

Liquor (Fees) Determination 2019

Disallowable instrument DI2019–159

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 revokes DI2018-190, the *Liquor (Fees) Determination 2018*, with the exception of Item 501 of that instrument, which is revoked 3 months after the notification date of the *Liquor (Fees) Determination 2019*.

Fees in the 2019-20 financial year have been increased from fees in the previous financial year by a Wage Price Index (WPI) forecast of 2.5 per cent. Calculations are rounded down to the nearest dollar, with the exception of fees that have remained static for over three years, in which case calculations are rounded up to the nearest dollar. This gives effect to the Government’s policy decision to limit growth in government fees and charges for households to no more than the Wage Price Index in 2019-20 as was announced in the 2019-20 ACT Budget. This approach also aligns with the 2018 Treasury Guidelines for Fees and Charges

The Attachment to this explanatory statement sets out the current fee (in column 3) and the new fee to take effect from 1 July 2019 (in column 4) to enable a comparison.

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

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Column 1	Column 2	Column 3	Column 4
Item	Matter in respect of which fee or charge is payable	Amount Payable in 2018-19	Amount Payable from 1 July 2019
ANNUAL FEES			
500	Fee for an application for licence under section 25 of the <i>Liquor Act 2010</i> .	\$3,013 for general licence \$3,088.00 for catering licence \$2,446 for on licence \$2,446 for off licence \$3,676 for special licence	\$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 \$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 ≤ 80 people	\$3,281.00 for standard licensed times \$5,468.00 for 1am licensed times \$5,468.00 for 2am licensed times \$7,291.00 for 3am licensed times \$7,291.00 for 4am licensed times \$7,291.00 for 5am licensed times	\$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 ≤ 150 people	\$4,374.00 for standard licensed times \$7,657.00 for 1am licensed times \$9,846.00 for 2am licensed times \$16,048.00 for 3am licensed times \$18,965.00 for 4am licensed times \$21,883.00 for 5am licensed times	\$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 ≤ 350 people	\$7,291.00 for standard licensed times \$14,588.00 for 1am licensed times \$17,507.00 for 2am licensed times \$20,425.00 for 3am licensed times \$23,343.00 for 4am licensed times \$26,261.00 for 5am licensed times	\$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	\$8,751.00 for standard licensed times \$18,965.00 for 1am licensed times \$21,883.00 for 2am licensed times \$24,802.00 for 3am licensed times \$27,721.00 for 4am licensed times \$30,639.00 for 5am licensed times	\$8,969.00 for standard licensed times \$19,439.00 for 1am licensed times \$22,430.00 for 2am licensed times \$25,422.00 for 3am licensed times \$28,414.00 for 4am licensed times \$31,404.00 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	\$1,090.00 for standard licensed times \$1,821.00 for 1am licensed times \$1,821.00 for 2am licensed times \$2,428.00 for 3am licensed times \$2,428.00 for 4am licensed times \$2,428.00 for 5am licensed times	\$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 ≤ 150 people	\$1,456.00 for standard licensed times \$2,551.00 for 1am licensed times \$3,281.00 for 2am licensed times \$5,347.00 for 3am licensed times \$6,319.00 for 4am licensed times \$7,291.00 for 5am licensed times	\$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 ≤ 350 people	\$2,428.00 for standard licensed times \$4,860.00 for 1am licensed times \$5,832.00 for 2am licensed times \$6,804.00 for 3am licensed times \$7,779.00 for 4am licensed times \$8,751.00 for 5am licensed times	\$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	\$2,914.00 for standard licensed times \$6,319.00 for 1am licensed times \$7,291.00 for 2am licensed times \$8,264.00 for 3am licensed times \$9,238.00 for 4am licensed times \$10,210.00 for 5am licensed times	\$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 ≤ 80 people	\$2,186.00 for standard licensed times \$3,646.00 for 1am licensed times \$3,646.00 for 2am licensed times \$4,860.00 for 3am licensed times \$4,860.00 for 4am licensed times \$4,860.00 for 5am licensed times	\$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
(b) if total occupancy loading for premises > 80 people but ≤ 150 people	\$2,916.00 for standard licensed times \$5,103.00 for 1am licensed times \$6,654.00 for 2am licensed times \$10,697.00 for 3am licensed times \$12,642.00 for 4am licensed times \$14,588.00 for 5am licensed times	\$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	\$4,860.00 for standard licensed times \$9,724.00 for 1am licensed times \$11,670.00 for 2am licensed times \$13,615.00 for 3am licensed times	\$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

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	\$15,561.00 for 4am licensed times \$17,403.00 for 5am 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	\$5,832.00 for standard licensed times \$12,642.00 for 1am licensed times \$14,588.00 for 2am licensed times \$16,533.00 for 3am licensed times \$18,479.00 for 4am licensed times \$20,425.00 for 5am licensed times	\$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: reporting period—see the <i>Liquor Regulation 2010</i> , schedule 1, section 1.19 (3). standard licensed times—see the <i>Liquor Regulation 2010</i> , section 32.		
(a) if gross liquor purchase value for reporting period ≤ \$5,000	\$645.00 for standard licensed times	\$661.00 for standard licensed times
(b) if gross liquor purchase value for reporting period > \$5,000 but ≤ \$100,000	\$2,196.00 for standard licensed times	\$2,250.00 for standard licensed times
(c) if gross liquor purchase value for reporting period > \$100,000 but ≤ \$500,000	\$4,746.00 for standard licensed times	\$4,864.00 for standard licensed times
(d) if gross liquor purchase value for reporting period > \$500,000 but ≤ \$1,000,000	\$7,340.00 for standard licensed times	\$7,523.00 for standard licensed times
(e) if gross liquor purchase value for reporting period > \$1,000,000 but ≤ \$3,000,000	\$12,526.00 for standard licensed times	\$12,839.00 for standard licensed times
(f) if gross liquor purchase value for reporting period > \$3,000,000 but ≤ \$4,000,000	\$22,904.00 for early licensed times \$24,050.00 for standard licensed times	\$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	\$22,904.00 for early licensed times \$25,195.00 for standard licensed times	\$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	\$22,904.00 for early licensed times \$26,340.00 for standard licensed time	\$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	\$22,904.00 for early licensed times \$27,485.00 for standard licensed times	\$23,476.00 for early licensed times \$28,172.00 for standard licensed times
(j) if gross liquor purchase value for reporting period > \$7,000,000	\$33,280.00 for early licensed times \$39,936.00 for standard licensed times	\$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> .	\$250.00	\$256.00 (GST is not applicable)
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OTHER FEES

503	Fee for an application to amend licence under section 38 of the <i>Liquor Act 2010</i> . <i>Explanatory note: The fee for amendment of a licence, means the annual fee for the licence as amended.</i>	\$133.00	\$136.00 (all cases) (GST is not applicable)
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	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>		Fee difference (GST is not applicable)
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504	Fee for an application to amend floor plan under section 39 of the <i>Liquor Act 2010</i> .	\$265.00	\$271.00 (GST is not applicable)
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505	Fee for an application to transfer licence under section 40 of the <i>Liquor Act 2010</i> .	\$1,836.00	\$1,881.00 (GST is not applicable)
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506	Fee for an application to issue replacement licence under section 44 of the <i>Liquor Act 2010</i> .	\$28.00	\$28.00 (GST is not applicable)
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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	\$126.00	\$129.00
	(b) liquor retail value stated in permit > \$2,000 but ≤ \$5,000	\$517.00	\$529.00
	(c) if liquor retail value stated in permit > \$5,000 but ≤ \$10,000	\$775.00	\$794.00
	(d) if liquor retail value stated in permit > \$10,000 but ≤ \$50,000	\$1,035.00	\$1,060.00
	(e) if liquor retail value stated in permit > \$50,000 but ≤ \$100,000	\$1,294.00	\$1,326.00

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	(f) if liquor retail value stated in permit > \$100,000 but ≤ \$500,000	\$3,888.00	\$3,985.00
	(g) if liquor retail value stated in permit > \$500,000 but ≤ \$1,000,000	\$6,483.00	\$6,645.00
	(h) if liquor retail value stated in permit > \$1,000,000 but ≤ \$3,000,000	\$11,670.00	\$11,961.00
	(i) if liquor retail value stated in permit > \$3,000,000	\$22,045.00	\$22,596.00
	2) for non commercial permit: (all cases)		
	(a) if liquor retail value stated in permit ≤ \$2,070	\$49.00	\$50.00
	(b) if liquor retail value stated in permit > \$2,070	\$177.00	\$181.00
			(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> .	\$132.00	\$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 ≤ \$2,070	\$49.00	\$50.00
	(b) if liquor retail value stated in permit > \$2,070	\$177.00	\$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	\$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> .	\$265.00	\$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> .	\$132.00	\$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> .	\$1,333.00	\$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> .	\$735.00	\$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> .	\$6.00	\$7.00 (all cases) (GST is not applicable)