

HOW TO APPLY FOR A GENERAL RESTRICTED AREA

What is a General Restricted Area?

Under Part VIII of the NT *Liquor Act*, the Licensing Commission may declare a General Restricted Area. A General Restricted Area is an area of land, including buildings on the land, that has been defined and declared as a restricted area where possession of all or specified types of liquor is illegal.

Who may apply for a General Restricted Area?

Any person or group may write a letter to the Director of Licensing seeking that the Licensing Commission declare a General Restricted Area.

What does a General Restricted Area application need to contain?

Applications must:

- be in writing;
- be clearly signed by the applicant/s;
- include a clear description of the area of land requested to be the General Restricted Area;
- contain reasons why the General Restricted Area is sought; and
- state if the area will be completely dry, allow certain types of liquor and whether a liquor permit system is requested.

Applications should be sent to the Director of Licensing, GPO Box 1154, Darwin, NT, 0801.

What will the Licensing Commission do?

The Licensing Commission will:

- decide that the application is serious - and will then conduct a hearing to consider the application;
- decide whether the application is frivolous - and if so dismiss the application;
- advise the people who live in the area sought to be declared as a General Restricted Area of the date, time and place of the hearing;
- advise other people who may wish to express an opinion to the hearing of the date, time and place of the hearing;
- conduct the hearing within the area being sought at a place convenient to persons who may wish to express an opinion about the General Restricted Area application;
- after the hearing, declare the General Restricted Area sought or an area smaller or larger than that sought; or
- advise the applicant of the reasons why the area sought has been refused;
- if the General Restricted Area is declared, publish details of this in newspapers, eg *Arafura Times* and the *NT News* and the *Government Gazette*;
- ensure that signs are erected at the main entry points to the General Restricted Area stating the penalties for disobeying the restricted area's conditions; and
- if requested through the hearing process, the Licensing Commission may also allow for liquor permits so that permit holders may possess and consume specified types and amounts of liquor within the General Restricted Area.

What will Racing, Gaming and Licensing (which contains the office of the Director of Licensing) do?

Racing, Gaming and Licensing will:

- notify the liquor licensees in or near the area sought as a General Restricted Area of the restricted area application and details of the hearing;
- notify the town clerk of the community government council of the General Restricted Area application and details of the hearing; and
- seek the opinions of residents, community government councils and others regarding the application.

Who may write to or speak at the hearing?

- Any person or a person representing a group may write to or speak at the hearing.
- People making a written submission to the Commission should do so at least seven days before the hearing.
- People who wish to speak at the hearing are also asked to advise the Licensing Commission of their intention.

What happens if people bring liquor into a General Restricted Area?

When people are caught with or bringing liquor into a General Restricted Area:

- Police and Licensing Inspectors will stop and conduct searches of motor vehicles, boats, planes and houses;
- Police and Licensing Inspectors will take the liquor and charge the person who has the liquor;
- Police and Licensing Inspectors may also take the motor vehicle, boat or plane used to transport the liquor (the seized vehicle provision) into the General Restricted Area.

Note: The *Liquor Act* contains laws about seized vehicles. If a vehicle is to be returned, this will happen after an investigation has been undertaken and a decision made by the Minister. Due to the required process, this may take a long period of time.

If a person with a liquor permit has more or a different type of liquor than that allowed by their permit or is found to be giving liquor to person that liquor should not be given to, Police will report this to the Director of Licensing and the liquor permit will be revoked.

What penalties apply for breaking the General Restricted Area restricted area laws?

If found guilty, a person may:

- be fined up to \$1000 or sent to gaol for up to six months for a first offence;
- be fined up to \$2000 or sent to gaol for up to twelve months for a second or additional offences; and
- not have their motor vehicle, boat or plane returned.

Further information

Website: www.nt.gov.au/ntt/licensing/liquor

Director of Licensing

Telephone: 8999 1800