AUSTRALIAN CAPITAL TERRITORY DETERMINATION NO. 70 OF 1991 LIQUOR ACT 1975

DETERMINATION OF FEES

Under section 105A of the Liquor Act 1975, I DETERMINE that the fees payable for the purpose of sections 5(4)(b), 5(7)(b), 40(1), 40A(1), 42B(c) and 42D of the Act shall be as set out in the Schedule.

Dated this

24th

day of July Lellett

1991

ROSEMARY FOLLETT

TREASURER

THIS IS PAGE 1 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable	Description of matter in respect of which fee is payable	Fee Payable
5(4)(b)	Fee payable by Universities	10% of the aggregate of amounts (including duties) paid or payable in respect of the purchase, during the last proceeding calendar year, of liquor for sale in an exempt University building.
5(7)(b)	Fee payable by Canberra Theatre Trust	10% of the aggregate of amounts (including duties) paid or payable in respect of the purchase, during the last preceding calendar year, of liquor for sale at the Canberra Theatre Centre.

THIS IS PAGE 2 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision
for purposes
for which
fee is
payable

Description of matter in respect of which fee is

payable

Fee Payable

40(1) and 40A(1)

Fee for the renewal of:

(1) a General Licence

An amount equal to:

- (a) \$625.00; or
- (b) 10% of the aggregate of the amounts (including duties) paid or payable by the licensee for liquor purchased for disposal in pursuance of the licence, during the financial year last preceding the date on which the licence would, but for its renewal, cease to be in force,

whichever is the greater.

THIS IS PAGE 3 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24^{4} DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

(2) an On Licence or a Club Licence

An amount equal to:

- (a) \$500.00; or
- (b) 10% of the aggregate of the amounts (including duties) paid or payable by the licensee for liquor purchased for disposal in pursuance of the licence, during the financial year last preceding the date on which the licence would, but for its renewal, cease to be in force,

whichever is the greater.

THIS IS PAGE 4 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is

payable

Fee Payable

(3) an Off Licence held by the following licensees:

C.B.A.A.S. Investments Company Pty Ltd
Campbells Cash and Carry Pty Ltd
Harry Williams and Co Pty Ltd
Dorina Lazzarini & Enzo D'Annibale
G & L Warehouse Pty Ltd
The Oak Barrel Winery Pty Ltd & Kaybor Pty Ltd
Swift & Moore Pty Ltd
Carlton Wines and Spirits (Aust.) Pty Ltd
Cantarella Bros Pty Ltd
McLaren Vale Cellars Pty Ltd

THIS IS PAGE 5 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

\$500.00 plus 10% of the value of all liquor sold by the licensee during the financial year last preceding the date on which the licence would, but for its renewal, cease to be in force but excluding the value of liquor sold to:

- (a) a licensee;
- (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (c) a permit holder;
- (d) a person for the purpose of the duty-free sale of the liquor by that person;
- (e) a University;
- (f) the Canberra Theatre Trust; or
- (g) an exempt person.

THIS IS PAGE 6 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 15 DAY OF IULY 1991

Provision for purposes for which fee is payable

Description of matter in respect of which fee is payable

Fee Payable

(4) an Off Licence, other than those specified in matter (3) above

An amount equal to:

- (a) \$500.00; or
- (b) 10% of the difference between -
- (i) the aggregate of the amounts (including duties) paid or payable by the licensee for liquor purchased by the licensee for disposal in pursuance of the licence, during the financial year last preceding the date on which he licence would, but for its renewal, cease to be in force, and
- (ii) the aggregate of the amounts (including duties) paid or payable by the licensee for liquor (whenever purchased) sold by the licensee during the financial year last preceding the date on which the licence would, but for its renewal, cease to be in force, to

THIS IS PAGE 7 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is

payable

Fee Payable

- (A) a licensee;
- (B) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (C) a permit holder;
- (D) a person for the purpose of the duty-free sale of the liquor by that person;
- (E) a University;
- (F) the Canberra Theatre Trust; or
- (G) an exempt person; whichever is the greater.

42B(c)

Fee for the surrender of the licence, where the licence was:

THIS IS PAGE 8 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24^{15} DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is

payable

Fee Payable

(1) a General Licence, an On Licence or a Club Licence

- (i) for a licence that had never been renewed an amount equal to 10% of the aggregate of the
 amount (including duties) paid or payable by the
 person who held the licence for liquor purchased by
 the person during the period the licence was in force
- (ii) for a licence that had been renewed in the financial year in which the licence ceased to be in force an amount equal to 10% of the aggregate of the amount (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period that commenced at the commencement of that financial year and effect on the date on which the licence ceased to be in force

THIS IS PAGE 9 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

(iii) in any other case - an amount equal to 10% of the aggregate of the amount (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period that commenced at the commencement of the financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force.

(2) an Off Licence held by the following licensees:

THIS IS PAGE 10 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24" DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is

payable

Fee Payable

C.B.A.A.S. Investments Company Pty Ltd
Campbells Cash and Carry Pty Ltd
Harry Williams and Co Pty Ltd
Dorina Lazzarini & Enzo D'Annibale
G & L Warehouse Pty Ltd
The Oak Barrel Winery Pty Ltd & Kaybor Pty Ltd
Swift & Moore Pty Ltd
Carlton Wines and Spirits (Aust) Pty Ltd
Cantarella Bros Pty Ltd
McLaren Vale Cellars Pty Ltd

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Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

- (i) for a licence that had never been renewed an amount equal to 10% of the value of all liquor sold by the licensee during the period the licence was in force but excluding the value of liquor sold to:
 - (a) a licensee;
 - (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;
 - (c) a permit holder;
 - (d) a person for the purpose of the duty-free sale of the liquor by that person;
 - (e) a University;
 - (f) the Canberra Theatre Trust; or
 - (g) an exempt person;

Delegate's Initials

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fee is payable

TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 15

Fee Payable

DAY OF JULY 1991

THIS IS PAGE 12 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE

- (ii) for a licence that had been renewed in the financial year in which the licence ceased to be in force an amount equal to 10% of the value of all liquor sold by the licensee during the period that commenced at the commencement of that financial year and ended on the date on which the licence ceased to be in force but
 - (a) a licensee;
 - (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;
 - (c) a permit holder;
 - (d) a person for the purpose of the duty-free

excluding the value of liquor sold to:

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THIS IS PAGE 13 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991.

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

sale of the liquor by that person;

- (e) a University;
- (f) the Canberra Theatre Trust; or
- (g) an exempt person;
- (iii) in any other case an amount equal to 10 % of the value of all liquor sold by the licensee during the period that commenced at the commencement of the financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force but excluding the value of liquor sold to:
 - (a) a licensee;
 - (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;

Provision for purposes for which fee is payable

Description of matter in respect of which fee is payable

Fee Payable

- (c) a permit holder;
- (d) a person for the purpose of the duty-free sale of the liquor by that person;
- (e) a University;
- (f) the Canberra Theatre Trust; or
- g) an exempt person
- (3) an Off Licence, other than those specified in matter (2) above
- (i) for a licence that had never been renewed an amount equal to 10% of the difference between -
- (a) the aggregate of the amounts (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period the licence was in force; and

Delegate's Initials

Authorised by the ACT Parliamentary Counsel-also accessible at www.legislation.o

THIS IS PAGE 15 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREARURER UNDER THE LIQUOR ACT 1975 ON THE 24"DAY OF JULY 1991.

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

- (b) the aggregate of the amounts (including duties) paid or payable by the person for liquor purchased by the the person, during the period the licence was in force, to:
 - (A) a licensee;
 - (B) a person who, under the law of a State or another Territory, is authorised to sell liquor;
 - (C) a permit holder;
 - (D) a person for the purpose of the duty-free sale of the liquor by that person;
 - (E) a University;
 - (F) the Canberra Theatre Trust; or
 - (G) an exempt person;
- (ii) for a licence that had been renewed in the financial year in which the licence ceased to be in force an amount equal to 10% of the difference between -

THIS IS PAGE 16 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991.

Provision	
for purposes	
for which	
fee is	
payable	

Description of matter in respect of which fee is payable

Fee Payable

- (a) the aggregate of the amounts (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period that commenced at the commencement of that financial year and ended on the date on which the licence ceased to be in force; and
- (b) the aggregate of the amounts (including duties) paid or payable by the licensee for exempt wholesale liquor sales (irrespective of when the sold liquor was purchased) made by the licensee during the period that commenced at the commencement of that financial year and ended on the date on which the licence ceased to be in force, to:

THIS IS PAGE 17 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

- (A) a licensee;
- (B) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (C) a permit holder;
- (D) a person for the purpose of the duty-free sale of the liquor by that person;
- (E) a University;
- (F) the Canberra Theatre Trust; or
- (G) an exempt person;
- (iii) in any other case an amount equal to 10% of the difference between -
 - (a) the aggregate of the amounts (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period that commenced at the

Fee Payable

THIS IS PAGE 18 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY

commencement of the financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force; and

(b) the aggregate of the amounts (including duties) paid or payable by the licensee for exempt wholesale liquor sales (irrespective of when the sold liquor was purchased) made by the licensee during the financial year last preceding the date on which the licence would, but for its renewal, cease to be in force, to:

THIS IS PAGE 19 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991.

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Provision for purposes for which fee is payable		Description of matter in respect of which fee is		Fee Payable
				 (A) a licensee; (B) a person who, under the law of a State or another Territory, is authorised to sell liquor; (C) a permit holder; (D) a person for the purpose of the duty-free sale of the liquor by that person; (E) a University; (F) the Canberra Theatre Trust; or (G) an exempt person.
42D		Fee on the termination of a licence		
	(1)	a General Licence, an On Licence of a Club Licence	(i)	for a licence that had never been renewed- an amount equal to 10% of the aggregate of the amount (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period the licence was in force

THIS IS PAGE 20 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE ATTORNEY-GENERAL UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF DECEMBER 1990.

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

- (ii) for a licence that had been renewed in the financial year in which the licence ceased to be in force all amounts payable under section 40 or 40A (as the case requires) plus an amount equal to 10% of the aggregate of the amount (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period that commenced at the commencement of that financial year and ended on the date on which the licence ceased to be in force
- (iii) in any other case all amounts payable under section 40 or 40A (as the case requires) plus an amount equal to 10% of the aggregate of the amount (including duties) paid or payable by the person who held the licence for liquor purchased by

THIS IS PAGE 21 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 2 DAY OF JULY 1991.

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

the person during the period that commenced at the commencement of the financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force

(2) an Off Licence held by the following licensees

McLaren Vale Cellars Pty Ltd C.B.A.A.S. Investment Company Pty Limited Campbells Cash and Carry Pty Limited Harry Williams and Co Pty Limited

THIS IS PAGE 22 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 2th DAY OF JULY 1991.

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Pavable

Dorina Lazzarini & Enzo
D'Annibale
G & L Warehouse Pty Limited
The Oak Barrel Winery Pty
Ltd & Kaybor Pty Ltd
Swift & Moore Pty Limited
Carlton Wines and Spirits
(Aust.) Pty Limited
Cantarella Bros Pty Limited

(i) for a licence that had never been renewed - an amount equal to 10% of the value of all liquor sold by the licensee during the period the licence was in force but excluding the value of the liquor sold to:

THIS IS PAGE 23 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY-THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 2 DAY OF JULY 1991.

Provision		
for purposes		
for which		
fee is		
payable		

Description of matter in respect of which fee is payable

Fee Payable

- (a) a licensee;
- (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (c) a permit holder;
- (d) a person for the purpose of the duty-free sale of the liquor by that person;
- (e) a University;
- (f) the Canberra Theatre Trust; or
- (g) an exempt person;
- (ii) for a licence that had been renewed in the financial year in which the licence ceased to be in force all amounts payable under section 40 or 40A (as the case requires) plus an amount equal to 10% of the value of all liquor sold by the licensee during the period that commenced

THIS IS PAGE 24 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE & DAY OF JULY 1991.

Provision		
for purposes		
for which		
fee is		
payable		

Description of matter in respect of which fee is payable

Fee Payable

at the commencement of that financial year and ended on the date on which the licence ceased to be in force but excluding liquor sold to:

- (a) a licensee;
- (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (c) a permit holder;
- (d) a person for the purpose of the duty-free sale of the liquor by that person;
- (e) a University
- (f) the Canberra Theatre Trust; or
- (g) an exempt person;
- (iii) in any other case all amounts payable undser section 40 or 40A (as the case requires) plus an amount equal to 10% of the value of all liquor sold by the

THIS IS PAGE 25 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE & DAY OF JULY 1991.

Provision for purposes for which fee is payable

Description of matter in respect of which fee is payable

Fee Payable

licensee during the period that commenced at the commencement of the financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force but excluding the value of liquor sold to:

- (a) a licensee;
- (b) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (c) a permit holder;
- (d) a person for the purpose of the duty-free sale of the liquor by that person;
- (e) a University;
- (f) the Canberra Theatre Trust; or
- (g) an exempt person.

THIS IS PAGE 26 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24th DAY OF JULY 1991

Provision for purposes for which fee is payable	Description of matter in respect of which fee is payable	Fee	Payable
(3)	an Off Licence, other than those specified in matter (2) above	(i)	for a licence that had never been renewed- an amount equal to 10% of the difference between-
		(a)	the aggregate of the amounts (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period the licence was in force; and
		(b)	the aggregate of the amounts (including duties) paid or payable by the person for liquor sales purchased by the person at any time and sold by the person, during the period the licence was in force, to:

Description of matter in respect of which fee is payable

Fee Payable

- (A) a licensee;
- (B) a person who, under the law of a State or another Territory, is authorised to sell liquor;
- (C) a permit holder;
- (D) a person for the purpose of the duty-free sale of the liquor by that person;
- (E) a University;
- (F) the Canberra Theatre Trust; or
- (G) an exempt person;
- (ii) for a licence that had been renewed in the financial year in which the licence ceased to be in force all amounts payable under section 40 and 40A (as the case requires) plus an amount equal to 10% of the difference between -

THIS IS PAGE 28 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 in **DAY OF JULY 1991**

Provision for purposes for which fee is payable

Description of matter in respect of which fee is payable

Fee Payable

- (a) the aggregate of the amounts (including duties) paid or payable by the person for liquor purchased by the person at any time and sold by the person, during the period that commenced at the commencement of that financial year and ended on the date on which he licence ceased to be the force, and
- (b) the aggregate of the amounts (including duties) paid or payable by the person for liquor purchased by the person at any time and sold by the person, during the period that commenced at the commencement of that financial year and ended on the date on which the licence ceased to be in force, to:
 - (A) a licensee;
 - (B) a person who, under the law of a State or another Territory, is authorised to sell liquor;
 - (C) a permit holder;

THIS IS PAGE 29 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 DAY OF JULY 1991

Provision for purposes for which fee is payable Description of matter in respect of which fee is payable

Fee Payable

- (D) a person for the purpose of the duty-free sale of the liquor by that person;
- (E) a University;
- (F) the Canberra Theatre Trust; or
- (G) an exempt person;
- (iii) in any other case all amounts paid or payable under section 40 or 40A (as the case requires) plus an amount equal to 10% of the difference between -
 - (a) the aggregate of the amounts (including duties) paid or payable by the person who held the licence for liquor purchased by the person during the period that commenced at the commencement of financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force; and

THIS IS PAGE 30 OF THE SCHEDULE TO THE INSTRUMENT OF DETERMINATION OF FEES MADE BY THE TREASURER UNDER THE LIQUOR ACT 1975 ON THE 24 M DAY OF JULY 1991

Provision for purposes for which fee is

payable

Description of matter in respect of which fee is

payable

Fee Payable

- (b) the aggregate of the amounts (including duties) paid or payable by the person for liquor purchased by the person at any time and sold by the person, during the period that commenced at the commencement of the financial year last preceding the calendar year in which the licence ceased to be in force and ended on the date on which the licence ceased to be in force, to:
 - (A) a licensee:
 - (B) a person who, under the law of a State or another Territory, is authorised to sell liquor;
 - (C) a permit holder;
 - (D) a person for the purpose of the duty-free sale of the liquor by that person;
 - (E) a University;
 - (F) the Canberra Theatre Trust; or
 - (G) an exempt person.