

1991

**AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY**

**LIQUOR ACT 1975**

**DETERMINATION OF FEES**

**DETERMINATION NO. 102 OF 1991**

**EXPLANATORY MEMORANDUM**

**Circulated by authority of  
Rosemary Follett, Treasurer**

The Liquor Act 1975 (the Act) was amended from 19 December 1990 to introduce a new licence category - a Special licence, which caters for liquor operations that do not conform to the requirements of a mainstream licence, that is, General licence, Club licence, On licence, and Off licence. A consequence is that fees for renewing, surrendering and terminating a Special licence need to be determined on each occasion a Special licence is issued. In some instances the fees may be the same as that of a mainstream licence or may be tailored to a particular licensee's operation.

The Determination provides for the liquor licence renewal, surrender, and termination fees payable under sections 40(1), 40A(1), 42B(2)(c) and 42D of the Act with respect to Special licences issued to:

- . N and SM Ott Pty Ltd;
- . Rincorn Pty Ltd; and
- . Kingston Manuka Holdings Pty Ltd.

N and SM Ott Pty Ltd has the alcohol concession at the National Exhibition Centre (NATEX) and until now has operated on a permit which had to be reissued regularly. Trading days and times are irregular and are determined primarily by the number and duration of events held at the venue. Due to the irregularity of such trading it is impossible for the proprietors to meet the the minimum 'open for trade' requirement of an On licence (six hours of trading on each trading day pursuant to section 68(3) of the Act) or the requirements of the other categories of licence.

Rincorn Pty Ltd operates the Gold Creek Homestead Entertainment and Function Centre at Gungahlin and trading is dependent upon planned functions, the duration of which may be insufficient to meet the minimum 'open for trade' requirement of an On licence. The liquor operations do not meet the requirements of the other licence types.

Kingston Manuka Holdings Pty Ltd is the proprietor of Highgate Executive Apartments, Kingston. As is the case in many motels, liquor at the Highgate is available to clients in each serviced room. However the apartment complex does not have a bar room or dining room and cannot supply food, nor can it sell liquor for consumption away from the premises. Therefore the liquor operation cannot meet the requirements of a mainstream licence.