Liquor Accords

Northern Territory *Liquor Act* amendments affecting Licensees

The Northern Territory Parliament recently passed a number of amendments to the *Liquor Act*. One of the changes is the legislation of the establishment of liquor accords which will save members having to seek authorisation from the Australian Consumer and Competition Commission (ACCC) and should result in less administrative work for accord members.

Many accords (not just liquor accords) draw the attention of the ACCC, who have concerns that accords can negatively affect consumers by encouraging anti competitive behaviour like price fixing amongst accord members.

By legislating, and ensuring the involvement of the Director of Licensing in approving the accord, new liquor accords will now be considered exempt from some elements of the anti competitive behaviour provisions of the *Trade Practices Act 1974*.

This means that new liquor accords will not need to be authorised by the ACCC which will speed up the process of establishing them.

Under the legislative changes, liquor accords must include a licensee and at least one of the following parties:

- Director of Licensing;
- Commissioner of Police;
- Local Government Council;
- Local organisation representing business interests in the area;
- Concerned community or residents group

Licensees are not required to be part of a liquor accord but will be encouraged to do so. Once committed to an accord, the licensee must abide by the accord conditions.

The Director of Licensing is required to approve the accord and can decide if it is appropriate for the area nominated. The Director also has the authority to vary or terminate an accord.

Guidelines for establishing a liquor accord will shortly be available on the Department of Justice website.

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