

## LICENSING, REGULATION AND ALCOHOL STRATEGY

### Special Restricted Areas

#### Emergency Ministerial Powers - The Facts

##### What is a Special Restricted Area? – Summary

The Northern Territory Minister for Racing, Gaming and Licensing can declare any area a Special Restricted Area.

Once a declaration is made, it is illegal to bring, possess, supply or engage in conduct for supply, consume or dispose of liquor within that declared Special Restricted Area for example, a town camp.

##### Why and how will the Minister declare an area as a Special Restricted Area?

The Minister can exercise this discretion in urgent situations where it is:

- for the wellbeing of affected communities; and
- after consideration all the circumstances of the affected communities.

A community can include an individual or a group of individuals within a community.

The Minister is required to place the declaration in the Government Gazette and notify Parliament within six sitting days of Parliament of the declaration.

This process is not intending to replace the current processes of the Northern Territory Licensing Commission. Most matters concerning liquor restrictions will still be addressed by the Commission. The Minister will only use this power in emergencies.

##### What are the offences and penalties?

It is an offence in a Special Restricted Area to bring, possess, have control of liquor, consume, sell or otherwise dispose of liquor.

The maximum penalty is \$1,000 or 6 months imprisonment.

However, it is not an offence to:

- transport unopened liquor through a Special Restricted Area;
- possess or consume liquor if you have a permit; and
- use liquor in a religious service.

#### LICENSING, REGULATION AND ALCOHOL STRATEGY

##### Darwin

Level 1, Enterprise House  
28-30 Knuckey Street, Darwin  
GPO Box 1154, Darwin, NT 0801  
Ph: 08 8999 1800  
Fax: 08 8999 1888

##### Katherine

18 Katherine Terrace, Katherine  
GPO Box 2138, Katherine NT 0850  
Ph: 08 8972 8906  
Fax: 08 8972 8910

##### Alice Springs

1<sup>st</sup> Floor Belvedere Hse  
Cnr Parsons & Bath Sts  
GPO Box 8470, Alice Springs NT 0871  
Ph: 08 8951 5195  
Fax: 08 8951 8591

### **How might this declaration affect liquor licensees?**

The Minister can impose special licence conditions on licensees (for general and special licences).

Before doing so, the Minister must be satisfied that it is urgently needed for the wellbeing of the communities that might be affected by the operation of the licence.

In addition, the Minister may seek advice, information or recommendations from the Northern Territory Licensing Commission before granting a declaration or imposing special licence conditions.

### **How might this declaration affect liquor permit systems?**

The Minister may grant, suspend, revoke or modify any liquor permits in a Special Restricted Area.

The Minister cannot approve a new permit in a Special Restricted Area unless the following has been considered:

- the likely impact of the issuing of permit on communities in and near the area; and
- any view expressed by the communities about the application.

For more information contact: Director of Licensing on 8999 1334 or visit [www.justice.nt.gov.au/licensing](http://www.justice.nt.gov.au/licensing)

#### **TERRITORY BUSINESS CENTRES**

TOLL FREE LINE: 1800 193 111 (Australia Wide)

<b>Darwin</b>	<b>Katherine</b>	<b>Tennant Creek</b>	<b>Alice Springs</b>	<b>Postal Address</b>
Development Hse 76 The Esplanade Darwin NT 0800 Phone: (08) 8982 1700	1 Randazzo Bldg 18 Katherine Tce Katherine NT 0850 Phone: (08) 8972 8906	Shop 2, Barkly Hse Cnr Paterson & Davidson Sts Tennant Creek NT 0860 Phone: (08) 8962 4411	Peter Sitzler Bldg 67 Nth Stuart Hwy Alice Springs NT 0870 Phone: (08) 8951 8524	GPO Box 9800 Darwin NT 0801 <a href="mailto:territory.businesscentre@nt.gov.au">territory.businesscentre@nt.gov.au</a>

General Disclaimer: The material contained in this publication is intended for use as a guide and for general information only. It is not intended to be a substitute for independent professional advice. The Northern Territory Department of Justice accepts no responsibility or liability for the correctness, accuracy and completeness of any of the material contained in this publication and recommends that users of this publication exercise their own skill, care and judgment in the application of the information contained in the publication.