the purposes of subsection (1), the following are the prescribed periods:

- (a) where the offence is the first offence by the licensee against any of the sections referred to in that subsection - 24 hours;
- (b) where the offence is a second offence - 7 days; and
- (c) where the offence is a third or subsequent offence - 28 days.

"(3) For the purposes of subsection (2)(b) or (c), an offence is a second, third or subsequent offence if the previous offence was an offence, or the previous offences were offences, against any of the sections referred to in subsection (1), whether committed before or after the commencement of this section."

6. TRANSITIONAL AND SAVING

Subject to section 124AAA(3) of the *Liquor Act* as amended by this Act, the amendments effected by this Act apply only to and in relation to offences committed after the commencement of this Act and the *Liquor Act* as in force before that commencement (including the penalties provided) shall continue to apply to and in relation to offences committed before that commencement as though those amendments had never been made.