

LICENSING, REGULATION AND ALCOHOL STRATEGY

Liquor Licence

What does this licence allow me to do?

The holder of this licence is legally permitted to sell alcoholic beverages on specific licensed premises. Holders of Liquor Licences may be individuals, registered companies or partnerships.

Are there any special conditions or restrictions?

Standard conditions apply to all Liquor Licences. They cover a range of matters ranging from the display of notices to the availability of licences for inspection, keeping of purchase records, compliance with fire precautions and health requirements and the keeping of non-alcoholic drinks.

Standard conditions also apply to the person appointed as nominee (manager) of licensed premises. Special conditions apply to particular types of premises such as public hotels, private hotels, restaurants, liquor merchants, off licences and roadside inns.

Individual restrictions may be imposed on any Liquor Licence. Such restrictions may relate to the nature of premises, the area in which premises are located, or a range of other factors.

What is the application process?

Before applying, consider the willingness of all persons including directors/shareholders, nominee and partners to undergo a police check and your ability to provide all supporting information required.

Territory Business Centres provide application forms and the Authority to Release Criminal History form. At the time of initial application, a completed application form must be accompanied by a \$200 statutory fee. Supporting information includes:

- professionally drawn site and ground plans
- proof of title or lease
- proof of financial capacity
- details of any previous charges, offences or convictions
- relevant company/partnership documentation
- detailed resume of the business to be conducted

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- Town Planning approval
- copies of newspaper advertisements
- identification of a person in the role of nominee (manager)
- business and personal references for nominee
- personal profiles of nominee, each director and each partner
- relevant certificates, permits and records of inspection.

Following submission of specified items of supporting information, the applicant is required to advertise key aspects of the proposed licence in a local newspaper nominated by the Liquor Commission. A period of 30 days is then allowed for public comment and for continuing display of the notice of application, by means of a prominent sign on the premises proposed for licensing.

When all supporting information has been provided, relevant checks have been completed and the 30-day period has elapsed, the proposed licence goes before the Licensing Commission for decision.

The decision-making process may include a hearing. The licence applicant and any person with an objection may choose to be legally represented. When determining the application, the Commission considers the needs and wishes of the community.

Do I need any special knowledge, experience or training?

Individuals, registered companies or partnerships applying for a Liquor Licence are required to identify one person as the nominee. The nominee is the person responsible for the day to day management of the licensed premises and must be a person of good character, preferably with relevant experience.

The nominee must successfully complete a Responsible Service of Alcohol Course. The course takes about half a day to complete. Its primary purpose is to ensure that nominees are aware of responsible serving practices and to assist in discouraging the irresponsible, or excessive consumption and supply of liquor within the Northern Territory. Training provider contact information is available at Territory Business Centres and Licensing, Regulation and Alcohol Strategy.

The nominee must also successfully complete a Liquor Act test. This requires familiarity with a number of sections of the Act identified on a list issued with application forms. While nominees are not expected to memorise the Act, they are expected to be familiar with sections that apply to the proposed licensed premises.

The nominee is also expected to be aware of, and to comply with Licensing Commission issued Code of Practice to assist in responsible alcohol promotion.

How long is the licence valid and what is the process for renewal?

A Liquor Licence continues to be held unless its conditions or restrictions are violated by the licensee. Processes exist for suspension and cancellation.

What is the process for transfer of the licence?

An individual, company or partnership seeking to acquire an existing Liquor Licence must complete a transfer application and pay a nominal transfer fee.

Territory Business Centres provide application forms and the Authority to Release Criminal History form. Supporting information includes:

- proof of financial capacity
- details of any previous charges, offences or convictions
- relevant company/partnership documentation
- detailed resume of the business to be conducted
- identification of a person in the role of nominee (manager)
- business and personal references for nominee
- personal profiles of nominee, each director and each partner
- relevant certificates, permits and records of inspection

Other useful information

Other relevant Fact Sheets: Liquor Licence – Change of Manager, Probity Checks.

Legislation: *Liquor Act*