

2010

**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

THE LIQUOR (CONSEQUENTIAL AMENDMENTS) BILL 2010

GOVERNMENT AMENDMENTS

SUPPLEMENTARY EXPLANATORY STATEMENT

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Government Amendments to the Liquor (Consequential Amendments) Bill 2010

Supplementary Explanatory Statement

This explanatory statement relates to six Government amendments to the Liquor (Consequential Amendments) Bill 2010 as introduced in the ACT Legislative Assembly.

Overview of Amendments

These amendments clarify the operation of several provisions in the Bill, which makes consequential and transitional amendments to the *Liquor Act 2010*.

These Government amendments are minor and technical in nature (refer to Assembly Standing Order 182A).

Outline of Provisions

Clause 1 - This clause replaces the words ‘involving the premises’ with the words ‘involving compliance of the premises with this Act’, to clarify the distinction between sections 69 and 78 of the Liquor Act. Section 69 of the Act defines ‘suitability information’ about a person in contrast with section 78 which defines ‘suitability information’ about premises. The use of suitability information about premises assists the commissioner to ensure that only suitable premises are approved for a liquor licence or permit.

Clause 2 - This clause substitutes a new note which clarifies when the commissioner for fair trading (the commissioner) must consider suitability information for premises. It also makes clear that section 41 of the Liquor Act does not require the commissioner to consider suitability information for premises when deciding an application to transfer a licence to someone else.

Clause 3 - This clause extends the information which must be included on a receipt given by a crowd controller or staff member to a person whose identification document has been confiscated, to include the date and time the property was seized and the name and address of the venue where it was seized. It also makes provision for crowd controllers and staff employees to give alternative identification, instead of their names, to protect their privacy.

Clause 4 - This clause corrects a wrong section reference.

Clause 5 - This clause removes the requirement on licensees to provide the commissioner with information about the volume of liquor purchased for sale and the date of each purchase. Licensees will only be required to provide the gross wholesale price paid or payable for the liquor purchased for sale and details of the suppliers from whom the licensees purchased the liquor for the preceding financial year. This

information will assist the commissioner determine licence renewal fees, and the auditing process of information supplied to the commissioner.

Clause 6 – This clause changes the description of the defined term from *gross price* to *gross wholesale price* to better reflect what is defined.