

TASMANIA

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**LIQUOR AND ACCOMMODATION  
AMENDMENT (FEES) BILL 2004**

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**CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 25 amended (Grant of licence)
5. Section 26A inserted  
26A. Annual liquor licence fees
6. Section 41 amended (Powers of Commissioner to suspend licence)



# **LIQUOR AND ACCOMMODATION AMENDMENT (FEES) BILL 2004**

*(Brought in by the Minister for Finance, the Honourable  
James Glennister Cox)*

## **A BILL FOR**

### **An Act to amend the *Liquor and Accommodation Act 1990***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **Short title**

1. This Act may be cited as the *Liquor and Accommodation Amendment (Fees) Act 2004*.

#### **Commencement**

2. This Act commences on 1 January 2005.

#### **Principal Act**

3. In this Act, the *Liquor and Accommodation Act 1990*\* is referred to as the Principal Act.

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\*No. 44 of 1990

**Section 25 amended (Grant of licence)**

4. Section 25(1)(b) of the Principal Act is amended by inserting “and the annual liquor licence fee payable under section 26A” after “licence”.

**Section 26A inserted**

5. After section 26 of the Principal Act, the following section is inserted in Division 2:

**Annual liquor licence fees**

**26A. (1)** The person to whom a liquor licence is to be granted must pay the prescribed annual liquor licence fee to the Commissioner on the grant of the licence.

**(2)** A licensee must pay the prescribed annual liquor licence fee to the Commissioner on or before 31 March in each year.

**(3)** The prescribed annual liquor licence fee relates to the period of 12 months starting on 1 January each year.

**(4)** The Commissioner may reduce the prescribed annual liquor licence fee proportionately where a liquor licence is granted on a day other than 1 January.

**(5)** Where a liquor licence is surrendered under section 30, the Commissioner may refund a proportion of the prescribed annual liquor licence fee.

**(6)** The Commissioner is to notify the holder of a liquor licence of the prescribed annual liquor licence fee payable in respect of the liquor licence.

(7) If a licensee fails to pay the prescribed annual liquor licence fee payable under this section by 31 March in a particular year, the licensee is to pay an additional fee of 10% of the amount due for payment.

**Section 41 amended (Powers of Commissioner to suspend licence)**

6. Section 41 of the Principal Act is amended as follows:

- (a) by inserting the following subsection after subsection (2A):

**(2B)** If a licensee fails to pay the prescribed annual liquor licence fee payable under section 26A –

- (a) within one month of it becoming payable; or  
(b) by any later date to which the Commissioner may agree –

the Commissioner may, by written notice served on the licensee, suspend the license.

- (b) by omitting from subsection (3) “subsection (2) or (2A)” and substituting “subsection (2), (2A) or (2B)”;  
(c) by omitting from subsection (5) “subsection (2) or (2A)” and substituting “subsection (2), (2A) or (2B)”;  
(d) by inserting the following subsection after subsection (5):

**(5A)** Unless sooner revoked by the Commissioner, a suspension under

**s. 6**

No.

*Liquor and Accommodation  
Amendment (Fees)*

2004

subsection (2B) remains in force until payment of the prescribed annual liquor licence fee and any penalties.