

Liquor (Fees) Determination 2020

Disallowable instrument DI2020 - 117

made under the

Liquor Act 2010, section 227 (Determination of fees)

EXPLANATORY STATEMENT

The *Liquor Act 2010* (the Act) regulates the supply of liquor in the ACT.

Section 227 of the Act provides that the Minister may determine fees for the Act. Under section 227(2), a fee determination for section 42 of the Act (Licence—application for renewal) commences 3 months after its notification day, or at a later date or time provided in the determination.

This instrument (except section 5 (2) and the schedule, item 501) commences on 22 May 2020. With this instrument, the *Liquor (Fees) Determination 2019* DI2019-159 (except the schedule, item 501) is revoked.

Section 5 (2) and the schedule, item 501 commence 3 months after this instrument’s notification day. With this instrument, the *Liquor (Fees) Determination 2019* DI2019-159, schedule, item 501 is revoked.

The Attachment to this explanatory statement sets out the fees to take effect from 22 May 2020 (in column 3).

This instrument includes a new fee category for a *first year micro-producer off licence* that reflects a fee that is 10% of the application fee for an off-licence under the *Liquor (Fees) Determination 2019*. The meaning of *first year micro-producer off licence* and eligibility for the reduced fee, is set out within the *Liquor Amendment Regulation 2020 (No 2)* and applies to this instrument.

A determination under section 227 of the Act is a disallowable instrument and must be tabled in the Legislative Assembly.

**This is page 1 of 5 pages of the Attachment to the Explanatory Statement to the
*Liquor (Fees) Determination 2020***

Column 1	Column 2	Column 3
Item	Matter in respect of which fee or charge is payable	Amount Payable from 22 May 2020
500	Fee for an application for licence under section 25 of the <i>Liquor Act 2010</i> .	\$3,088.00 for general licence \$3,088.00 for catering licence \$2,507.00 for on licence \$2,507.00 for club licence \$2,507.00 for off licence other than a first year micro-producer off licence \$250.70 for a first year micro-producer off licence \$3,767.00 for special licence. (GST is not applicable to any fees for Item 500)
501	Fee for the renewal of a licence under section 42 of the <i>Liquor Act 2010</i> . 1) for on licence--nightclub licence: (a) if total occupancy loading for premises \leq 80 people	\$3,363.00 for standard licensed times \$5,604.00 for 1am licensed times \$5,604.00 for 2am licensed times \$7,473.00 for 3am licensed times \$7,473.00 for 4am licensed times \$7,473.00 for 5am licensed times
	(b) if total occupancy loading for premises $>$ 80 people but \leq 150 people	\$4,483.00 for standard licensed times \$7,848.00 for 1am licensed times \$10,092.00 for 2am licensed times \$16,449.00 for 3am licensed times \$19,439.00 for 4am licensed times \$22,430.00 for 5am licensed times
	(c) if total occupancy loading for premises $>$ 150 people but \leq 350 people	\$7,473.00 for standard licensed times \$14,952.00 for 1am licensed times \$17,944.00 for 2am licensed times \$20,935.00 for 3am licensed times \$23,926.00 for 4am licensed times \$26,917.00 for 5am licensed times
	(d) if total occupancy loading for premises $>$ 350 people	\$8,969.00 for standard licensed times \$19,439.00 for 1am licensed times \$22,430.00 for 2am licensed times

**This is page 2 of 5 pages of the Attachment to the Explanatory Statement to the
Liquor (Fees) Determination 2020**

\$25,422.00 for 3am
licensed times
\$28,414.00 for 4am
licensed times
\$31,404.00 for 5am
licensed times

2) for on licence--restaurant and cafe licence:

(a) if total occupancy loading for premises \leq 80 people

\$1,117.00 for standard
licensed times
\$1,866.00 for 1am licensed
times
\$1,866.00 for 2am licensed
times
\$2,488.00 for 3am licensed
times
\$2,488.00 for 4am licensed
times
\$2,488.00 for 5am licensed
times

(b) if total occupancy loading for premises $>$ 80 people but \leq 150 people

\$1,492.00 for standard
licensed times
\$2,614.00 for 1am licensed
times
\$3,363.00 for 2am licensed
times
\$5,480.00 for 3am licensed
times
\$6,476.00 for 4am licensed
times
\$7,473.00 for 5am licensed
times

(c) if total occupancy loading for premises $>$ 150 people but \leq 350 people

\$2,488.00 for standard
licensed times
\$4,981.00 for 1am licensed
times
\$5,977.00 for 2am licensed
times
\$6,974.00 for 3am licensed
times
\$7,973.00 for 4am licensed
times
\$8,969.00 for 5am licensed
times

(d) if total occupancy loading for premises $>$ 350 people

\$2,986.00 for standard
licensed times
\$6,476.00 for 1am licensed
times
\$7,473.00 for 2am licensed
times
\$8,470.00 for 3am licensed
times
\$9,468.00 for 4am licensed
times
\$10,465.00 for 5am
licensed times

3) for on licence--bar general licence/ club licence/ special licence:

(a) if total occupancy loading for premises \leq 80 people

\$2,240.00 for standard
licensed times
\$3,737.00 for 1am licensed
times
\$3,737.00 for 2am licensed
times
\$4,981.00 for 3am licensed
times
\$4,981.00 for 4am licensed
times
\$4,981.00 for 5am licensed
times

**This is page 3 of 5 pages of the Attachment to the Explanatory Statement to the
Liquor (Fees) Determination 2020**

(b) if total occupancy loading for premises > 80 people but ≤ 150 people	\$2,988.00 for standard licensed times \$5,230.00 for 1am licensed times \$6,820.00 for 2am licensed times \$10,964.00 for 3am licensed times \$12,958.00 for 4am licensed times \$14,952.00 for 5am licensed times
(c) if total occupancy loading for premises > 150 people but ≤ 350 people	\$4,981.00 for standard licensed times \$9,967.00 for 1am licensed times \$11,961.00 for 2am licensed times \$13,955.00 for 3am licensed times \$15,950.00 for 4am licensed times \$17,838.00 for 5am licensed times
(d) if total occupancy loading for premises > 350 people	\$5,977.00 for standard licensed times \$12,958.00 for 1am licensed times \$14,952.00 for 2am licensed times \$16,946.00 for 3am licensed times \$18,940.00 for 4am licensed times \$20,935.00 for 5am licensed times
4) for off licence: standard licensed times—see the Liquor Regulation 2010, section 32. (a) if gross liquor purchase value for reporting period ≤ \$5,000	\$661.00 for standard licensed times
(b) if gross liquor purchase value for reporting period > \$5,000 but ≤ \$100,000	\$2,250.00 for standard licensed times
(c) if gross liquor purchase value for reporting period > \$100,000 but ≤ \$500,000	\$4,864.00 for standard licensed times
(d) if gross liquor purchase value for reporting period > \$500,000 but ≤ \$1,000,000	\$7,523.00 for standard licensed times
(e) if gross liquor purchase value for reporting period > \$1,000,000 but ≤ \$3,000,000	\$12,839.00 for standard licensed times
(f) if gross liquor purchase value for reporting period > \$3,000,000 but ≤ \$4,000,000	\$23,476.00 for early licensed times \$24,651.00 for standard licensed times
(g) if gross liquor purchase value for reporting period > \$4,000,000 but ≤ \$5,000,000	\$23,476.00 for early licensed times \$25,824.00 for standard licensed times
(h) if gross liquor purchase value for reporting period > \$5,000,000 but ≤ \$6,000,000	\$23,476.00 for early licensed times \$26,998.00 for standard licensed times
(i) if gross liquor purchase value for reporting period > \$6,000,000 but ≤ \$7,000,000	\$23,476.00 for early licensed times \$28,172.00 for standard licensed times

**This is page 4 of 5 pages of the Attachment to the Explanatory Statement to the
Liquor (Fees) Determination 2020**

(j) if gross liquor purchase value for reporting period > \$7,000,000	\$34,112.00 for early licensed times \$40,934.00 for standard licensed times (GST is not applicable to any fees for Item 501)
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Early licensed times – see the Liquor Regulation 2010, section 32
Standard licensed times—see the Liquor Regulation 2010, section 32.
1am licensed times—see the Liquor Regulation 2010, section 32.
2am licensed times—see the Liquor Regulation 2010, section 32.
3am licensed times—see the Liquor Regulation 2010, section 32.
4am licensed times—see the Liquor Regulation 2010, section 32.
5am licensed times—see the Liquor Regulation 2010, section 32.
Total occupancy loading, for licensed premises—see the Liquor Regulation 2010, dictionary.

HOURLY FEES

502	Fee payable per hour for the preparation of occupancy loading recommendation under section 86 of <i>Liquor Act 2010</i> .	\$256.00 (GST is not applicable)
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OTHER FEES

503	<p>Fee for an application to amend licence under section 38 of the <i>Liquor Act 2010</i>.</p> <p><i>Explanatory note: The fee for amendment of a licence, means the annual fee for the licence as amended.</i></p> <p>Fee for amendment of licence under section 38 of the <i>Liquor Act 2010</i>. new fee > old fee <i>Explanatory note: Remaining period for amendment of a licence, means the number of months (whole or part) until the earlier of the following:</i> <i>(a) the day the next annual fee is due for the licence as amended.</i> <i>(b) the day the licence as amended is to expire.</i></p>	<p>\$136.00 (all cases) (GST is not applicable)</p> <p>Fee difference (GST is not applicable)</p>
504	Fee for an application to amend floor plan under section 39 of the <i>Liquor Act 2010</i> .	\$271.00 (GST is not applicable)
505	Fee for an application to transfer licence under section 40 of the <i>Liquor Act 2010</i> .	\$1,881.00 (GST is not applicable)
506	Fee for an application to issue replacement licence under section 44 of the <i>Liquor Act 2010</i> .	\$28.00 (GST is not applicable)
507	<p>Fee for an application for permit under section 50 of the <i>Liquor Act 2010</i>.</p> <p>1) for commercial permit: (all cases)</p> <p>(a) if liquor retail value stated in permit ≤ \$2,000</p> <p>(b) liquor retail value stated in permit > \$2,000 but ≤ \$5,000</p> <p>(c) if liquor retail value stated in permit > \$5,000 but ≤ \$10,000</p> <p>(d) if liquor retail value stated in permit > \$10,000 but ≤ \$50,000</p> <p>(e) if liquor retail value stated in permit > \$50,000 but ≤ \$100,000</p> <p>(f) if liquor retail value stated in permit > \$100,000 but ≤ \$500,000</p> <p>(g) if liquor retail value stated in permit > \$500,000 but ≤ \$1,000,000</p> <p>(h) if liquor retail value stated in permit > \$1,000,000 but ≤ \$3,000,000</p> <p>(i) if liquor retail value stated in permit > \$3,000,000</p> <p>2) for non commercial permit: (all cases)</p> <p>(a) if liquor retail value stated in permit ≤ \$2,070</p> <p>(b) if liquor retail value stated in permit > \$2,070</p>	<p>\$129.00</p> <p>\$529.00</p> <p>\$794.00</p> <p>\$1,060.00</p> <p>\$1,326.00</p> <p>\$3,985.00</p> <p>\$6,645.00</p> <p>\$11,961.00</p> <p>\$22,596.00</p> <p>\$50.00</p> <p>\$181.00</p>

**This is page 5 of 5 pages of the Attachment to the Explanatory Statement to the
*Liquor (Fees) Determination 2020***

(GST is not applicable to any fees for Item 507)

508	Fee for an application to amend permit under section 58 of the <i>Liquor Act 2010</i> .	\$135.00 (all cases) (GST is not applicable)
509	Fee for an application to renew non-commercial permit under section 61 of the <i>Liquor Act 2010</i> . (a) if liquor retail value stated in permit \leq \$2,070 (b) if liquor retail value stated in permit $>$ \$2,070	\$50.00 \$181.00 (GST is not applicable to any fees for Item 509)
510	Fee for the issue of replacement permit under section 63 of the <i>Liquor Act 2010</i> .	\$28.00 (all cases) (GST is not applicable)
511	Fee for an application to amend approved risk assessment management plan under section 91 of the <i>Liquor Act 2010</i> .	\$271.00 (all cases) (GST is not applicable)
512	Fee for an application for young people's event approval under section 95 of the <i>Liquor Act 2010</i> .	\$135.00 (all cases) (GST is not applicable)
513	Fee for an application for RSA training course approval under section 189 of the <i>Liquor Act 2010</i> .	\$1,366.00 (all cases) (GST is not applicable)
514	Fee for the renewal of RSA training course approval under section 192 of the <i>Liquor Act 2010</i> .	\$753.00 (all cases) (GST is not applicable)
515	Fee for an application for proof of identity card under section 210 of the <i>Liquor Act 2010</i> .	\$7.00 (all cases) (GST is not applicable)