RETAIL DRINKS AUSTRALIA

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31 July 2026

Committee Secretariat
GPO Box 3721
Darwin NT 0801

By email: LSC@nt.gov.au

Liquor Amendment Bill 2026

Dear Chair,

Retail Drinks Australia (**Retail Drinks**) welcomes the opportunity to provide a submission on the *Liquor Amendment Bill 2026* (**Bill**).

By way of background, Retail Drinks is the national industry body representing the interests of Australia's retail (packaged) liquor sector, with a vision to enhance the freedom to retail responsibly.

As the national industry body representing packaged liquor retailers, including the 90 or so licensed Northern Territory (**NT**) businesses operating with a Grocery Store or Takeaway Store authority, Retail Drinks is committed to working constructively with government to ensure that liquor regulation is evidence-based, proportionate and supports both harm minimisation and legitimate business activity.

Retail Drinks broadly supports the intent and direction of the Bill. The Bill makes a series of targeted regulatory and administrative amendments intended to improve the operation of the *Liquor Act 2019*, clarify the powers of regulators and reduce unnecessary administrative burden. Retail Drinks considers that many of these amendments represent sensible regulatory clean-up and modernisation.

OUR COMMITMENT TO RESPONSIBLE RETAILING

Retail Drinks supports the overarching objective of ensuring appropriate community safeguards are in place. We are committed to responsible retailing and promote standards of operation beyond required legal compliance. We have implemented a range of voluntary promotion, product, sales and service control, as well as safety and security initiatives adopted by members and the broader industry. Our industry responsibility initiatives include:

Product Ranging Guidelines – have been developed to help liquor retailer make product ranging choices to minimise potential misuse and subsequent harm related to excessive alcohol consumption, as well as identify, prevent, and report illegal or unregulated alcohol.

Choose to DrinkWise – developed in partnership with DrinkWise, this initiative aims to promote responsible alcohol consumption, via consistent retail moderation messages.

ID25 – educates customers, dissuade attempted purchase by minors and to reinforce staff awareness and confidence to refuse service to minors with point-of-sale material.

Don't Buy It For Them – discourages secondary supply to minors and vulnerable people and to educate the community on their shared responsibility not to supply and highlights the penalties for doing so.

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Safe to Serve – tackles retail liquor crime by creating a secure environment for employees and customers and promoting a culture of safety, respect, and responsibility.

Online Alcohol Sale & Delivery Code of Conduct – an industry-wide framework developed to enhance compliance in the responsible online sale and delivery of alcohol.

SUPPORT FOR SIMPLER LICENCE ADMINISTRATION

Retail Drinks supports the Bill's practical measures to modernise and simplify licence administration. These include removing outdated requirements associated with physical licences, allowing licences and authorities to be surrendered through an administrative application, extending the period before licensed premises are considered abandoned from six (6) to 12 months, and aligning acting-licensee arrangements with a 90-day period.

Retail Drinks also supports proposed section 113A, which will allow the Liquor Commission to correct clerical mistakes, duplicated or conflicting material and other administrative errors in licence conditions without undertaking an unnecessarily complex substantive variation process. Provided that these amendments do not alter the substance of a licence or authority, this is a practical and proportionate reform.

LICENCE TRANSFERS

Retail Drinks supports the proposed amendments to sections 71 to 73, which more clearly distinguish the transfer of an existing licence from an application for a new licence. In particular, the presumption that an existing licensee is fit and proper in the absence of evidence to the contrary, should reduce duplication and allow regulatory resources to be directed towards matters presenting a genuine risk.

However, simplifying the transfer of existing licences does not resolve the broader structural restrictions imposed by the continuing moratorium on new takeaway authorities under Section 84. As per Clause 98A of *the Liquor Regulations 2019*, the moratorium has been extended until 28 February 2027, meaning that no new takeaway authorities will be issued, and applications are not being accepted.

Retail Drinks supports the removal of the moratorium so that applications can be assessed on their individual merits under the risk-based framework established by the Act. At a minimum, the Government should establish clear exemption pathways for growing and underserved areas, new commercial developments and circumstances where an application would promote competition and consumer choice without increasing alcohol-related harm.

A more efficient transfer process is welcome, but it should not become the only practical avenue through which a business can enter the takeaway liquor market.

MATTERS FOR CONSIDERATION

1. Automatic suspension for non-payment of annual fees

In principle, Retail Drinks supports the proposed section 69 and recognises the need for an effective mechanism to ensure that annual licence fees are paid on time. However, automatic suspension is a significant regulatory consequence.

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A licensee who continues trading while unaware that their licence has been suspended may be exposed to serious compliance and enforcement consequences, despite the original non-payment resulting from an administrative oversight, incorrect contact information, a failed electronic payment or another readily rectifiable issue.

While Licensing NT may ordinarily issue invoices and administrative reminders, the Bill does not expressly require the Director to provide a final warning or notice of intended suspension before the suspension takes effect. Current administrative practice should not be treated as a substitute for a clear legislative safeguard.

Retail Drinks recommends that:

- The Director be required to issue written notice that the fee is overdue and that the licence will be suspended if payment is not received.
- Licensees be provided with a reasonable rectification period, such as 14 days, before suspension takes effect.
- Notices be sent to both the licensee and any nominated licensing or compliance contact; and
- The licence continues to be reinstated immediately once the fee and any applicable late fee are paid.

The above steps would preserve an effective fee-enforcement mechanism while reducing the risk of disproportionate consequences arising from an inadvertent administrative error.

2. Transparency and certainty in annual licence fees

The Bill allows annual licence fees, licensing periods, payment dates and late payment fees to be prescribed by regulation. Retail Drinks considers it essential that these regulation-making powers be exercised transparently and following consultation with affected licensees.

The existing risk-based licensing framework calculates fees by reference to the risk classification of the highest-risk authority, alcohol volume, operating hours, available discounts and compliance history. Takeaway and Grocery Store authorities are currently classified as “very high” risk, and the difference between the base fee for a very-high-risk authority and lower-risk authorities is substantial.

Retail Drinks supports risk-based regulation in principle. However, risk classifications and fee settings must accurately reflect the contemporary operating environment and the actual risks presented by each business model. They should not rely on historic assumptions or treat all takeaway liquor authorities as presenting the same level of risk regardless of their location, operating model, compliance record and existing safeguards.

In particular, the Banned Drinker Register (**BDR**) has materially changed the regulatory environment for liquor retail. The existence of BDR, together with other conditions and restrictions, should be considered when assessing the risk profile of licensed premises.

It is hard to justify automatically placing responsible liquor retailers in the same broad “very high” category as late-night venues without transparent and current evidence to support such a classification.

Businesses require sufficient certainty to forecast regulatory costs and make investment decisions. Fee arrangements should therefore be predictable, transparent and demonstrably connected to the actual risk presented by the licensed activity.

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Retail Drinks recommends that the Government:

- Publish the evidence and methodology used to determine each authority's risk classification.
- Periodically review classifications to account for regulation, technology and compliance control changes.
- Consult with affected businesses before materially changing the fee framework.
- Provide licensees with a clear explanation of how their annual fee has been calculated; and
- Provide an accessible mechanism for a licensee to seek correction or review where a classification, multiplier or calculation is believed to be incorrect.

3. Variation of licence conditions by the Commission

Retail Drinks supports the amendments to section 113 that provides for the Commission to only vary licence conditions on its own initiative where necessary to prevent or minimise community harm or is in the public interest.

We agree that the licensee be given the proposed variation, the reasons for it and 28 days to respond. However, proposed section 113(3A) retains the Commission's ability to impose a variation that differs from the original proposal. The Bill does not expressly require further consultation where that difference is material.

Retail Drinks recommends that a licensee be given further notice and a reasonable opportunity to respond where a materially different condition raises new operational, compliance or commercial issues. This would not be necessary for minor or consequential changes.

Retail Drinks also recommends guidance on how this power will be exercised, including the relevant thresholds and evidence, and the distinction between substantive variations under section 113 and administrative corrections under section 113A.

4. Police power to suspend a licence or authority

The Bill clarifies that the Commissioner of Police may suspend a licence or authority where alcohol-related violence, riotous conduct or a breach of the peace is occurring on the licensed premises or "in the vicinity" of the premises.

Retail Drinks supports effective and targeted police powers to respond to an imminent threat to public safety. We also acknowledge that the Bill ordinarily requires a licensee to be given a reasonable opportunity to prevent the conduct from continuing before a suspension is imposed.

The expression "in the vicinity" is broad and could capture conduct occurring outside the licensed premises, involving persons with no connection to the business and in circumstances over which the licensee has no practical control. A licensee should not be subject to suspension merely because disorder happens to occur geographically close to its premises. There should be a clear and demonstrable connection between the operation of the licensed premises and the conduct relied upon to justify the suspension.

Retail Drinks recommends that section 258 require the Commissioner to be satisfied that the relevant conduct is sufficiently connected to the operation of the licensed premises, that the licensee had a reasonable capacity to influence or prevent it, and that suspension is proportionate and the least restrictive reasonably available response. In making that assessment, regard should be had to matters such as whether the persons involved were patrons, the proximity and timing of the conduct, the steps taken by the licensee, any requests for police assistance, and whether the conduct continued after the premises ceased trading.

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Written reasons and a prompt review pathway should also be available, particularly where the licensee has taken all reasonable steps to manage the situation.

ALCOHOL PROTECTED AREAS AND COMMUNITY SAFETY

Retail Drinks acknowledges the Bill's transition of Interim Alcohol Protected Areas into the General Restricted Area framework. The proposed framework preserves existing restrictions and permits while creating a clearer process through which an area, its boundaries or the types of prohibited liquor may subsequently be varied or revoked.

Retail Drinks supports the requirement to publish current information about General Restricted Areas, including their boundaries and applicable liquor prohibitions, on the Commission's website. Accessible and up-to-date information is important for licensees, delivery providers, consumers and enforcement agencies.

We also support extending the maximum banning notice period from 14 to 90 days as a targeted measure to protect retail workers, customers and the broader community from individuals engaging in relevant violent, threatening or disorderly conduct.

Where changes to a General Restricted Area may affect the supply, transport, delivery or sale of liquor by licensed businesses, affected licensees and industry representatives should be included in the consultation process alongside other community stakeholders.

CONCLUSION

Retail Drinks supports the Bill as a sensible package of regulatory and administrative reform. The Bill would however be strengthened by:

1. Clearer safeguards around automatic licence suspension.
2. Transparent and evidence-based fee and risk classifications.
3. Further consultation where licence conditions are materially changed; and
4. Ensuring there's a clear connection between licensed premises and conduct occurring "in the vicinity" before exercising suspension powers.

Retail Drinks also encourages the Government to progress broader reform, including:

1. A review of the moratorium on new Takeaway Store authorities; and
2. A review of the current 25% liquor sales cap for Grocery Store authorities.

We thank the Government, and Department's for their ongoing industry cooperation and communication. Please do not hesitate to contact me via (E) info@retaildrinks.org.au or (P) 02 8335 3200 to discuss the matter further.

Sincerely,

Michael Waters
Chief Executive Officer