

Australian Capital Territory

Liquor (Reduction in Annual Licence Fee for Eligible Events) Guidelines 2024 (No 1)

Disallowable instrument DI2024–208

made under the

Liquor Act 2010, s 32B (Licence – reduction in annual fee)

EXPLANATORY STATEMENT

Introduction

The *Liquor Act 2010* (the Act) regulates the supply of liquor in the ACT. As part of a broader reform package to support and enhance Canberra’s night-time economy, amendments have been made to the Act via the *Liquor (Night-Time Economy) Amendment Act 2024*. This now includes a new provision under the Act, section 32B **Licence – reduction in annual fee**.

The policy intent of this new provision is to incentivise the support of local and interstate artists by providing eligible licensees holding eligible events an 80 per cent discount on annual liquor licence fees. In doing so, this incentivisation will create a circular model that will aid businesses as well as support established and emerging artists.

Additionally, the benefit of a liquor annual fee reduction will nurture a more diverse and lively night-time economy in Canberra by providing more opportunity for Canberrans and visitors to see what Canberra has to offer in the entertainment sector.

Under section 32B (4) of the Act, the Minister with portfolio responsibility for the Act may make guidelines in relation to reducing the annual fee payable for a liquor licence, consistent with the objects of the Act and the harm minimisation and community safety principles.

The guidelines, and this accompanying explanatory statement, are published to assist those liquor licensees seeking to reduce their annual liquor licence fee by supporting and showcasing artists, musicians, and other cultural activities.

Fees

Section 227 of the Act provides that the Minister may determine fees for the Act. Section 32A of the Act provides that a licensee must pay to the Commissioner the annual fee determined for the licence. Annual fees are calculated based on the type of licence, the occupancy loading for the premises, and the licensed time a licensee is permitted to serve alcohol up to.

The latest version of the Fee Determination Instrument can be found on the ACT Legislation Register [here](#).

Purpose

The guidelines are intended to be a prescriptive manual to assist liquor licensees to:

- understand what is meant by showcasing for the purpose of the reform;
- understand whether they are eligible licensees for the purpose of the reform;
- understand what the reduction to the annual fee will be for eligible licensees;
- understand the criteria an eligible licensee must meet in order to be considered for the fee reduction;
- understand the evidentiary requirements required to support any application for the fee reduction;
- understand how an eligible licensee can apply for the fee reduction;
- understand how the Commissioner for Fair Trading will decide whether an application for the fee reduction is successful, and how the fee reduction will be applied; and
- understand obligations for minimising risk.

Consistency with human rights

The compatibility of the *Liquor (Reduction in Annual Licence Fee for Eligible Events) Guidelines 2024 (No 1)* with the *Human Rights Act 2004* (HR Act) was considered during its development. The declaration does not engage any human rights under the HR Act and therefore is consistent with the HR Act.