
The Parliament of the Commonwealth of Australia

THE SENATE

Northern Territory National Emergency Response Amendment (Alcohol) Bill 2007

(Amendments to be moved by Senator Siewert on behalf of the Australian Greens in committee of the whole)

(1) Schedule 1, page 4 (after line 34), after item 6, insert:

6A After section 19

Insert:

19A Levy of sale of cheap liquor for consumption away from licensed premises

(1) A minimum price of 90 cents per standard drink must be charged.

(2) Alcohol products that cost more than 90 cents per standard drink for consumption away from the licensed premises are exempt from the levy mentioned in subsection (3).

(3) Alcoholic products that cost less than 90 cents per standard drink for consumption away from licensed premises are subject to a levy (to be known as the emergency response alcohol levy) of 25 cents per standard drink.

(4) The proceeds of the levy are payable to the Northern Territory Community Based Rehabilitation Fund.

Note: The levy is imposed by the Northern Territory Emergency Response (Alcohol Levy Imposition) Act 2007.

19B Establishment and purpose of the Northern Territory Community Based Rehabilitation Fund

(1) A Northern Territory Community Based Rehabilitation Fund is established to:
   (a) disburse funds from the emergency response alcohol levy; and
   (b) promote the health and welfare of the people of the Northern Territory.

(2) The Fund is a special account for the purposes of the Financial Management and Accountability Act 1997.
19C Credits to the Fund

(1) There must be credited to the Fund, amounts equal to amounts of emergency response alcohol levy imposed by the Northern Territory Emergency Response (Alcohol Levy Imposition) Act 2007.

(2) If interest is received by the Commonwealth from the investment of an amount standing to the credit of the fund, an amount equal to the interest must be credited to the fund.

19D Purpose of the Fund

The purpose of the Fund is to make grants to persons to promote public health and welfare, including the construction and staffing of health and welfare facilities.

19E Grant payments

(1) Grants from the Fund are to be determined by the Northern Territory Community Based Rehabilitation Fund established under 19B.

(2) Subject to this Act, further determination of grant payments, the operation of the fund and the operation of the board may be prescribed by regulation.

19F Northern Territory Community Based Rehabilitation Fund Supervisory Board

(1) The Northern Territory Community Based Rehabilitation Fund Supervisory Board (The board is established).

(2) The board consists of:
   (a) the chair who is to be the Chief Minister of the Northern Territory;
   (b) two board members nominated by the Northern Territory Government; and
   (c) three board members nominated by the Commonwealth.

(3) The chair has a casting vote in all deliberations of the board.

19G Duty of chair

The chair must advise the Minister for Health and the Minister for Finance and Administration of grants determined by the board in accordance with section 19E.

19H Appointment of chair and board members

(1) The chair is to be appointed by the Governor-General by written instrument.

(2) A board member is to be appointed by the Governor-General by written instrument.

(3) The chair or a board member holds office for the period specified in the instrument of appointment. The period must not exceed 3 years.

(4) A person is not eligible for appointment as a board member unless the person has a high level of expertise in the provision of public health services and the financing of health projects.

19I Remuneration of board members

A board member is to be paid such remuneration and allowances as are prescribed by the regulations.
(2) Schedule 1, item 8, page 7 (after line 4), after section 20, insert:

20A Sales of liquor for consumption away from licensed premises on certain days

(1) The Liquor Act has effect as if it included the following provisions of this section.

(2) A licensee of licensed premises commits an offence if:
   (a) the licensee sells to a person (the purchaser) a quantity of liquor at any time on a Thursday or on a Sunday; and
   (b) the licensee knows that the liquor is for consumption away from the licensed premises or is reckless as to whether it is for consumption away from the licensed premises.

Maximum penalty: 340 penalty units.

(3) An employee of a licensee of licensed premises commits an offence if:
   (a) the employee sells to a person (the purchaser) a quantity of liquor at any time on a Thursday or on a Sunday; and
   (b) the employee knows that the liquor is for consumption away from the licensed premises or is reckless as to whether it is for consumption away from the licensed premises.

Maximum penalty: 60 penalty units.

(4) A licensee of licensed premises commits an offence if:
   (a) an employee of the licensee sells to a person (the purchaser) a quantity of liquor at any time on a Thursday or on a Sunday; and
   (b) the employee knows that the liquor is for consumption away from the licensed premises or is reckless as to whether it is for consumption away from the licensed premises.

Maximum penalty: 170 penalty units.

(5) It is a defence to a prosecution for an offence under subsection (4) if the licensee proves that the licensee took all reasonable steps to ensure that the employee was aware of obligations of employees under this section.

20B Sales of certain amount of liquor for consumption away from licensed premises

(1) The Liquor Act has effect as if it included the following provisions of this section.

(2) A licensee of licensed premises must report to the officer in charge of the nearest police station:
   (a) any single purchase of a quantity of liquor that has a purchase price of $200 or more including GST;
   (b) any single purchase of a quantity of wine that exceeds 10 litres and is in a single container or is in 5 or more containers of at least 2 litres each; or
   (c) if the licensee has reason to believe that the purchaser of any amount of liquor intends to supply the liquor to a prohibited community.

(3) An employee of a licensee of licensed premises must report to the licensee:
(a) any single purchase of a quantity of liquor that has a purchase price of $200 or more including GST;
(b) any single purchase of a quantity of wine that exceeds 10 litres and is in a single container or is in 5 or more containers of at least 2 litres each; or
(c) if the licensee has reason to believe that the purchaser of any amount of liquor intends to supply the liquor to a prohibited community.

(4) A licensee commits an offence if they do not comply with subsection (3).
   Maximum penalty: 340 penalty units.

(5) An employee commits an offence if they do not comply with subsection (4).
   Maximum penalty: 60 penalty units.

[control of liquor sales]