



Australian Government

Northern Territory Emergency Response – Alcohol restrictions

Q&A Fact Sheet

From Saturday 15 September 2007, it will be an offence to drink, possess, supply or transport alcohol in prescribed areas in the Northern Territory (NT).

Prescribed areas include:

- freehold land held by a Land Trust under the *Aboriginal Land Rights (Northern Territory) Act 1976*
- other Aboriginal communities described as Northern Territory Community Living Areas; and
- areas declared as prescribed areas by the Minister for Families, Community Services and Indigenous Affairs (including all ‘town camps’)

The alcohol ban is an important part of the Australian Government Emergency Response to protect Aboriginal children in the Northern Territory.

How will I know I am in a prescribed area?

If you are on Aboriginal land, a community living area, or in a town camp, you are in a prescribed area. Refer to the attached map or the Northern Territory Emergency response web site at: www.facsia.gov.au/nter/. Signs will be erected on commonly used roads at all main entry points to the prescribed areas, as well as major airports, rivers or other waterways.

What are the new rules?

It will be an offence to:

- drink, possess, supply or transport alcohol:
maximum penalty \$1,100 for first offence and \$2,200 for second or subsequent offence.
- possess, supply or transport more than 1350ml of pure alcohol (see below for examples):
maximum penalty of \$74,800 or 18 months jail.

What is 1350mls of pure alcohol and why is there a higher penalty if I exceed this limit?

It is an offence to have any liquor in your possession in a prescribed area, no matter how small the amount is. If you have more than 1350mls of pure alcohol, it will be assumed that you are engaged in transportation, possession or sale of liquor in a prescribed area unless you can prove otherwise. 3 cartons or more of beer at 5.2% alcohol will put you over the 1350mls limit. So would 12 bottles of wine at 15.5% alcohol, or 2x1250ml bottles of spirits at 58% alcohol. The 1350mls can be made up of any combination of liquor, as is demonstrated by the attached table.

Why is this necessary?

The new alcohol restrictions are an important part of the Australian Government's Emergency Response targeting the protection of Indigenous children in the Northern Territory. They will help stem the flow of alcohol that is destroying Aboriginal communities.

How do the new laws apply to me?

If you live in, visit or are working in a prescribed area, you will be affected by the new laws. This means you will not be able to bring liquor in, have it in your possession, drink or give liquor to anyone else whilst you are in a prescribed area, unless you hold a permit issued by the NT Liquor Commission.

Are there exceptions?

You will be able to:

- transport alcohol across a prescribed area **if the destination of the alcohol is not a prescribed area**. You may stop over night, if you are travelling a long distance. You must, however, not open or consume any of the liquor whilst you are travelling through the prescribed area. This means, for example, that if you have a half drunk bottle of wine, this will be considered under the law to be opened (even though the wine might not have been drunk in the prescribed area).
- drink, possess, supply or transport alcohol on a boat that is **on waters in a prescribed area** (e.g., a river, estuary or intertidal waters) if you are engaged in recreational boating or commercial fishing activities and you have entered the water from a non-prescribed area. This exemption will not apply where you are on a river bank or beach.
- drink, possess or transport alcohol if you are engaged in a recreational activity with a tourist operator in a National Park or NT Park.
- existing permits for transporting, possessing and drinking alcohol issued under section 87 of the NT *Liquor Act* will not be affected by these changes.

It will be your responsibility to prove that you have satisfied these conditions.

What about take away alcohol?

Licenses and their staff are required to comply with new identification and recording requirements when selling take away alcohol.

When you purchase \$100 or more worth of alcohol or more than 5 litres of cask or two 2-litre containers of wine in a single take away transaction, licenses are required to sight proof of your identity. **Valid forms of identification include a passport, an Australian driver's license or an NT proof of age card. If you do not have one of these you can contact the Northern Territory Licensing Commission for advice about how to obtain ID (for example, in Darwin – the Larrakia Card).**

People selling take away alcohol which meets this criteria are required to record:

- your name and address; AND
- the address or name of the area where the alcohol is intended to be consumed.

Penalties for licenses and their employees apply for failure to comply with these restrictions:

- A license face a fine of up to \$37,400;
- An employee face a fine of up to \$6,600;
- In the case of an employee's breach, if a license cannot prove that all steps were taken to ensure that the employee was aware of these requirements, the license also face a fine of up to \$18,700.

Further information please visit, www.facsia.gov.au/nter/ or telephone 1800 333 995.