

Overview of the Liquor Act 2019

Introduction

The Alcohol Policies and Legislation Review Final Report (the Riley Review) recommended that the *Liquor Act 1978* be re-written to provide a coherent framework for the operation of the liquor industry within harm minimisation principles, and to remove confusing and inconsistent provisions in the current Act. Government agreed and the *Liquor Act 2019* will commence 1 October 2019, resulting in over 70 Riley Review recommendations being implemented.

This fact sheet is a quick guide to key aspects of the new *Liquor Act 2019* (the Act). Additional fact sheets on particular aspects of the legislation are also available at alcoholreform.nt.gov.au.

Legislative framework for liquor

From 1 October 2019, the new legislative framework for liquor in the Northern Territory will comprise of:

- The *Liquor Act 2019*
 - The Liquor Regulations 2019
 - Codes of practice established by the Liquor Commission (pursuant to section 101 of the Act)
 - Community Impact Assessment Guidelines made by the Minister (pursuant to section 20 of the Act)
 - If made by the Minister, guidelines on the retention/possession of credit/debit cards (pursuant to section 101 of the Act)
 - Guidelines made by the Liquor Commission (with permission of the Minister) in relation to operation and administration of the Act (pursuant to section 316 of the Act)
- The *Liquor Commission Act 2018*
- The *Alcohol Harm Reduction Act 2019* (contains provisions relating to the Banned Drinker Register etc)

What are the key aspects of the new Act?

Primary purpose of the Act

Section 3 provides that the primary purpose of the Act is to:

- minimise the harm associated with the consumption of liquor in a way that recognises the public's interest in the sale, supply, service, promotion and consumption of liquor.

There are also a number secondary purposes, including:

- to protect and enhance community amenity, social harmony and community wellbeing through the responsible sale, supply, service, promotion and consumption of liquor
- to regulate the sale, supply, service, promotion and consumption of liquor
- to facilitate the diversity of licensed premises and associated services for the benefit of communities
- to regulate the sale, supply, service, promotion and consumption of liquor in a way that stimulates the tourism and hospitality industries

Importantly the Act requires a person exercising a power or performing a function under the Act to have regard to the primary and secondary purposes of the Act and act consistently with those purposes.

Key definitions

'intoxicated'

The Act (section 5) now contains a definition of 'intoxicated', which is similar to that in use under the *Police Administration Act 1978*:

A person is to be taken to be intoxicated if:

- a The person's speech, balance, coordination or behaviour appears to be noticeably impaired; and
- b It is reasonable in the circumstances to believe the impairment results from the person's consumption or use of liquor or a drug.

The key change is the inclusion of 'or a drug'. This change makes it clear that a licensee is able to remove someone from its premises if they are intoxicated not only through alcohol, but also drugs.

Liquor substances, exempt products and the application of the Act

Section 6 of the Act sets out how the Act applies to different substances. The definition of liquor has been broadened to ensure it captures alcohol products such as frozen icy-poles and alcohol powders. Part 6 Division 5 of the Act also provides for provisions relating to the control of inedible substances containing alcohol (for instance, mouthwash), which unfortunately are subject to abuse by problem drinkers.

Importantly, regulation 5 of the Liquor Regulations 2019 provides for products that are exempt from licensing. No licence is required for the sale, supply or service of a product that is:

- Manufactured for use as an additive or ingredient in preparing food; and
- Is not drinkable or palatable as a beverage

Examples provided at regulation 5 include Asian cooking wine and soy sauce.

No licence is required for sale, supply or service of flavour extract in containers of 50ml or more.

The products set out in regulation 5 are also exempt from minimum pricing (regulation 6).

The role of the Director of Liquor Licensing

The statutory office of the Director-General has been abolished and replaced with the position of the Director of Liquor Licensing (section 9).

The Director of Liquor Licensing has the following legislated functions (section 10):

- To monitor compliance with the Act and conduct investigations and handle complaints and other matters
- To issue infringement notice and enforce the Act
- To participate in proceedings before the Liquor Commission in relation to licences, authorities, local liquor accords, complaints and compliance
- To provide educational and informative materials to licensees and the public regarding the operation of the Act and compliance with its provisions
- To maintain the register of licensees, wholesalers and complimentary servers of liquor
- To supervise inspectors and the performance of their functions
- Any other functions conferred on the Director under this or any other Act

The Director of Liquor Licensing has the powers necessary to perform the Director's functions.

Importantly the Act (section 11) provides that the Director of Liquor Licensing has the ability to delegate any of their powers and functions to an appropriately qualified or experienced public sector employee. This power of delegation in partnership with the ability for the Northern Territory Liquor Commission (the Liquor Commission) to also delegate certain matters means that the Northern

Territory Liquor Commission will be able to focus on the more serious or complex matters and allow the Director of Liquor Licensing and other appropriately qualified and experienced officers to undertake administrative functions without undue delay.

Liquor Commission

The Liquor Commission is the primary independent decision maker under the Act. However, it does have the ability to delegate matters to the Director of Liquor Licensing.

Hearings

The Act (section 21) provides that the Liquor Commission 'may' conduct a hearing in relation to any matter on which it is to make a decision under the Act. This is necessary as some matters do not require a hearing due to their trivial nature thereby avoiding unnecessary cost and undue hardship on parties.

The Act makes it clear that if the Liquor Commission was to hold a hearing that it should do so in public unless it would be inappropriate to do so because:

- A public hearing is likely to cause undue hardship to a person
- Commercial-in-confidence information must be protected
- The matter is not controversial
- Conducting the hearing in public would not be worthwhile

The Liquor Commission still determines its own rules and procedures in relation to hearings, is not bound by the rules of evidence and may inform itself in any manner it considers appropriate. The Liquor Commission can also determine to conduct some matters by way of written submissions only (sections 22 to 24).

The Liquor Commission was established under its own piece of legislation the *Liquor Commission Act 2018*, which provides for the establishment, membership, powers and functions of the Liquor Commission.

Review of decisions

A decision made by a delegate of the Director of Liquor Licensing is reviewable by the Director of Liquor Licensing in the first instance (section 26). Only an 'affected person' can seek a review and they must make the application for review within 28 days after written notice of the decision is given to the person (section 27 and 28). The Director of Liquor Licensing must review the delegate's decision within 28 days after the application for review is lodged (section 29).

Director of Liquor Licensing decisions are reviewable by the Liquor Commission and in some cases NTCAT.

Liquor Commission decisions are reviewable by the NTCAT (section 31). The persons that can apply to NTCAT for review of a Liquor Commission decision is set out in the Act (section 31).

Wholesalers

The registration arrangements for wholesalers continue under the new Act (section 34 to 37). Licensees that sell to other licensees at wholesale prices will require registration as a wholesaler.

Those licensees that sell to other licensees at wholesale prices will be able to have their registration as wholesaler taken care of as part of the transition process to the new 'authorities' framework under the Act (see below). Licensees can seek registration as a wholesaler at any time and do not need to wait for their existing licence to be converted into the new format.

Interstate sellers

An interstate retailer's licence is required to sell liquor from a place outside the Territory for delivery to a person or location in the Territory (section 44). One of the eligibility requirements for an interstate retailer's licence is that they must hold a liquor licence in another state. The identification system requirements for the Banned Drinker Register do not apply, unless the Commission makes the licence subject to a condition that provides otherwise.

Supply of complimentary drinks

The Act permits licensees to provide not more than two complimentary standard drinks per day per customer (section 122). A business (which does not hold a liquor licence and is not primarily involved in the selling of food or beverages) may

register as a complimentary server of alcohol and be permitted to provide not more than two complimentary standard drinks per customer per day (section 38 to 41).

This allows businesses such as jewellers and fashion boutiques to register and legally serve limited complimentary drinks to its customers. If a business wished to serve more than this amount (e.g. they were holding a function), they would need to apply for a special event authority.

Liquor licences and authorities

Under the Act the Liquor Commission may issue a 'licence', with one or more 'authorities' (section 48). The Act at section 42 provides that a licence is required:

- To sell liquor in the Territory
- To sell liquor from a place outside the Territory for delivery to a person or place in the Territory (refer to interstate sellers information)
- To supply or serve liquor on or in premises in the Territory used or occupied for a commercial or business purpose

No licence is required in the following places (section 43):

- At a naval, army or air force mess, canteen, camp or post with the authority of the naval, army or air force authorities
- At a canteen or other facility operated under the *Defence Act 1903* (Cth)
- Within the precincts of the Legislative Assembly
- On board a vessel travelling to or from a port in the Territory on a voyage of not less than 150km
- On an aircraft in flight
- On a train during a journey
- In the Joint Defence Facility Pine Gap Area
- A place prescribed by regulation

No licence is required in the following circumstances (section 43):

- Not more than two standard drinks in a day to a resident in a retirement or residential care facility
- Not more than two standard drinks to a patient in a hospital
- One liquor product sold as part of a gift basket of flowers or food

- Liquor served by an employer to employees and their families and guests
- Flavour extract in containers not exceeding 50ml
- A substance in circumstances prescribed by regulation

No licence is required for the following transactions (section 43):

- The sale of liquor forfeited under a law of the Territory
- The sale of liquor at an auction
- The wholesale sale of liquor by a licensee when registered as a wholesaler
- The sale of liquor at a duty free shop
- The service of not more than two complimentary standard drinks in a day to a customer by a registered complimentary server of liquor
- The wholesale sale of flavour extract
- A transaction prescribed by regulation

Authorities

The Riley Review recommended standardisation of licence types.

The 22 authorities are as follows (section 47):

- a** Small bar authority – which authorises the licensee to sell liquor for consumption on the licensed premises with or without the consumption of food on or in a licensed premises with a maximum capacity of 100 patrons.
- b** Restaurant authority – which authorises the licensee to sell liquor to patrons for consumption on or in the licensed premises with the consumption of food.
- c** Restaurant bar authority – which, in conjunction with a restaurant authority, authorises the licensee to sell liquor to patrons for consumption with or without the consumption of food.
- d** BYO authority – which authorises the licensee to serve liquor brought by a patron for consumption with food provided by the licensee on or in the licensed premises.
- e** Takeaway liquor authority – which authorises the licensee to sell liquor products to customers for consumption away from the licensed premises
- f** Lodging authority – which authorises the licensee to sell liquor to guests staying at the licensee's accommodations for consumption on or off the premises
- g** Wayside Inn liquor authority – which authorises the licensee to sell liquor to guests staying at the licensee's accommodations for consumption on or in the licensed premises

- h** Casino authority – which authorises the licensee to sell liquor to patrons in a casino for consumption on the licensed premises
- i** Special venture authority – which authorises the licensee to sell liquor to patrons as an ancillary part of services provided to the patrons by the licensee
- j** Producers' authority – which authorises the licensee to sell amounts of the liquor prescribed by regulation produced by the licensee to patrons visiting the producer's manufacturing premises for consumption on or off the premises
- k** Club authority – which authorises the licensee to sell liquor to members of a club operated by the licensee, guests of members and visitors to a club for consumption on the licensed premises, with no restrictions on the aggregate annual volume of alcohol that may be sold
- l** Community Club authority – which authorises the licensee to sell liquor to members of a club operated by the licensee, guests of members and visitor of the club, for consumption on the licensed premises, with a limit prescribed by regulation on the aggregate annual volume of alcohol that may be sold
- m** Catering authority – which authorises the licensee to sell or supply liquor to patrons for consumption, in conjunction with food being catered by the licensee, on or in premises where the licensee has the consent of the owner or occupier of the premises
- n** Public bar authority – which authorises the licensee to sell liquor to patrons for consumption on or in the licensed premise
- o** Major event liquor authority – which authorises the licensee to sell liquor to patrons attending a single event that is expected to have at least 1500 attendees, or have a significant effect on public transport or local amenities, or will require a more than usual amount of emergency services or police supervision
- p** Community event liquor authority – which authorises the licensee to sell liquor to patrons at events organised by the licensee on a regular but infrequent basis for consumption on or in the licensed premises
- q** Grocery store authority – which authorises the licensee to sell liquor products to customers for consumption away from the license premises, which are part of or attached to the premises that sell groceries or other non-liquor items operated by the licensee or a related entity as defined in section 50 of the *Corporations Act 2001*

- r** Special event liquor authority – which authorises the licensee to sell liquor for consumption on or in licensed premises, to patrons attending a single event that is reasonably expected to have less than 1500 attendees
- s** Late night authority – which, in conjunction with a small bar or public bar authority, authorises the licensee to sell liquor to patrons for consumption on or in the licensed premises during one of the following periods: from 12:00am to 2:00am; or from 12:00am to 4:00am
- t** Adult entertainment authority – which in conjunction with a public bar authority, authorises the licensee to have employees who work dressed in sexualised clothing or topless
- u** Adult entertainment R-rated authority – which is an adult entertainment authority that authorises the licensee to also provide strip shows, R-rated entertainment and full nudity on or in the licensed premise
- v** Adult entertainment explicit authority – which is an adult entertainment authority that authorises the licensee to also provide general and private strip shows, R-rated entertainment, fully nude staff or entertainers, non-sexual contact between entertainers and patrons, and voluntary audience participation in the entertainment on or in the licensed premise

Limits on authorities (grandfathering of grocery store authority plus the takeaway moratorium)

Section 84 provides that:

- An authority cannot be change into or substituted for another authority, without making an application for the other authority
- No grocery store authority may be created or issued under this Act (effectively grandfathering this type of authority, but still allowing existing grocery store authorities to operate and to be transferred)
- No takeaway authority may be created or issued until after 31 August 2023 or any later date extended via regulation

Conditions

The conditions specific to each authority type are set out in the Liquor Regulations 2019. Common conditions for all licences are set out in the Act from section 89 to 109 (i.e. signage requirements, fire safety and public health conditions). Licences may also have special conditions set by the Minister or the Liquor Commission which are in addition to or in replace of the standard and common conditions set out in the Act or the Regulations. Special conditions will be contained in the licence issued to a licensee.

Conversion of existing licences to the new authority format

Once the Act commences on 1 October 2019, existing licences will need to transfer to the new system of authorities. Licensing NT will work with existing licensees to identify which authorities existing licences should have under the new regulatory framework. Government acknowledges that this process will take some time and a transition period for existing licences has been established.

A separate fact sheet about this transition process and the new Risk Based Licensing Framework is available at <http://alcoholreform.nt.gov.au/>.

Authority conditions will be found in the Act itself (standard conditions common to all authorities), in the Regulations (conditions specific to each authority) and special conditions (issued to an individual licence by the Minister or the Liquor Commission).

A separate fact sheet about the Liquor Regulations 2019 (including authority special information) is available at <http://alcoholreform.nt.gov.au/>.

A new BYO (bring your own) authority

Businesses offering BYO in the Territory have never been required to hold any permits or licences.

The Riley Review recommended that businesses that offer BYO should be licensed and covered by the regulatory framework for liquor. This will ensure that basic responsible service of alcohol (RSA) requirements would be enforceable by Police and Licensing Inspectors. A transition period for businesses to apply for a BYO authority will apply.

Businesses will have until 1 June 2021 to apply for a BYO authority. The proposed annual fee for a BYO authority is \$100 (discounts available).

Public interest and community impact assessment

The 'public interest and community impact test', is the test the Liquor Commission applies when making a determination under the Act. It was included in the *Liquor Act 1978* when the Liquor Commission was established, in line with Riley Review recommendations.

The relevant provisions have re-structured so it is clearer for all parties as to how an assessment is made concerning public interest and community impact for matters under the Liquor Act (refer to section 49 to 51).

Public interest and community impact guidelines continues under the Act (section 50). The guidelines provide further assistance in the assessment of the potential impact of issuing a licence or an authority on the community.

Application process for liquor licences

Under the Act, a person applies to the Liquor Commission for a licence or authority, but the application is lodged with the Director of Liquor Licensing (section 52).

Changes have been made to the application process to build in time frames for specific acts in relation to the processing of the application. A separate fact sheet outlining the flow chart for the application process under the Act can be accessed at alcoholreform.nt.gov.au/.

Annual Risk Based Licensing Fees and application fees

The NT is the only jurisdiction not to impose annual liquor licensing fees.

The RBL Framework is based on the authorities that attach to a venue's licence. Each authority will have its own conditions and a risk classification (to be set out in the Liquor Regulations).

The risk classification for each authority forms the base fee in the RBL Framework.

The RBL Framework is a tiered volume model (similar to the ACT's model) which uses the formula:

$$\text{Licence fee} = [(base\ fee \times tier\ multiplier \times hours\ multiplier) - discounts] \times breach\ loading$$

Key elements of the RBL Framework are:

- The base fee is based on the risk classification of the authorities.
- Increasing of the annual fee if the venue operates for longer than an authority's average hours, or a reduction in the annual fee if the venue operates for less than average hours for that authority.
- Reduction in the annual fee if a venue implements one or more of the discounting measures.
- Significant increases in an annual fee if a venue is found to have breached its liquor licence or to have committed an offence against the *Liquor Act* during the relevant period.

There is a transition period for the implementation of the RBL Framework, with Licensing NT to issue the first invoices for annual fees on 1 October 2020, with payment due by 2 January 2021.

A comprehensive fact sheet explaining the RBL Framework and an online calculator for businesses to estimate their annual fee is available at <https://alcoholreform.nt.gov.au/>.

Government has also determined that all revenue raised from RBL annual fees is to be used for

alcohol education, research or evaluation in the alcohol harm minimisation space.

Application fees

The application fees are set out in Schedule 1 the Liquor Regulations 2019, are subject to annual indexation and apply from 1 October 2019. The only substantial increase in application fees is the increase of the transfer fee from \$2 to \$100.

Further information about fees is contained in separate factsheets available at <https://alcoholreform.nt.gov.au/>.

Substitution of premises

Section 75 of the Act provides that if a licensee wishes to substitute other premises for the licensed premises the licensee must apply for a new licence for those new premises, unless the Commission is satisfied that:

- No significant change in the operation of the business will occur as a result of the substitution; and
- The substitution satisfies the public interest and community impact requirements.

Applications for substitution are made in the same manner as an application to vary conditions (see Part 4, Division 5 of the Act).

Complaint process

The Act sets out the process for complaints against licensees in Part 7 of the Act. Similar to the application process, time frames have been incorporated into the complaint process. A separate fact sheet on complaints is available at <https://alcoholreform.nt.gov.au/>.

Improving responsible service of alcohol (RSA) requirements

Section 137 includes the requirement for a licensee to ensure that every employee whose responsibilities involve serving patrons or supervising the serving of patrons holds a responsible service of alcohol certificate and completes a refresher course if the certificate is more than 3 years old. New employees now have 7 days to obtain an RSA certificate.

The Liquor Regulations 2019 (regulation 134) provides that if at 1 October 2019 a person holds a certificate that was issued more than three years before 1 October 2019, a refresher course is required within one year of 1 October 2019. If the certificate was issued three years or less before 1 October 2019, a refresher course is required within three years of 1 October 2019.

Prohibiting and restricting promotion of irresponsible drinking

Section 145 of the Act provides clear powers to the Director of Liquor Licensing to direct a licensee in regards to conduct relating to irresponsible drinking. A failure to comply with the direction would be a breach of licence.

Section 146 provides that the Director of Liquor Licensing can issue a direction to prohibit or restrict the sale, supply or service of any liquor product that, in the opinion of the Director, appeals to minors.

In addition, the Act provides for the Liquor Commission to issue Codes of Practice in relation to a number of matters, including the advertising and promotion of liquor products by licensees and the conduct of business under a licence or authority. Compliance with a Code of Practice is a condition of a licence.

The Liquor Commission is currently reviewing existing Codes of Practice and it is anticipated these will continue under the new Act.

Harm minimisation audits

A new feature of the Act, as recommended by the Riley Review, is the inclusion of harm minimisation audits (section 149). A harm minimisation audit is an audit which measures the extent to which the licensee does the following:

- Promotes the purposes of the Act
- Complies with codes of practice, guidelines and any local liquor accords
- Minimises the harm or ill-health caused by the consumption of liquor
- Avoids practices that encourage irresponsible drinking
- Ensures liquor is sold, supplied, served and consumed in a responsible manner
- Safeguards public order and safety from any adverse effects of the licence
- Protects the safety, health and welfare of patrons
- Prevents access to liquor by children and other persons who are prohibited or restricted from consuming liquor
- Ensures employees properly perform their duties
- Prevents the giving of credit in sales of liquor to patrons
- Reduces or limits increases in anti-social behaviour and alcohol-related violence.

An audit is an opportunity for a regulator and

licensee to identify opportunities for a business to implement improvements to the operations or activities under the licence.

The Director of Liquor Licensing may designate a person with the appropriate qualifications or experience to conduct a harm minimisation audit (section 150).

The Director must give the licensee written notice of the pending audit, including who will conduct it and any terms or conditions of the audit. After an audit is completed a written report must be provided to the licensee and the Director.

After considering a harm minimisation audit report, the Director may do the following in relation to any non-compliance with a licensee's obligations under the Act (that is a breach of conditions or the Act):

- Issue a formal warning
- Issue an infringement notice
- Offer the licensee the option of entering into an enforceable undertaking
- Refer the matter to the Commission

This section does not limit the ability of an inspector or police officer to enter and inspect licensed premises in accordance with their powers under the Act.

Offences and penalties

The existing offences and penalties in the *Liquor Act 1978* have been reviewed. Offences which had not previously been made compliant with criminal responsibility provisions in Part IIAA of the Criminal Code have been made compliant and penalties increased for a number of offences in line with the Riley Review recommendations and to reflect modern standards. This includes:

- increasing the maximum penalty for sale or supply of a person intoxicated to 200 penalty units
- sale or supply of liquor to children on a licensed premises to 200 penalty units
- contravening the prohibition applying to general restricted areas to 200 penalty units
- increasing the penalty for licensees contravening licence conditions to 200 penalty units.

As with many regulatory schemes there are a number of strict liability offences such as offences relating to failure to comply with directions or failure to lodge notices. New offences have been inserted, such as unauthorised supply or service of liquor in section 46 given the new requirement to hold a licence for premises allowing BYO.

Infringement notices for liquor offences

Infringement notices can be issued by both Police and Licensing Inspectors for a range of offences under the legislation. The offences for which an infringement notice can be issued are set out in the Liquor Regulations 2019.

Importantly, an infringement notice can be considered a breach for the purposes of calculating a licensee's RBL fee.

Public Restricted Areas, Alcohol Protected Areas, General Restricted Areas, Special Restricted Areas, Restricted premises and the 2km law (Regulated places)

The Riley Review was rightly critical of the complex framework in place restricting the consumption of alcohol in public and private spaces. Currently, a significant portion of all major centres are covered by a mix of Public Restricted Areas and the 2km law (Regulated Places).

The Act tries to simplify the regulatory framework for public places by:

- Section 171 (No consumption in prohibited public places), which provides that a person must not consume liquor in any public place in Alice Springs, Darwin, Katherine, Palmerston, Tennant Creek, the Darwin Waterfront Precinct, any local government area declared to be subject to this prohibition by the local council, any prescribed public place and any public place not within the specific locations, but within 2km of licensed premises.
- A person believed to be consuming liquor in a public place may be searched and the liquor seized.
- Section 200 (Permission for prohibited public place) provides that an owner or occupier of a public place listed in section 171 may give permission for the consumption of liquor in or on all or a part of that place, generally to the public or to specific persons or groups, with or without conditions (e.g. a council could provide approval). This is similar to the permission that currently allow consumption of liquor on the Nightcliff foreshore.
- The 2km law (Regulated places) and Public Restricted Areas will no longer exist and are replaced with the single prohibition for public places.

'General Restricted Area' (GRA) declarations under the *Liquor Act 1978* which generally prohibit liquor in public and private places in the GRA will continue in force under the new Act, with any new declarations made by the Liquor Commission (see Part 8,

Division 3 of the Act). GRAs have previously been declared over a number of communities which will continue under the new Act.

The Minister retains a power to declare a 'Special Restricted Area' (SPA) which prohibits liquor in public and private places in the SPA (see Division 4 of Part 8 of the Act).

Permits to consume liquor for GRAs and SPAs are available and covered via section 201 to 207. Existing permits will continue under the new Act.

The amendments to the *Liquor Act 1978* imposed through the Australian Government's *Stronger Futures in the Northern Territory Act 2012* cannot be amended by the NT Government. This means that the provisions concerning 'Alcohol Protected Areas' which affects a number of communities and town camps throughout the NT remain in place until the legislation ceases in 2022 or the Australian Government determines otherwise. This provides the areas that are dry areas with no liquor are similar to GRAs. The relevant clauses under the Act can be found under Division 1 of Part 8 which draw attention to the existence of the modifying law and that the provisions of the Commonwealth law modifying the *Liquor Act 1978* continue under the new Act.

Restricted premises which prohibit liquor on private premises also continue with provision for new restricted premises found in Part 8, Division 5 of the Act.

Designated Areas are now referred to as High Risk Areas

Section 210 to 229 allows for the Minister to declare an area of land to be a 'High Risk Area' in order for banning and exclusion orders for persons to be issued by Police and the Courts (respectively). This in effect is the continuation of the current Designated Areas which will be now known as a 'High Risk Area'.

Special search and seizure powers (Parts 10 and 12)

Considerable changes have been made to the search, seizure and forfeiture provisions in an effort to simplify and modernise procedures. The general powers to search, seize and forfeit are now limited to the most serious offences focusing on illegal secondary supply.

A separate fact sheet on the changes is available at <https://alcoholreform.nt.gov.au>.

Further information

Please contact Licensing NT for further information regarding the Liquor Act 2019 on:

- Head Office (Darwin) Phone: (08) 8999 1800
- Email: agd.licensing@nt.gov.au

Additional fact sheets are available at <https://alcoholreform.nt.gov.au>.