



New South Wales

Liquor Amendment (Waiver of Fees) Regulation 2020

under the
Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

VICTOR DOMINELLO, MP
Minister for Customer Service

Explanatory note

The object of this Regulation is to allow the Secretary of the Department of Customer Service to waive, reduce, postpone or refund any or all elements of a periodic licence fee payable by a licence holder or any other fee required to be paid under the *Liquor Act 2007*—

- (a) if the licence holder is suffering financial hardship and the Secretary is satisfied it is appropriate—on the application of the licence holder, or
- (b) if other special circumstances exist and the Secretary is satisfied it is appropriate—on the application of the licence holder or without having received an application.

This Regulation is made under the *Liquor Act 2007*, including section 159(2)(b).

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1 Name of Regulation

This Regulation is the *Liquor Amendment (Waiver of Fees) Regulation 2020*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Liquor Regulation 2018

[1] Clause 7A

Insert after clause 7—

7A Waiver, reduction, postponement or refund of fees

- (1) A person who is required to pay a fee under the Act may apply to the Secretary for the waiver, reduction, postponement or refund of that fee.
- (2) On receiving such an application, the Secretary may—
 - (a) waive, reduce, postpone or refund the fee, if the Secretary is satisfied that it is appropriate because—
 - (i) the applicant is suffering financial hardship, or
 - (ii) special circumstances exist, or
Example of ‘special circumstances’— circumstances involving a natural disaster or recovery from a natural disaster
 - (b) refuse to waive, reduce, postpone or refund any element.
- (3) However, a person may not apply under this clause for the waiver, reduction, postponement or refund of any or all elements of a periodic licence fee, or part of an element of a periodic licence fee, payable in respect of a licence.
- (4) The Secretary may waive, reduce, postpone or refund any fee payable under the Act, without having received an application under subclause (1), if the Secretary is satisfied it is appropriate because special circumstances exist.
Example of ‘special circumstances’— circumstances involving a natural disaster or recovery from a natural disaster
- (5) This clause is repealed 2 years after the commencement of this clause.

[2] Clause 19, heading

Insert “**reduction, postponement or refund**” after “**Waiver**”.

[3] Clause 19(1)

Insert “, reduction, postponement or refund” after “waiver”.

[4] Clause 19(1)

Insert “, or part of an element of the periodic licence fee,” after “fee”.

[5] Clause 19(2) and (3)

Omit clause 19(2). Insert instead—

- (2) On receiving such an application, the Secretary may—
 - (a) waive, reduce, postpone or refund any or all elements of the periodic licence fee, or part of an element of the periodic licence fee, payable in respect of the licence, if the Secretary is satisfied that it is appropriate because—
 - (i) the applicant is suffering financial hardship, or
 - (ii) special circumstances exist, or
Example of ‘special circumstances’— circumstances involving a natural disaster or recovery from a natural disaster
 - (b) refuse to waive, reduce, postpone or refund any element or part of an element.

- (3) The Secretary may waive, reduce, postpone or refund any or all elements of a periodic licence fee, or part of an element of a periodic licence fee, payable in respect of a licence, without having received an application under subclause (1), if the Secretary is satisfied it is appropriate because special circumstances exist.

Example of 'special circumstances'— circumstances involving a natural disaster or recovery from a natural disaster

[6] Clause 132A

Insert after clause 132—

132A Extension of periodic licence fee due date for 2020

- (1) In this clause—
2020 periodic licence fee means a periodic licence fee with an assessment date between 15 March 2020 and 14 March 2021.
- (2) The due date for the payment of a 2020 periodic licence fee means—
- (a) in relation to a part year licence—60 days after the day on which the Secretary sends a notice to the licensee liable to pay the fee under clause 15, and
 - (b) in relation to any other licence—31 August 2020.