

Explanatory Statement

LIQUOR LEGISLATION AMENDMENT (FAST TRACK APPROVALS) BILL 2026

SERIAL NO.62

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

MINISTER FOR TOURISM AND HOSPITALITY

GENERAL OUTLINE

This Bill amends the *Liquor Act 2019*.

The Bill implements recommendations accepted by the Northern Territory Government from the Taskforce's final report, *Saying 'Yes' to Business*. The amendments are intended to improve regulatory efficiency in the liquor licensing system while maintaining appropriate safeguards.

The Bill introduces a fast-track approval process for certain low-risk liquor licence authorities, clarifies the criteria for determining whether a person is a fit and proper person, transfers responsibility for determining applications for material alterations to licensed premises from the Commission to the Director, and streamlines public notice and community impact requirements for low-risk applications.

NOTES ON CLAUSES

Clause 1. Short title

This clause provides that the Act may be cited as the *Liquor Legislation Amendment (Fast Track Approvals) Act 2026*.

Clause 2. Commencement

This clause provides that the Act will commence on a day fixed by the Administrator by Gazette notice. If a provision has not commenced before 20 March 2028, it will automatically commence on that date.

Clause 3. Act amended

This Part amends the *Liquor Act 2019*.

Clause 4. Section 4 amended (Interpretation)

This clause inserts a definition of 'low risk application' which refers to a new section 52A(1).

Clause 5. Section 5D inserted

This clause inserts new section 5D which establishes a framework for determining whether a person is a fit and proper person for the purposes of the Act.

The Liquor Commission must consider matters specified in the provision and any matters prescribed by regulation and may also have regard to any other information it considers relevant.

A person will generally not be considered a fit and proper person if they have been found guilty within the previous 10 years of an offence against specified liquor legislation. However, the Commission retains discretion to determine that a person is a fit and proper person if it considers the circumstances justify that determination.

Clause 6. Section 10 amended (Powers and functions)

This clause expands the functions of the Director to include determining applications to approve material alterations to licensed premises.

Clause 7. Section 19 amended (Commission decisions)

The clause removes the function from the Commission to determine applications for approval of material alterations to licensed premises.

Clause 8. Section 49 amended (Public interest and community impact)

This clause amends section 49 to clarify the circumstances in which the Commission may issue a licence or authority.

A new subsection provides that the Commission may issue a licence or authority on a low risk application if it is satisfied that the applicant is a fit and proper person, without needing to be satisfied of the public interest and community impact matters normally required under section 49.

Clause 9. Section 51 amended (Onus on applicant)

This clause clarifies that the onus on an applicant to satisfy the Commission of certain matters does not apply to low risk applications.

It also provides that applicants for low risk applications are not required to provide the information or undertake the consultation required under the community impact guidelines.

Clause 10. Section 52 amended (Application for licence and authority)

This clause amends the requirements for lodging applications for licences or authorities.

The clause clarifies that additional documents and evidence are required for applications other than low risk applications, including an affidavit and evidence addressing the applicant's onus under section 51.

Clause 11. Section 52A inserted

This clause inserts new section 52A to provide for low risk applications.

The section defines a low risk application as an application under section 52(1) for a licence, or the addition of authorities to an existing licence, where the authority is of a type prescribed by regulation.

The Director may, within 14 days after the application is lodged, determine that the application is not to be dealt with as a low risk application if the Director considers it to be in the public interest. If such a determination is made, the application ceases to be a low risk application and references to low risk applications in sections 49, 51 and 57 do not apply.

The Director must give written notice to the applicant and request the documents and information referred to in section 52(3).

A determination that an application is not to be dealt with as a low risk application is not reviewable by the Commission or NTCAT.

Clause 12. Section 56 amended (Acceptance of application)

This clause amends the timeframe within which the Director must decide whether to accept an application where a low risk application has been reclassified under section 52A.

Clause 13. Section 57 amended (Public notice of application)

This clause removes certain public notice provisions and provides that low risk applications are exempt from public notice requirements.

Clause 14. Section 59 amended (Consideration of applications)

This clause removes a redundant provision.

Clause 15. Section 60 amended (Decision to issue license or authority)

This clause updates references relating to applications that are exempt from public notice requirements.

Clause 16. Section 137 amended (Responsible service certificate)

This clause increases the period specified in the section from 3 years to 5 years.

Clause 17. Part 18 inserted

This clause inserts transitional provisions relating to the commencement of the amending Act.

Applications for licences or authorities that were lodged before commencement but not yet decided will continue to be dealt with under the provisions of the *Liquor Act 2019* as in force before commencement.

Similarly, applications relating to material alterations to licensed premises lodged before commencement will continue to be decided under the existing provisions.

Clause 18. Act further amended

This clause provides for a Schedule at the end of the instrument containing various amendments that transfer responsibility for applications and approvals for material alterations from the Commission to the Director, in line with the administrative changes introduced by the Act.

Clause 19. Amendment of Regulations

This clause advises that this division amends the Liquor Regulations 2019.

Clause 20. Regulation 4A inserted

A new regulation 4A is inserted to prescribe the authorities that qualify for the low risk application process under section 52A of the Act.

Clause 21. Schedule 2 amended (Risk classification for authorities)

This clause amends schedule 2 by inserted regulation 4A.

Clause 22. Act amended

This clause advises that this Part amends the *Liquor Commission Act 2018*.

Clause 23. Section 29 amended (Application for review)

This clause amends section 29 of the *Liquor Commission Act 2018* to update references to reviewable decisions to include determinations made under section 52A(2).

Clause 24. Repeal of Act

This clause provides that the Act will be repealed on the day after it commences.

Schedule – Further amendments to the Liquor Act 2019

The Schedule makes consequential amendments to transfer responsibility for decisions relating to material alterations to licensed premises from the Liquor Commission to the Director by replacing references to the Commission with references to the Director in relevant provisions.