

1995—No. 711

LIQUOR ACT 1982—REGULATION

(Relating to payment of licence fees in instalments)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Liquor Act 1982, has been pleased to make the Regulation set forth hereunder.

JACK FACE, M.P.,
Minister for Gaming and Racing.

The Liquor Regulation 1983 is amended by omitting clauses 36, 36AA and 36AB and by inserting instead the following clauses:

Payment of licence fee

36. (1) The licence fee in respect of a licensing period must be paid by one of the following methods:

- (a) **Payment in full.** The licence fee is paid in full before the licensing period commences.
- (b) **Payment in 2 instalments.** The licence fee is paid in 2 instalments, calculated in accordance with subclause (2). The first instalment is payable on or before 15 January in the year the licensing period commences and the second instalment is payable on or before 15 May in that year.
- (c) **Payment in 6 instalments.** The licence fee is paid in 6 instalments, calculated in accordance with subclause (3). The first instalment is payable on or before 15 January in the year the licensing period commences and the remaining instalments are payable on or before 15 February, 15 March, 15 April, 15 May and 15 June in that year.

(2) Payment in 2 instalments. If a licence fee is paid as provided for by subclause (1) (b):

(a) the amount of the first instalment is:

- (i) if the licence fee is an even number of dollars—half the licence fee; or
- (ii) if the licence fee is an odd number of dollars—an amount that would be half the licence fee if the licence fee were increased by 1 dollar; and

(b) the amount of the second instalment is the balance of the licence fee after payment of the first instalment.

(3) Payment in 6 instalments. If a licence fee is paid as provided for by subclause (1) (c):

(a) the amount of each of the first 5 instalments is:

- (i) if the licence fee is a multiple of 6 dollars—one sixth of the licence fee; or
- (ii) if the licence fee is not a multiple of 6 dollars—an amount that would be one sixth of the licence fee if the licence fee were increased by the amount (of less than 6 dollars) necessary to make the licence fee a multiple of 6 dollars; and

(b) the amount of the last instalment is the balance of the licence fee after payment of the first 5 instalments.

(4) This clause does not apply to a licence fee for an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence.

Payment of amusement device licence fees

36AA. A licence fee for an amusement device dealer's licence, an amusement device seller's licence or an amusement device technician's licence in respect of a licensing period must be paid in full before the commencement of the licensing period.

EXPLANATORY NOTE

At present a liquor licence fee payable under the Liquor Act 1982 must be paid in full before the licensing period commences (16 January in each year) or be paid in 2 instalments (the first being payable before the licensing period commences and the other being payable within 4 months after that commencement). Special arrangements introduced for the licensing period that commenced in January 1995 allowed the fee for that licensing period to be paid in 6 instalments (payable on or before the 15th of January, February, March, April, May and June).

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The object of this Regulation is to make those special arrangements permanent. That is, the 6 instalment payment option will continue to be available, in addition to the other payment options outlined above.

The Regulation also replaces provisions relating to the payment of licence fees that are now obsolete.

This Regulation is made under the Liquor Act 1982, in particular section 80 (Periodic licence fee) and section 156 (the general regulation making power).
