

Liquor (Fees) Determination 2022 (No 2)

Disallowable instrument DI2022-201

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. The purpose of this instrument is to determine the fees under the Act for the 2022-2023 financial year.

Annual licence fees

Item 501 refers to annual fees for licences under section 32A of the Act.

Consistent with section 32A of the Act, the fees determination provides that the fees at item 501 (annual fees) of the schedule are payable to the commissioner for fair trading. The fees for all other matters are payable to the Territory.

Update to the instrument

This instrument provides an update to the *Liquor (Fees) Determination* that will apply beginning on 1 September 2022. It does not seek to apply updates retrospectively. The instrument applies a 0.29% increase rounded down to the nearest dollar. The fee increases are in accordance with 2022-23 budget initiative *Better Digital Services – increasing Access Canberra Staff*. This instrument repeals the *Liquor (Fees) Determination 2022* DI2022-136.

Explanatory notes in the attachment list the fees previously determined to enable comparison.

29 August 2022

**This is page 1 of 6 pages of the Attachment to the Explanatory Statement to the
Liquor (Fees) Determination 2022 (No 2)**

| Column 1 | Column 2 | Column 3 | Column 4 |
|---------------------------|---|---|---|
| Item | Matter in respect of which fee or charge is payable | Amount Payable 1 July 2022 to 31 August 2022 | Amount Payable beginning 1 September 2022 |
| <i>ANNUAL FEES</i> | | | |
| 500 | Fee for an application for licence under section 25 of the <i>Liquor Act 2010</i> . | \$3,244.00 for general licence \$2,632.00 for catering licence \$2,632.00 for on licence \$2,632.00 for club licence \$2,632.00 for off licence other than a first year micro-producer off licence \$263.00 for a first year micro-producer off licence \$3,956.00 for special licence. (GST is not applicable to any fees for Item 500) | \$3,253.00 for general licence \$2,639.00 for catering licence \$2,639.00 for on licence \$2,639.00 for club licence \$2,639.00 for off licence other than a first year micro-producer off licence \$263.00 for a first year micro-producer off licence \$3,967.00 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 ≤ 80 people | \$3,532.00 for standard licensed times \$5,887.00 for 1am licensed times \$5,887.00 for 2am licensed times \$7,850.00 for 3am licensed times \$7,850.00 for 4am licensed times \$7,850.00 for 5am licensed times | \$3,542.00 for standard licensed times \$5,904.00 for 1am licensed times \$5,904.00 for 2am licensed times \$7,872.00 for 3am licensed times \$7,872.00 for 4am licensed times \$7,872.00 for 5am licensed times |
| | (b) if total occupancy loading for premises > 80 people but ≤ 150 people | \$4,709.00 for standard licensed times \$8,244.00 for 1am licensed times \$10,601.00 for 2am licensed times \$17,279.00 for 3am licensed times \$20,421.00 for 4am licensed times \$23,563.00 for 5am licensed times | \$4,722.00 for standard licensed times \$8,267.00 for 1am licensed times \$10,631.00 for 2am licensed times \$17,329.00 for 3am licensed times \$20,480.00 for 4am licensed times \$23,631.00 for 5am licensed times |
| | (c) if total occupancy loading for premises > 150 people but ≤ 350 people | \$7,850.00 for standard licensed times \$15,707.00 for 1am licensed times \$18,851.00 for 2am licensed times \$21,993.00 for 3am licensed times \$25,135.00 for 4am licensed times \$28,278.00 for 5am licensed times | \$7,872.00 for standard licensed times \$15,752.00 for 1am licensed times \$18,905.00 for 2am licensed times \$22,056.00 for 3am licensed times \$25,207.00 for 4am licensed times \$28,360.00 for 5am licensed times |
| | (d) if total occupancy loading for premises > 350 people | \$9,421.00 for standard licensed times \$20,421.00 for 1am licensed times \$23,563.00 for 2am licensed times \$26,706.00 for 3am licensed times \$29,850.00 for 4am licensed times | \$9,448.00 for standard licensed times \$20,480.00 for 1am licensed times \$23,631.00 for 2am licensed times \$26,783.00 for 3am licensed times \$29,936.00 for 4am licensed times |

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| | \$32,991.00 for 5am licensed times | \$33,086.00 for 5am licensed times |
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| 2) for on licence--restaurant and cafe licence: | | |
| (a) if total occupancy loading for premises ≤ 80 people | \$1,172.00 for standard licensed times \$1,959.00 for 1am licensed times \$1,959.00 for 2am licensed times \$2,613.00 for 3am licensed times \$2,613.00 for 4am licensed times \$2,613.00 for 5am licensed times | \$1,175.00 for standard licensed times \$1,964.00 for 1am licensed times \$1,964.00 for 2am licensed times \$2,620.00 for 3am licensed times \$2,620.00 for 4am licensed times \$2,620.00 for 5am licensed times |
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| (b) if total occupancy loading for premises > 80 people but ≤ 150 people | \$1,567.00 for standard licensed times \$2,745.00 for 1am licensed times \$3,532.00 for 2am licensed times \$5,756.00 for 3am licensed times \$6,803.00 for 4am licensed times \$7,850.00 for 5am licensed times | \$1,571.00 for standard licensed times \$2,752.00 for 1am licensed times \$3,542.00 for 2am licensed times \$5,772.00 for 3am licensed times \$6,822.00 for 4am licensed times \$7,872.00 for 5am licensed times |
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| (c) if total occupancy loading for premises > 150 people but ≤ 350 people | \$2,613.00 for standard licensed times \$5,232.00 for 1am licensed times \$6,278.00 for 2am licensed times \$7,326.00 for 3am licensed times \$8,375.00 for 4am licensed times \$9,421.00 for 5am licensed times | \$2,620.00 for standard licensed times \$5,247.00 for 1am licensed times \$6,296.00 for 2am licensed times \$7,347.00 for 3am licensed times \$8,399.00 for 4am licensed times \$9,448.00 for 5am licensed times |
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| (d) if total occupancy loading for premises > 350 people | \$3,136.00 for standard licensed times \$6,803.00 for 1am licensed times \$7,850.00 for 2am licensed times \$8,898.00 for 3am licensed times \$9,946.00 for 4am licensed times \$10,994.00 for 5am licensed times | \$3,145.00 for standard licensed times \$6,822.00 for 1am licensed times \$7,872.00 for 2am licensed times \$8,923.00 for 3am licensed times \$9,974.00 for 4am licensed times \$11,025.00 for 5am licensed times |
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| 3) for on licence—bar licence/ general licence/ catering licence/ special licence: | | |
| (a) if total occupancy loading for premises ≤ 80 people | \$2,353.00 for standard licensed times \$3,925.00 for 1am licensed times \$3,925.00 for 2am licensed times \$5,232.00 for 3am licensed times \$5,232.00 for 4am licensed times \$5,232.00 for 5am licensed times | \$2,359.00 for standard licensed times \$3,936.00 for 1am licensed times \$3,936.00 for 2am licensed times \$5,247.00 for 3am licensed times \$5,247.00 for 4am licensed times \$5,247.00 for 5am licensed times |
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| (b) if total occupancy loading for premises > 80 people but ≤ 150 people | \$3,138.00 for standard licensed times \$5,493.00 for 1am licensed times \$7,164.00 for 2am licensed times \$11,517.00 for 3am licensed times \$13,612.00 for 4am licensed times \$15,707.00 for 5am licensed times | \$3,147.00 for standard licensed times \$5,508.00 for 1am licensed times \$7,184.00 for 2am licensed times \$11,550.00 for 3am licensed times \$13,651.00 for 4am licensed times \$15,752.00 for 5am licensed times |
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| (c) if total occupancy loading for premises > 150 people but ≤ 350 people | \$5,232.00 for standard licensed times \$10,470.00 for 1am licensed times | \$5,247.00 for standard licensed times \$10,500.00 for 1am licensed times |

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| | \$12,565.00 for 2am licensed times | \$12,601.00 for 2am licensed times |
| | \$14,660.00 for 3am licensed times | \$14,702.00 for 3am licensed times |
| | \$16,756.00 for 4am licensed times | \$16,804.00 for 4am licensed times |
| | \$18,739.00 for 5am licensed times | \$18,793.00 for 5am licensed times |
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| (d) if total occupancy loading for premises > 350 people | \$6,278.00 for standard licensed times | \$6,296.00 for standard licensed times |
| | \$13,612.00 for 1am licensed times | \$13,651.00 for 1am licensed times |
| | \$15,707.00 for 2am licensed times | \$15,752.00 for 2am licensed times |
| | \$17,802.00 for 3am licensed times | \$17,853.00 for 3am licensed times |
| | \$19,897.00 for 4am licensed times | \$19,954.00 for 4am licensed times |
| | \$21,993.00 for 5am licensed times | \$22,056.00 for 5am licensed times |
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| 4) for club licence: | | |
| (a) if total occupancy loading for premises ≤ 80 people | \$2,352.00 for standard licensed times | \$2,359.00 for standard licensed times |
| | \$3,925.00 for 1am licensed times | \$3,936.00 for 1am licensed times |
| | \$3,925.00 for 2am licensed times | \$3,936.00 for 2am licensed times |
| | \$5,232.00 for 3am licensed times | \$5,247.00 for 3am licensed times |
| | \$5,232.00 for 4am licensed times | \$5,247.00 for 4am licensed times |
| | \$5,232.00 for 5am licensed times | \$5,247.00 for 5am licensed times |
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| (b) if total occupancy loading for premises > 80 people but ≤ 150 people | \$3,138.00 for standard licensed times | \$3,147.00 for standard licensed times |
| | \$5,493.00 for 1am licensed times | \$5,508.00 for 1am licensed times |
| | \$7,164.00 for 2am licensed times | \$7,184.00 for 2am licensed times |
| | \$11,517.00 for 3am licensed times | \$11,550.00 for 3am licensed times |
| | \$13,612.00 for 4am licensed times | \$13,651.00 for 4am licensed times |
| | \$15,707.00 for 5am licensed times | \$15,752.00 for 5am licensed times |
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| (c) if total occupancy loading for premises > 150 people but ≤ 350 people | \$3,923.00 for standard licensed times | \$3,934.00 for standard licensed times |
| | \$10,470.00 for 1am licensed times | \$10,500.00 for 1am licensed times |
| | \$12,565.00 for 2am licensed times | \$12,601.00 for 2am licensed times |
| | \$14,660.00 for 3am licensed times | \$14,702.00 for 3am licensed times |
| | \$16,756.00 for 4am licensed times | \$16,804.00 for 4am licensed times |
| | \$18,739.00 for 5am licensed times | \$18,793.00 for 5am licensed times |
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| (d) if total occupancy loading for premises > 350 people | \$4,708.00 for standard licensed times | \$4,721.00 for standard licensed times |
| | \$13,612.00 for 1am licensed times | \$13,651.00 for 1am licensed times |
| | \$15,707.00 for 2am licensed times | \$15,752.00 for 2am licensed times |
| | \$17,802.00 for 3am licensed times | \$17,853.00 for 3am licensed times |
| | \$19,897.00 for 4am licensed times | \$19,954.00 for 4am licensed times |
| | \$21,993.00 for 5am licensed times | \$22,056.00 for 5am licensed times |
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| 5) for off licence: | | |
| (a) if gross liquor purchase value for reporting period ≤ \$5,000 | \$693.00 for standard licensed times | \$695.00 for standard licensed times |
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| (b) if gross liquor purchase value for reporting period > \$5,000 but ≤ \$100,000 | \$2,363.00 for standard licensed times | \$2,369.00 for standard licensed times |
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| (c) if gross liquor purchase value for reporting period > \$100,000 but ≤ \$500,000 | \$5,109.00 for standard licensed times | \$5,123.00 for standard licensed times |

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| (d) if gross liquor purchase value for reporting period > \$500,000 but ≤ \$1,000,000 | \$7,902.00 for standard licensed times | \$7,924.00 for standard licensed times |
| (e) if gross liquor purchase value for reporting period > \$1,000,000 but ≤ \$3,000,000 | \$13,487.00 for standard licensed times | \$13,526.00 for standard licensed times |
| (f) if gross liquor purchase value for reporting period > \$3,000,000 but ≤ \$4,000,000 | \$24,662.00 for early licensed times \$25,897.00 for standard licensed times | \$24,733.00 for early licensed times \$25,972.00 for standard licensed times |
| (g) if gross liquor purchase value for reporting period > \$4,000,000 but ≤ \$5,000,000 | \$24,662.00 for early licensed times \$27,128.00 for standard licensed times | \$24,733.00 for early licensed times \$27,206.00 for standard licensed times |
| (h) if gross liquor purchase value for reporting period > \$5,000,000 but ≤ \$6,000,000 | \$24,662.00 for early licensed times \$28,362.00 for standard licensed times | \$24,733.00 for early licensed times \$28,444.00 for standard licensed times |
| (i) if gross liquor purchase value for reporting period > \$6,000,000 but ≤ \$7,000,000 | \$24,602.00 for early licensed times \$29,596.00 for standard licensed times | \$24,733.00 for early licensed times \$29,681.00 for standard licensed times |
| (j) if gross liquor purchase value for reporting period > \$7,000,000 | \$35,836.00 for early licensed times \$43,003.00 for standard licensed times (GST is not applicable to any fees for Item 501) | \$35,939.00 for early licensed times \$43,127.00 for standard licensed times (GST is not applicable to any fees for Item 501) |

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.
Reporting period—see the Liquor Regulation 2010, schedule 1, section 1.19 (3).

HOURLY FEES

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|-----|---|----------------------------------|----------------------------------|
| 502 | Fee payable per hour for the preparation of occupancy loading recommendation under section 86 of <i>Liquor Act 2010</i> . | \$268.00 (GST is not applicable) | \$268.00 (GST is not applicable) |
|-----|---|----------------------------------|----------------------------------|

OTHER FEES

| | | | |
|-----|--|--|--|
| 503 | Fee for an application to amend licence under section 38 of the <i>Liquor Act 2010</i> . | \$142.00 (all cases) (GST is not applicable) | \$142.00 (all cases) (GST is not applicable) |
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Explanatory note: The fee for amendment of a licence, means the annual fee for the licence as amended.

Fee for amendment of licence under section 38 of the *Liquor Act 2010*.
new fee > old fee

Fee difference
(GST is not applicable)

Fee difference
(GST is not applicable)

Explanatory note: Remaining period for amendment of a licence, means the number of months (whole or part) until the earlier of the following:

(a) the day the next annual fee is due for the licence as amended.

(b) the day the licence as amended is to expire.

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| 504 | Fee for an application to amend floor plan under section 39 of the <i>Liquor Act 2010</i> . | \$283.00(GST is not applicable) | \$283.00(GST is not applicable) |
| 505 | Fee for an application to transfer licence under section 40 of the <i>Liquor Act 2010</i> . | \$1,975.00(GST is not applicable) | \$1,980.00(GST is not applicable) |
| 506 | Fee for an application to issue replacement licence under section 44 of the <i>Liquor Act 2010</i> . | \$29.00 (GST is not applicable) | \$29.00 (GST is not applicable) |
| 507 | Fee for an application for permit under section 50 of the <i>Liquor Act 2010</i> . 1) for commercial permit: (all cases) | | |
| | (a) if liquor retail value stated in permit ≤ \$2,000 | \$135.00 | \$135.00 |
| | (b) liquor retail value stated in permit > \$2,000 but ≤ \$5,000 | \$555.00 | \$556.00 |
| | (c) if liquor retail value stated in permit > \$5,000 but ≤ \$10,000 | \$833.00 | \$835.00 |
| | (d) if liquor retail value stated in permit > \$10,000 but ≤ \$50,000 | \$1,113.00 | \$1,116.00 |
| | (e) if liquor retail value stated in permit > \$50,000 but ≤ \$100,000 | \$1,392.00 | \$1,396.00 |
| | (f) if liquor retail value stated in permit > \$100,000 but ≤ \$500,000 | \$4,185.00 | \$4,197.00 |
| | (g) if liquor retail value stated in permit > \$500,000 but ≤ \$1,000,000 | \$6,980.00 | \$7,000.00 |
| | (h) if liquor retail value stated in permit > \$1,000,000 but ≤ \$3,000,000 | \$12,565.00 | \$12,601.00 |
| | (i) if liquor retail value stated in permit > \$3,000,000 | \$23,738.00 | \$23,806.00 |
| | 2) for non-commercial permit: (all cases) | | |
| | (a) if liquor retail value stated in permit ≤ \$2,070 | \$52.00 | \$52.00 |
| | (b) if liquor retail value stated in permit > \$2,070 | \$189.00 (GST is not applicable to any fees for Item 507) | \$189.00 (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> . | \$141.00 (all cases) (GST is not applicable) | \$141.00 (all cases) (GST is not applicable) |

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| 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 | \$52.00 \$189.00 (GST is not applicable to any fees for Item 509) | \$52.00 \$189.00 (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> . | \$29.00 (all cases) (GST is not applicable) | \$29.00 (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> . | \$283.00 (all cases) (GST is not applicable) | \$283.00 (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> . | \$141.00 (all cases) (GST is not applicable) | \$141.00 (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> . | \$1,434.00 (all cases) (GST is not applicable) | \$1,438.00 (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> . | \$790.00 (all cases) (GST is not applicable) | \$792.00 (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) | \$7.00 (all cases) (GST is not applicable) |