

TABLING NOTE FOR SUBORDINATE LEGISLATION

SUBORDINATE LEGISLATION NO. 43 OF 2016

LIQUOR AMENDMENT REGULATIONS 2016

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Purpose

To amend the *Liquor Regulations* under the *Liquor Act* to impose a condition on each store licence that the areas in which the public can browse for, and purchase, liquor is limited to a maximum of 400 square metres.

Summary of key provisions

- Section 24 of the *Liquor Act* provides that the Director-General may issue a licence to an applicant for the sale of liquor, or the sale and consumption of liquor on, at or away from premises specified in the licence (commonly referred to as a takeaway licence). A licence is issued in respect of premises which are defined in the *Liquor Act* as 'licensed premises'.
- A licensed premises which is authorised only to sell liquor for consumption away from the premises is often referred to as a stand-alone bottle shop or store licence.
- Section 32A(10) of the *Liquor Act* defines 'store licence' to mean a licence that authorises the sale of liquor for removal and consumption away from the licensed premises and that is endorsed with the words:
 - (a) "AUTHORITY – STORE"; or
 - (b) "AUTHORITY – LIQUOR MERCHANT".
- This definition of store licence is relied upon by regulation 4(1AA) of the *Liquor Regulations* to prevent liquor stores selling takeaway liquor on Sundays.
- This amendment will impose a condition on all store licences which provides that the areas in which the public can browse for, and purchase, liquor is limited to a maximum of 400 square metres.
- This will include refrigerated display shelving but does not include drive through, parking or storage areas.

Legislative Authority

Section 128(2)(f) of the *Liquor Act*.

NORTHERN TERRITORY OF AUSTRALIA

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 43 of 2016*

Liquor Amendment Regulations 2016

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Liquor Act*.

Dated 19 December 2016

J. L. HARDY
Administrator

By His Honour's Command

L. J. MOSS
Minister for Environment and Natural Resources
acting for
Attorney-General and Minister for Justice

* Notified in the *Northern Territory Government Gazette* on 20 December 2016.

1 Citation

These Regulations may be cited as the *Liquor Amendment Regulations 2016*.

2 Regulations amended

These Regulations amend the *Liquor Regulations*.

3 Regulation 5BA inserted

After regulation 5B, in Part 2A

insert

5BA Condition applying to certain licences

- (1) It is a condition of a store licence that the area in which the public can browse for and purchase liquor is limited to a maximum of 400 m².

Note for subregulation (1)

A store licence authorises the sale of liquor for consumption away from the premises only. The term is defined in section 32A(10) of the Act.

- (2) The area mentioned in subregulation (1):
- (a) includes refrigerated display shelving; but
 - (b) does not include the following:
 - (i) driveways or car parking areas;
 - (ii) cool-rooms or storage areas to which the public does not have access.

4 Expiry of Regulations

These Regulations expire on the day after they commence.