

LIQUOR CONTROL

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Liquor Control Act 2017

TABLE OF AMENDMENTS

The Liquor Control Act 2017 No 37 was certified and commenced on 21 December 2017 (GN No 910/2017; Gaz 203/2017).

Amending Legislation	Certified	Date of Commencement
Liquor Control (Amendment) Act 2018 No 17	10 May 2018	10 May 2018
Liquor Control (Amendment) No 2 Act 2018 No 41	18 December 2018	18 December 2018
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021
Liquor Control (Amendment) Act 2023 No 12	12 December 2023	12 December 2023

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An Act to regulate and control the supply and consumption of liquor, to repeal the *Liquor Act 1967* and for related matters.

Enacted by the Parliament of Nauru as follows:

PART 1 — PRELIMINARY

1 Short title

This Act may be cited as the *Liquor Control Act 2017*.

2 Commencement

This Act commences upon certification by the Speaker and came into effect on 21 December 2017.

3 Objective

The objective of this Act is to minimise the misuse or any harmful effect of misuse of alcohol by:

- (a) fostering and encouraging a culture of responsible and moderate consumption of liquor;
- (b) facilitating a regulatory framework of the sale, supply and consumption of liquor in public places and in the hospitality industry;
- (c) restricting the importation, sale, supply and purchase of alcohol of international standards to ensure the side effects of alcohol has minimal health and social implications;
- (d) supply and consumption of alcohol in the best interests of the community and is not designed to distract public amenities and the socio culture of the Republic;
- (e) facilitate social and recreational gathering without alcohol becoming or causing disruption, anti-social family acrimony or a social burden to the families and children;
- (f) restricting undesirable liquor promotion and advertising the sale and supply of liquor products; and
- (g) promote education and awareness in the community and children of the risks involved with the consumption of alcohol.

4 Definitions

In this Act:

‘adulterate’ includes mix with a deleterious ingredient;

‘applications’ means applications for liquor licences;

‘applicant’ means a person applying for a liquor licence under this Act;

‘authorised officer’ means a person appointed under Section 44;

‘bar’ means a place where liquor is sold or served to customers and is located separately from any area used as a restaurant or common area;

‘Board’ means the Liquor Licencing Board;

‘Chairperson’ means the Chairperson of the Liquor Licencing Board;

‘document of identification’ means a document that:

- (a) is a drivers licence or passport or other form of approved identification;
- (b) contains a photograph that could reasonably be taken to be of the person;
and
- (c) indicates that the person to whom the document was issued is at least 18 years old;

‘glass’ includes, in the case of beer, light wine or diluted spirits, an opened can or bottle;

‘licence’ means a licence granted under this Act;

‘licensee’ means a person granted a licence under this Act;

‘liquor’ means a beverage that, at 20 degrees Celsius, has more than 1.15% alcohol by volume and includes any other substance that comprises, makes up, contains or may be converted into that beverage;

‘member of the Board’ includes the deputy of a member of the Board;

‘Minister’ means the Minister responsible for the administration of this Act;

‘off-licenced premises’ means liquor licence to sell and supply liquor to be consumed off the premises;

‘on licenced premises’ means liquor licence to sell and supply liquor to be consumed on the premises;

‘permit’ means a permit granted under this Act;

‘person’ means an individual, partnership or corporation;

‘Police Force’ means the Nauru Police Force;

‘prescribed trading hours’ means, in relation to particular licenced premises, the trading hours prescribed by regulations and such additional hours as the Board authorises under the provisions of this Act;

‘prohibited hours’ means, in relation to particular licenced premises, times other than the prescribed trading hours;

‘Registrar’ means the Registrar of the Liquor Licencing Board;

[def insrt Act 17 of 2018 s 4, opn 10 May 2018]

‘Retail Bottle Store’

[def rep Act 41 of 2018 s 4, opn 18 Dec 2018]

‘sell’ includes barter;

‘supply’ includes sale or sell; and

‘unlicenced premises’ means premises other than licenced premises of the following descriptions:

- (a) a café, restaurant or other premises where meals or refreshments are ordinarily supplied to the public for consumption on the premises;
- (b) a hall or similar building hired to, occupied or ordinarily used by:
 - (i) members of the public; or
 - (ii) club or organisation;
- (c) land acquired by the Minister pursuant to the provisions of the *Aerodrome (Acquisition of Land) Act 1952*;
- (d) a roadway or footpath open to or used by the public; or

- (e) such other land as the Minister by notice in the Gazette, specifies for the purposes of this Act.

‘Wholesale licence’

[def rep Act 41 of 2018 s 4, opn 18 Dec 2018]

[The next page is 90,801]

PART 2 — ADMINISTRATION

5 Liquor Licencing Board

A Liquor Licencing Board is established.

6 Powers of the Board

- (1) The Board shall have the following functions and powers:
 - (a) consider and decide applications for a licence;
 - (b) consider complaints made in relation to licenced premises and any other relevant matter;
 - (c) conduct inquiries and hearings taking into account complaints brought under paragraph (b);
 - (d) set by public notice in the Gazette the opening and closing hours for the sale of liquor for licenced premises;
 - (e) grant, decline, suspend or cancel licences for the importation and sale of liquor;
 - (f) monitor and regulate activities of licencees;
 - (g) determine licencing fees; and
 - (h) advise the Cabinet in relation to the control of sale and consumption of liquor or other matters under this Act;
- (2) The Board has such other functions and powers as are prescribed by this Act or any other written law.

7 Composition and appointment of the Board

- (1) There shall be a Liquor Licencing Board which shall have 3 members appointed by the Minister in consultation with the Cabinet.
- (2) The Cabinet on the recommendation of the Minister shall appoint a member to be the Chairperson of the Board.
- (3) In appointing the members, the Cabinet shall ensure that at least one of the members of the Board is a female.
- (4) The members shall be appointed for a term not exceeding 2 years and may be eligible for reappointment.

[subs (2) subst Act 17 of 2018 s 5, opn 10 May 2018]

[subs (4) subst Act 17 of 2018 s 5, opn 10 May 2018]

8 Resignation or removal of members from the Board

- (1) Save for the Chairperson of the Board, a member may be removed from the Board where the member:
 - (a) contravenes the provisions of this Act;
 - (b) commits a misconduct;
 - (c) acquires shares or interests in any commercial entity which is licenced under this Act to sell or supply liquor;
 - (d) attempts to or purchases alcohol from any licensee at a special or discounted cost including any complementary item or gifts;
 - (e) holds an elected office;
 - (f) fails to perform functions, powers and duties under this Act or due to illness and incapacity; and

- (g) was unable to attend 3 consecutive meetings of the Board without the leave of the Chairperson.
- (2) Where a member of the Board is unable to attend a Board meeting due to illness, incapacity or absence from the Republic, the Minister may appoint a person to be the deputy of that member during his or her illness, incapacity or absence.

9 Registrar of the Board

- (1) The Minister shall appoint a Registrar to the Board.

[subs (1) am Act 17 of 2018 s 6, opn 10 May 2018]

- (2) The Registrar shall:
 - (a) take and keep minutes for every Board meeting;
 - (b) keep records of matters determined by the Board;
 - (c) issue licences under this Act; and
 - (d) set down applications for hearing by the Board.

[subs (2) am Act 17 of 2018 s 6, opn 10 May 2018]

[s 9 am Act 17 of 2018 s 6, opn 10 May 2018]

10 Meetings of the Board

- (1) The Chairperson may direct the Registrar to issue notices for meetings of the Board.

[subs (1) am Act 17 of 2018 s 6, opn 10 May 2018]

- (2) Where the Chairperson is absent, the Deputy Registrar of the Court shall preside over the meeting of the Board.
- (3) Any matters arising at any meetings of the Board shall be determined by the majority of the members present.
- (4) A quorum of the Board shall consist of 2 members.

11 Hearings held by the Board

- (1) The Registrar shall before a hearing of the Board is held:
 - (a) set a time, date and place for the hearing; and
 - (b) in no less than 5 working days before that date, serve a notice of the time, date and place of hearing on:
 - (i) the licensee, for a matter relating to the cancellation or suspension of a licence; or
 - (ii) the applicant, in any other case.

[subs (1) am Act 17 of 2018 s 6, opn 10 May 2018]

- (2) The Board may determine its own procedure for conducting a hearing under this Act.
- (3) The Board during a hearing shall give an opportunity for the following persons to be heard:
 - (a) the applicant;
 - (b) the relevant licensee for a matter relating to the cancellation or suspension of a licence; and
 - (c) any other person likely to be adversely affected by the hearing.
- (4) The Board may, after giving the persons under subsection (3)(a) and (b) reasonable opportunity to be heard decide to:
 - (a) vary or revoke the conditions of the licence;

- (b) suspend the licence for a period;
 - (c) cancel the licence; or
 - (d) take no action.
- (5) For the purposes of a hearing, the Board is not bound by the rules of evidence ordinarily applied by the courts.

[The next page is 91,001]

PART 3 — LICENCES

12 Licences

- (1) No person shall import liquor for wholesale or retail sale or supply in the Republic without a licence to import liquor for that purpose being granted by the Liquor Licencing Board under this Act.
- (2) No person shall sell or supply liquor either by wholesale or retail in the Republic without a licence being granted for the purpose of sale or supply by retail or wholesale or both.
- (3) The Board shall consider each application lodged and inform the applicant of its decision.
- (4) For the purpose of subsection (1), the Board may grant an exclusive licence or limit the number of licences granted.
- (5) Where the Board approves an application under this Act, it may grant the applicant one of the following classes of licences:
 - (a) off-licence;
 - (b) club licence;
 - (c) special event licence;
 - (d) bar licence;
 - (e) restaurant licence;
 - (f) nightclub licence; or
 - (g) liquor import licence.
- (6) A licence granted under this Act shall be in the prescribed form.
- (7) A person who contravenes subsection (1), commits an offence and upon conviction is liable to:
 - (a) a fine not exceeding \$200,000;
 - (b) a term of imprisonment not exceeding 7 years; or
 - (c) both a fine or a term of imprisonment under paragraphs (a) and (b); and
 - (d) an order for the destruction of any infringing importation of liquor or for sale by public auction and monies received is to be paid into the Treasury Fund.
- (8) The jurisdiction to hear and determine an offence under subsection (7) vests in the Supreme Court.

[s 12 subst Act 41 of 2018 s 5, opn 18 Dec 2018]

12A Off-licence

The Board may grant an off-licence to an applicant for the exclusive sale or distribution of liquor in unopened containers:

- (a) by wholesale or retail, as specified in the licence;
- (b) between the hours specified in the licence; and
- (c) on days other than Sundays or public holidays.

[s 12A insrt Act 41 of 2018 s 6, opn 18 Dec 2018]

13 Licence application

- (1) An application for a licence under this Act shall be made in writing to the Board:

- (a) in the prescribed form;
- (b) upon payment of the prescribed fee; and
- (c) specifying the class of licence being applied for.

[subs (1) am Act 41 of 2018 s 7, opn 18 Dec 2018]

- (2) An application under subsection (1), shall be lodged with the Registrar in quadruplicate copies.

[subs (2) am Act 17 of 2018 s 6, opn 10 May 2018]

- (3) An application for a licence shall be:
 - (a) in case of an individual person, signed and dated by the person under whose name the business name and the business licence is issued to;
 - (b) in case of a partnership, signed and dated by one of the partners; and
 - (c) in case of a corporation, by the director or the manager of the intended premises for which a licence is applied for.
- (4) An application shall include:
 - (a) the applicant's full name and address;
 - (b) proof that applicant has attained the age of 21 years;
 - (c) nature of the licence;
 - (d) the premises to which the application relates;
 - (e) a current business licence;
 - (f) in case of a corporation, an incorporation certificate;
 - (g) in case of individual or partnership, business name; and
 - (h) any other information that the Registrar considers that the Board may require.

[subs (4) am Act 17 of 2018 s 6, opn 10 May 2018]

- (5) The Board shall not consider an application if the prescribed fee has not been paid.

14 Process of application

- (1) The Registrar on receipt of an application under Section 13, shall:
 - (a) publish the application in the Gazette and such other manner to inform the public that an application for licence has been made;
 - (b) refer one of the copies of the application to the Police Force; and
 - (c) refer one of the copies of the application to the Director of Public Health.

[subs (1) am Act 17 of 2018 s 6, opn 10 May 2018]

- (2) The Registrar shall advertise the application by notice in the Gazette where the application is for the grant, renewal, transfer or cancellation of licence.

[subs (2) am Act 17 of 2018 s 6, opn 10 May 2018]

- (3) An authorised officer shall:
 - (a) make an enquiry as to the character, fitness and capacity of the applicant to conduct the licenced business to which the application relates; and
 - (b) report to the Board in writing.
- (4) The Board may grant an application subject to such conditions as the Board deems necessary.
- (5) Where the applicant has been granted a licence, the Board may cancel any licence issued under this Act upon conviction for an offence under this Act.

15 Duties of the Police Force

Where the Police Force receives an application for a licence from the Registrar of the Board, it shall:

- (a) cause an inquiry as to the venue, security and accessibility of the premises for which the licence is applied for;
- (b) cause an inquiry into the records of the applicant, and if the applicant is convicted of an offence; and
- (c) within 14 days of the receipt of the notice submit a report to the Registrar for the Board, including:
 - (i) the historical records of the person;
 - (ii) whether the applicant is subject to any criminal investigation, charge or conviction;
 - (iii) the suitability and security of the proposed premises for the licence;
 - (iv) the security for the display and storage of liquor in the proposed premises; and
 - (v) the recommendations.

[s 15 am Act 17 of 2018 s 6, opn 10 May 2018]

16 Duties of the Director of Public Health

Where the Director of Public Health receives an application for a licence from the Registrar of the Board, he or she shall:

- (a) cause an inquiry into the health and sanitary conditions of the proposed premises including the cooking facilities, dining area and public convenience;
- (b) cause an inquiry into the fire and safety conditions of the proposed premises;
- (c) cause an inquiry into the labeling, packaging, handling and storage of liquor on the proposed premises; and
- (d) within 14 days upon receipt of the notice submit to the Registrar an inspection report.

[s 16 am Act 17 of 2018 s 6, opn 10 May 2018]

17 Matters for consideration in deciding an application for a licence

For the purpose of making a decision on an application for a licence, the Board shall consider and determine:

- (a) the suitability of the applicant;
- (b) whether it is appropriate to grant the licence for premises in the area to which the application relates;
- (c) whether the premises to which the application relates are fit and proper premises for the purposes of the licence;
- (d) compliance with health, sanitary and fire standards;
- (e) any objection to the application;
- (f) any public interest or public health related matters; and
- (g) any other matters which the Board deems relevant to the application.

[s 17 subst Act 41 of 2018 s 8, opn 18 Dec 2018]

18 Area plans lodged with licence application

- (1) An applicant shall lodge together with the licence application an area plan in duplicate copies to the Registrar as prescribed by regulations.

[subs (1) am Act 17 of 2018 s 6, opn 10 May 2018]

- (2) Subsection (1) shall not apply where the area plan that complies with the provisions of the regulations are already held with the Registrar.

[subs (2) am Act 17 of 2018 s 6, opn 10 May 2018]

- (3) Where the Board considers that an area plan does not comply with the requirements of the regulations or is otherwise inadequate the Board may, require the applicant:
- (a) to alter the lodged area plans; or
 - (b) to lodge substitute area plans in duplicate in accordance with the Board directions.
- (4) The Board shall define the limits of the licenced premises by delineates on the area plans,:
- (a) in granting an application for a licence;
 - (b) for the removal of a licence; or
 - (c) alteration of the limits of a licenced premises.
- (5) For the purposes of subsection (4), the Board may define the limits of licenced premises as being boundaries of that portion of the applicant's premises where:
- (a) an application is for the grant or removal of a retail licence, restaurant licence, bar licence, club licence or nightclub licence; and
 - (b) the applicant proposes to supply liquor only from a lockable portion of his or her premises which is shown on the plan.

19 Licence application for more than one class of licence

- (1) An applicant who intends to sell or supply liquor under more than one class of licence under Section 12, shall apply for each relevant class and pay the relevant prescribed fees.

[subs (1) am Act 41 of 2018 s 9, opn 18 Dec 2018]

- (2) A person who contravenes this Section, commits an offence and upon conviction is liable to a fine not exceeding \$20,000 or to a term of imprisonment not exceeding 12 months or to both.

20 No licence to be granted to minors

A licence shall not be granted to a person under the age of 21 years.

21 Licence application by partnership or corporation

- (1) A partnership or corporation applying for a licence shall nominate a person to be a representative in the conduct of the licenced premises.
- (2) A person shall not be nominated under this Section, unless he or she has signed a document consenting to his or her nomination.
- (3) Where the name of the partnership or corporation has been changed during the term of the licence, the licensee shall notify the Board to amend the licence accordingly.
- (4) The Board may, at any time upon application by the partnership or corporation, substitute the name of some other person as nominee to act on their behalf and the Board may amend the licence accordingly.

22 Objections

- (1) Any objection based upon a substantial ground may be raised at the hearing of any application:

- (a) by an authorised officer;
 - (b) by a qualified government health practitioner; or
 - (c) jointly by 3 or more persons over the age of 21 years.
- (2) A person who desires to make an objection at the hearing of an application shall lodge with the Registrar a notice of objection:
- (a) stating his or her full name and address; and
 - (b) the grounds upon which the objection is made.

[subs (2) am Act 17 of 2018 s 6, opn 10 May 2018]

- (3) A copy of the notice of objection under subsection (2), shall be served on the applicant within 24 hours from the time of lodgment of the objection.
- (4) The Board shall hear any objections made pursuant to this Section at the hearing of an application.
- (5) The Board may award costs against the objector where the Board considers an objection to be frivolous.

23 Board may dispense with strict formalities regarding applications

The Board may for the purpose of an application and on such terms as the Board thinks fit:

- (a) permit the amendment of a notice, document or instrument;
- (b) if it is satisfied that injustice to a person will not be caused by doing so, disregard a defect in a notice, document or instrument; or
- (c) extend or abridge the time fixed by this Act for performing an act whether the application for the extension of abridgement is made before or after the expectation of the time so fixed.

24 Licence conditions

The Board may impose conditions on a licence relating to:

- (a) noise abatement;
- (b) prohibition of the sale or supply of liquor between specified hours;
- (c) prohibition of or restriction on activities that could encourage the misuse or abuse of liquor such as excessive consumption of alcohol;
- (d) restrictions on how liquor may be sold from the licenced premises; or
- (e) restrictions on the number of persons who may be in the licenced premises at any time.

25 Duration of licence

- (1) The duration of a licence shall unless the Board specifies some other date, take effect from the date the Board gave their decision on the matter.
- (2) A licence shall unless sooner cancelled or suspended, continue in force until the last day of the financial year in which the licence was granted or renewed.

26 Grant of licence

The Board before granting a licence shall be satisfied that:

- (a) the premises to which the application relates are fit and proper for the purpose of the class of licence applied for; and

- (b) the parts of the premises on which liquor are to be stored, sold, supplied or consumed are properly defined in the application or in the plan attached to the application.

27 Licence may be varied

The Board may vary a licence by substituting other premises for the premises previously defined in respect of that licence upon the written application by a licensee.

28 Licence not transferrable

- (1) A licence shall not be transferred by the licensee to any other person without the prior approval of the Board.
- (2) Any licensee who transfers his or her licence in contravention of subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$10,000 or to a term of imprisonment of 6 months or to both.

29 Suspension of licence

- (1) An authorised officer may, upon giving 14 days' notice to a licensee, apply to the Board for the suspension of a licence.
- (2) The Board may cancel or suspend a licence for a period not exceeding 12 months upon being satisfied that:
 - (a) the licensee has committed repeated breaches against the provisions of this Act; or
 - (b) the licenced premises constitute a danger to the health of the public.

30 Renewal of licence

- (1) An application for the renewal of a licence shall be made:
 - (a) at least 1 month prior to the expiry date of the licence;
 - (b) in the prescribed form; and
 - (c) on the payment of prescribed fees.
- (2) A licensee is not liable for prosecution for failing to hold a licence under this Act, if he or she has:
 - (a) made a proper application for the renewal within 30 days of the expiration of his or her licence;
 - (b) in the case of an application for renewal, application made in less than 30 days of the expiry of a licence, the applicant shall pay a late application fee prescribed by regulations; or
 - (c) in the case of an application made after the expiry of a licence, the applicant shall pay the:
 - (i) prescribed late application fee; and
 - (ii) penalty under Section 89.

31 Permit for extended hours

- (1) A licensee who intends to extend hours for sale or supply of liquor shall apply in writing to the Board for a permit for extended hours.
- (2) The Board may grant a permit for extended hours to a licensee to supply liquor in accordance with the general authority granted under his or her licence and during such additional hours granted by the Board in the permit.

- (3) A person who does not have a valid permit for extended hours under this Section, commits an offence and upon conviction is liable to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 12 months or to both.

32 Certificate for a licence of premises not already erected

- (1) A person may apply to the Board for a certificate under this Section who desires to obtain a licence in respect of or the removal of a licence to a premises:
 - (a) which have not already been erected;
 - (b) which are not at the time completed or fit for occupation; or
 - (c) already erected but requiring additions or alterations to provide satisfactory accommodation.
- (2) A certificate under this Section authorises the issue or removal of a licence of the class specified in the certificate upon the completion of the premises and accommodation within the time specified in the certificate.
- (3) A licence shall not be issued or removed pursuant to a certificate under this Section unless the Board is satisfied that the conditions specified in that certificate have been complied with.
- (4) A certificate issued by the Board under this Section shall be cancelled if the:
 - (a) premises and accommodation have not been completed; or
 - (b) conditions specified in the certificate have not been complied with or within such extended time allowed by the Board.

33 Alteration of limits

- (1) The Board may alter the limits under Section 18(4) upon the written application by a licensee.
- (2) The Board shall not approve an alteration to the area of a licenced premise unless the Board is satisfied that it is in the best interests of the community to do so.

34 Appeals

- (1) A person aggrieved by the decision of the Board shall file and serve an appeal to the Supreme Court within 21 days of delivery of the decision by the Board.
- (2) The appeal shall be filed by way of a notice of appeal.
- (3) No appeal shall be filed against a decision of the Board after a lapse of 3 months from the time the decision was made.
- (4) The rules of the court shall apply.

[The next page is 91,201]

PART 4 — ADDITIONAL REQUIREMENTS FOR LICENCE

35 Store area to be locked

- (1) A licensee shall at the commencement of the prohibited hours, lock the areas in his or her licenced premises where liquor is stored or dispensed and keep them locked during the prohibited hours.
- (2) Despite subsection (1), a licensee may:
 - (a) cause the areas referred to in subsection (1) to be opened not more than 15 minutes before or after the prescribed trading hours for any purpose other than the supply of liquor; and
 - (b) enter or permit other persons to enter those areas in good faith for the purpose of cleaning, repairing or servicing those areas.

36 No gaming on licenced premises

[s 36 rep Act 12 of 2023 s 4, opn 12 Dec 2023]

37 No credit sales

- (1) Any licensee who receives in payment or as a pledge for liquor supplied by him or her anything except legal tender or bank cheques at full nominal value, commits an offence.
- (2) A licensee who sells liquor by the glass on credit except for payment received during the time of sale, commits an offence and cannot recover the debt incurred.
- (3) A licensee who commits an offence under this Section, upon conviction is liable to a fine not exceeding \$20,000 or to a term of imprisonment not exceeding 12 months or to both.

[The next page is 91,401]

PART 5 — CUSTOMER REGISTER

38 Customer register

- (1) A licensee shall maintain a customer register in the form approved by the Board for any sale or supply of liquor.
- (2) A customer register shall record:
 - (a) name of the customer;
 - (b) identification used by the customer;
 - (c) amount of liquor purchased by the customer;
 - (d) the type of liquor purchased by the customer; and
 - (e) date of purchase.
- (3) The licensee shall, if requested by an authorised officer:
 - (a) make any customer register available for inspection; and
 - (b) allow an authorised officer to take copies of any such customer register or remove any such register from the premises.
- (4) The licensee shall ensure that the information recorded in the customer register is retained for at least 3 years from when the record was made.
- (5) A licensee who does not keep a customer register required under this Act, commits an offence and upon conviction is liable to a fine not exceeding \$20,000 or to a term of imprisonment not exceeding 12 months or to both.
- (6) A licensee who fails to produce a customer register to an authorised officer for examination upon request, commits an offence and upon conviction is liable to a fine not exceeding \$20,000 or to a term of imprisonment not exceeding 12 months or to both.

[The next page is 91,601]

**PART 6 — PROHIBITION ON SALE OR SUPPLY OF LIQUOR TO A
PERSON UNDER THE AGE OF 21 YEARS**

39 Drinking age

Despite the *Child Protection and Welfare Act 2016*, for the purposes of this Act, a person shall be at least 21 years old before he or she can consume, purchase, sell, supply, carry or serve liquor on licenced premises or in a public place.

40 Sale of liquor to a person under the age of 21 years

- (1) The licensee or an employee may refuse to sell or supply liquor to a person unless such person satisfies the licensee or an employee of his or her age by showing a document of identification.
- (2) A licensee may, upon reasonable suspicion of a person being under the age of 21 years, remove a person if:
 - (a) no document of identification is provided upon request; or
 - (b) the document of identification provided confirms that the person is under the age of 21 years.
- (3) It shall be a defence to a prosecution for an offence under this Section, if the person charged proves that he or she reasonably believed that the other person had attained the age of 21 years.

[The next page is 91,801]

**PART 7 — PROHIBITION ON SALE OR SUPPLY OF LIQUOR WITHOUT A
LICENCE**

41 No sale or supply of liquor without a licence

- (1) No person shall sell or supply liquor without a licence.
- (2) A person commits an offence, if he or she does not hold a valid licence or occupies an unlicensed premises and:
 - (a) sells or exposes or keeps for sale any liquor from the premises; or
 - (b) allows any other person to sell or expose or keep for sale any liquor on the premises.
- (3) A person who commits an offence, under this Section, upon conviction is liable to a fine not exceeding \$20,000 or to a term of imprisonment not exceeding 2 years or to both.

[The next page is 92,001]

**PART 8 — ORDER TO RESTRICT THE SALE, SUPPLY OR IMPORT OF
CERTAIN ALCOHOL**

42 Orders to restrict the sale, supply or import of certain alcohol

- (1) The Minister may, if it is necessary in the public interest and in consultation with the Board and the Department of Health, issue an Order to restrict:
 - (a) the sale, supply or import of certain type of alcohol in the Republic; or
 - (b) the amount of alcohol being sold to customers on a per customer basis.
- (2) The Order for the restriction of sale, supply or import of certain alcohol shall be published in the Gazette.
- (3) All licencees shall ensure that the Order is displayed in a visible manner in their premises.

[The next page is 92,201]

PART 9 — BANNING ORDERS

43 Banning orders

- (1) The Board may, by order in writing given to a person, prohibit the person from entering or remaining on the licenced premises specified in the order.
- (2) An application for an order under this Section may be made by:
 - (a) the Registrar;
 - (b) the Commissioner of Police;
 - (c) a licensee; or
 - (d) any other person, or class of persons prescribed by regulations.

[subs (2) am Act 17 of 2018 s 6, opn 10 May 2018]

- (3) The application shall be in the form approved by the Board.
- (4) The Board may make such an order under this Section only if the Board is satisfied that the person who is the subject of the proposed order has repeatedly been intoxicated, violent, quarrelsome or disorderly on or in the immediate vicinity of licenced premises.
- (5) The regulations may prescribe other circumstances in which the Board is authorised to make an order under this Section.
- (6) An order under this Section shall specify a period not exceeding 6 months during which the order is in force.
- (7) In deciding whether to make an order under this Section, the Board shall not take into consideration the person's race or ethnic or national origins.
- (8) A person who is the subject of an order under this Section, shall not enter or attempt to enter, or remain on, the licenced premises to which the order relates.
- (9) A person who contravenes subsection (8), commits an offence and upon conviction is liable to a fine not exceeding \$1,000 or to a term of imprisonment not exceeding 6 months.

[The next page is 92,401]

PART 10 — ENFORCEMENT

44 Appointment of authorised officers

- (1) The Minister may, on the recommendation of the Board, by notice in the Gazette appoint authorised officers for the purpose of this Act.
- (2) An authorised officer appointed under subsection (1), shall be issued with an identification card duly signed by the Chairperson.
- (3) Any authorised officer appointed under this Section, except a member of the Police Force, shall:
 - (a) be issued with an identification card at the time of his or her appointment; and
 - (b) produce the identification card on request and if he or she fails to do so, he or she shall not exercise any powers under this Act.

45 Functions and powers of authorised officers

- (1) The functions of an authorised officer include:
 - (a) monitoring compliance with this Act by licenced premises;
 - (b) monitoring the sale and supply of liquor in the Republic; and
 - (c) reporting to the Board any such breaches other than prosecution of offences under this Act.
- (2) An authorised officer has the power to enter any licenced premises at any reasonable time and may request to see the licence or any records to establish compliance with this Act.
- (3) A person who wilfully delays admittance to or obstructs the entrance into any licenced premises of a licencing inspector under this Section, commits an offence.
- (4) An authorised officer may obtain a warrant from a Resident Magistrate if he or she has reasonable grounds to believe that an offence is being committed under this Act and:
 - (a) seize and remove all liquor found on those premises or vessel containing liquor; and
 - (b) have all liquor found under subsection 4(a) kept in the custody of the Police Force pending investigation of the alleged offence.
- (5) Any liquor seized under subsection (4), shall within 14 days from the date of seizure, be returned to the person from whom the liquor was seized unless the person has been charged with the alleged offence.
- (6) Any liquor seized under subsection (4), that has not been returned for the reasons that the person has been charged and convicted for the alleged offence shall be disposed of by public auction.

[The next page is 92,601]

PART 11 — OFFENCES AND PENALTIES

46 Carrying or exposing liquor for sale

- (1) A person shall not carry, store in bulk or expose liquor for sale without a licence and a licence for the premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment not less than 2 years or more than 5 years.
- (3) For the purposes of subsections (1) and (2), the burden of proving that the liquor was not carried, stored in bulk or exposed for sale is on the person alleged to have carried, stored in bulk or exposed for sale unless:
 - (a) the vendor;
 - (b) the purchaser; and
 - (c) the person to whom the liquor is to be delivered,is able to provide evidence that the liquor is carried, stored in bulk or exposed for sale only for the purposes of delivering to the purchaser.

47 Offer to purchase liquor other than from a licenced premises

- (1) A licensee shall not take or receive or cause or permit an employee or agent to take or receive an order for liquor elsewhere than at the licenced premises.
- (2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment not less than 2 years or more than 5 years.

48 Occupier or owner of unlicensed premises liable for prosecution for sale of liquor

- (1) An occupier or owner of an unlicensed premises shall not permit or knowingly allow the sale of liquor on the premises by a person including a tenant.
- (2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$100,000 or to a term of imprisonment not less than 2 years or more than 5 years.
- (3) For the purposes of this Section, an owner of the unlicensed premises is deemed to have knowledge of the sale of liquor if:
 - (a) he or she has with sufficient inquiry would have established that persons including unknown person would be traveling to the premises at unusual times;
 - (b) he or she has been informed or has knowledge of the occupant or tenant being charged and convicted for an offence under this Act; and
 - (c) he or she has allowed the occupant or tenant to occupy the premises as a residential or commercial purpose but not for sale of liquor.

49 Consumption of liquor prohibited in public places

- (1) A person shall not consume liquor:

- (a) in a public place which includes a road or land owned or leased by the Republic; or
 - (b) in a doorway or entrance that gives access to premises to or from a public place.
- (2) A person who contravenes subsection (1), commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

50 Licencees to retain control on sale and consumption of liquor

- (1) A licensee shall ensure that the business carried on the licenced premises is carried on in such a way that the licensee can exercise effective control over the sale and any consumption of liquor on the premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

51 Licensee to ensure responsible sale and service of liquor

- (1) A licensee shall not allow a person to sell or serve liquor on the licenced premises unless the person:
- (a) has successfully completed an approved course; or
 - (b) has been an employee of the licensee for, in total, less than 3 months and is:
 - (i) undertaking an approved course; or
 - (ii) formally enrolled in an approved course that is scheduled to start within 3 months from the day on which the person is permitted to serve the liquor.
- (2) An applicant for a liquor licence shall successfully complete an approved course, if the Board so directs.
- (3) For the purposes of subsections (1) and (2), a licensee shall:
- (a) keep such records on the licenced premises as the Board, by written notice served on the licensee, may from time to time require; or
 - (b) produce all or any of those records to the Board or an authorised officer on demand.
- (4) The Board may exempt the holder of a special event licence from the requirements of this Section if satisfied that it is not against the public interest to do so.
- (5) In this Section:
- (a) ***‘approved course’*** means a course of instruction or training in the service of liquor, approved by the Board; and
 - (b) ***‘employee’*** includes a person engaged under a contract for services.
- (6) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

52 Licencees to ensure seller and server of liquor meets the minimum age requirements

- (1) A licensee shall not allow a person to sell or serve liquor on the licenced premises if that person is under the age of 21 years.

- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

53 Sale and consumption of liquor not to cause undue annoyance, disturbance or disorderly conduct

- (1) A licensee shall ensure that the sale and consumption of liquor on the licenced premise does not:
 - (a) cause undue annoyance or disturbance to:
 - (i) people living or working in the neighbourhood of the premises;
 - (ii) customers or clients of any business in the neighbourhood of the premises;
 - (iii) people conducting or attending religious services or attending a school in the neighbourhood of the premises; or
 - (iv) people lawfully on the premises; or
 - (b) cause the occurrence of disorderly conduct:
 - (i) in the premises; or
 - (ii) in the neighborhood of the premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

54 Licensee not to alter area of licenced premises without approval

- (1) A licensee shall not alter the area of the licenced premises without the Board's approval.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

55 Licensee to notify the Board of alteration to designated area

- (1) A licensee shall:
 - (a) give the Board written notice at least 30 days prior to altering the boundaries of an area designated under Section 18; and
 - (b) give the Board such information about the proposed alteration as the Board may require.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

56 Licensee to notify the Board of change

- (1) Whenever there is a change of a kind specified by the Board in writing, served on the licensee, takes place in the situation existing in relation to that licensee, the licensee shall in an approved form provided by the Board, notify the Board of change within 14 days.
- (2) The Board may require a licensee to supply the Board with such further particulars of a change in situation as the Board considers necessary.

57 Licence to be produced on demand

- (1) A licensee shall produce the licensee's liquor licence to the authorised officer upon demand.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

58 Licence to be displayed

- (1) A licensee shall display the licensee's liquor licence in a conspicuous place on the licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

59 Authority to act as licensee to be displayed

- (1) The holder of an authority to act as a licensee shall display the authority in a conspicuous position on the licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

60 Special event licence to be displayed

- (1) The holder of a special event licence shall display the licence in a conspicuous place on the licensee's premises during the time when the liquor may be sold on those premises under the authority of the licence.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

61 Liquor restriction order to be displayed on licenced premises

- (1) A licensee shall display in a conspicuous position on the licenced premises any liquor restrictions order made by the Board in respect of the premises or any part of the premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

62 Licensee to display notice prohibiting or restricting entry of a person under the age of 21 years

- (1) A licensee shall ensure that there is displayed in a conspicuous place at the entrance to any part of the licenced premises a notice approved by the Board giving notice of the prohibition or restriction of entry of a person under the age of 21 years.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

63 Licencee to prohibit or restrict the entry of young people to certain parts of licenced premises

- (1) A licensee shall ensure that a person under the age of 21 years does not enter or remain on any part of the licenced premises, except:
 - (a) to have a meal; and
 - (b) in the company of a responsible adult.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

64 Licencee to require certain people to leave licenced premises

- (1) A licensee shall require a person to leave the licenced premises, if he or she is:
 - (a) acting in a violent, quarrelsome or disorderly manner; or
 - (b) using disgusting, profane or foul language.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

65 Liquor not to be consumed on off-licenced premises

- (1) The holder of an off-licenced premises shall not allow liquor purchased on the licenced premises to be consumed on such premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

66 Liquor not to be removed from on licenced premises

- (1) The holder of on licenced premises shall not allow liquor purchased on the licenced premises to be taken off such premises to be consumed elsewhere.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

67 Licencee to restrict people on licenced premises outside prescribed trading hours

- (1) A licensee shall not allow a person to enter or remain on any part of a licenced premises where liquor is normally sold at any time between:
 - (a) 15 minutes after the prescribed trading hours when the sale of liquor on the premises under the authority of a liquor licence ceased; and
 - (b) next time when liquor may be sold during the prescribed trading hours on the premises under the authority of a liquor licence.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.
- (3) Subsection (1) does not apply to:
 - (a) the licensee;
 - (b) a member of the licensee's family;

- (c) a resident of the licenced premises;
- (d) an employee of the licensee; or
- (e) a person required to be on the premises in the course of employment.

68 Licencee to notify the Board of prolonged absence from licenced premises

- (1) A licensee shall not be absent from the licenced premises for a period of more than 14 days unless before the absence the licensee gives the Board written notice specifying:
 - (a) period during which the licensee will be absent; and
 - (b) the name and address of the person who will be in charge of the premises during the licensee's absence, being a person who is above the age of 18 years old.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

69 Licencee not to hinder an authorised officer

- (1) A licensee shall not:
 - (a) hinder an authorised officer from carrying out the authorised officer's duties under this Act;
 - (b) fail to comply with a reasonable requirement of an authorised officer made in accordance with this Act; or
 - (c) fail to provide an authorised officer with reasonable assistance in the exercise of any power under this Act.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

70 Prohibited or restricted advertising or promotion

- (1) The Board may serve a notice on a licensee that prohibits or restricts the advertising or promotion of the sale of liquor by the licensee if, in the opinion of the Board:
 - (a) advertising or promotion, or the proposed advertising or promotion is likely to encourage irresponsible consumption of liquor; or
 - (b) it is otherwise in the public interest to do so.
- (2) A licensee on whom the notice is served under subsection (1) shall comply with the notice.
- (3) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

71 False applications

- (1) A person shall not knowingly make a false or misleading statement in an application made for the purpose of this Act.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

72 Liquor not to be sold or served by person who is intoxicated

- (1) A person shall not sell or serve liquor on licenced premises if he or she is intoxicated.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.
- (3) A licensee commits an offence, if a person authorised by the licensee to sell or serve liquor on the licenced premises sells or serves liquor whilst intoxicated.
- (4) Any licensee who contravenes subsection (3) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

73 Liquor not to be sold or served to a person under the age of 21 years

- (1) A person shall not sell or serve liquor to a person under the age of 21 years on licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.
- (3) A licensee commits an offence, if a person authorised by the licensee to sell or serve liquor on the licenced premises sells or serves liquor to a person under the age of 21 years old.
- (4) A licensee who contravenes subsection (2) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

74 Liquor not to be supplied to a person under the age of 21 years on licenced premises

- (1) A person shall not supply liquor to a person under the age of 21 years on licenced premises
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

75 Person under the age of 21 years not to enter certain part of licenced premises

- (1) A person under the age of 21 years shall not enter or remain on any part of a licenced premises, where a notice specifying the prohibition is displayed in accordance with Section 41, except:
 - (a) to have a meal; and
 - (b) in the company of a responsible adult.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

76 Person under the age of 21 years not to produce false evidence of identity

- (1) A person under the age of 21 years shall not use a false document in order to, or attempt to do, anything that a person under the age is prohibited from doing by or under this Act.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

77 Liquor not to be purchased by a person under the age of 21 years

- (1) A person shall not send a person under the age of 21 years:
 - (a) to purchase liquor; or
 - (b) collect liquor from a licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

78 Person under the age of 21 years not be given possession or charge of liquor on licenced premises

- (1) A licensee or person acting on behalf of a licensee, shall not give a person under the age of 21 years possession or control of liquor on the licenced premises or allow a person under the age of 21 years to have or retain possession or control of liquor on the licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

79 Person under the age of 21 years not to consume liquor on licenced premises

- (1) A person under the age of 21 years shall not consume liquor on licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

80 Person not to have possession or control of liquor on licenced premises

- (1) A person under the age of 21 years shall not have possession or control of liquor on licenced premises.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

81 Liquor not to be sold or served to intoxicated person

- (1) A person shall not sell, supply or serve liquor on licenced premises to a person who is intoxicated.

- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.
- (3) A licensee commits an offence, if a person authorised by the licensee to sell or serve liquor on the licenced premises sells or serve liquor to a person who is intoxicated.
- (4) A licensee who contravenes subsection (3) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

82 Licencee to prevent offences on licenced premises

- (1) A licensee who knows or has reason to believe that an offence under this Act is being, or is about to be, committed on the licenced premises shall take reasonable action to prevent the commission of the offence.
- (2) A licensee who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

83 Liquor not to be brought onto licenced premises

- (1) A person shall not bring liquor onto licenced premises without the consent of the licensee.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

84 Prohibited behaviour and language

- (1) A person shall not, on licenced premises;
 - (a) act in a violent, quarrelsome or disorderly manner; or
 - (b) use disgusting, profane or foul language.
- (2) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

85 Person to leave licenced premises when required to do so

- (1) A person shall leave the licenced premises when required to do so, by:
 - (a) the licensee or person acting with the authority of the licensee; or
 - (b) a police officer,acting in accordance with this Act.
- (2) A person who has:
 - (a) left licenced premises according to subsection (1); and
 - (b) has been removed from licenced premises by the police officer acting in accordance with this Act,shall not re-enter or attempt to re-enter those premises within the period of 24 hours immediately after leaving or being removed from the premises.
- (3) A person who contravenes subsections (1) and (2) commits an offence and upon conviction is liable to a fine not exceeding \$50,000 or to a term of imprisonment of not less than 2 years or more than 5 years.

- (4) A police officer may:
 - (a) arrest without a warrant, a person whom the police officer reasonably believes is committing or has committed, an offence under subsection (1) or (2); and
 - (b) use such reasonable force as may be necessary to remove from the licenced premises or the vicinity of the licenced premises, a person whom the police officer reasonably believes is committing, or has committed, an offence under subsection (1) or (2).

86 Licencee does not maintain clean and sanitary conditions

- (1) A licensee commits an offence if, he or she:
 - (a) fails to keep any sanitary appliances provided for use by his or her patrons in good sanitary conditions; or
 - (b) fails to keep his or her licenced premises in a clean and sanitary conditions.
- (2) A person who commits an offence under this Section, is liable on conviction to a fine not exceeding \$20,000 or to a term of imprisonment not exceeding 12 months or to both.

87 Adulterated Liquor

- (1) A person who adulterates liquor commits an offence.
- (2) A person who supplies or offers by display or otherwise to supply any adulterated liquor, commits an offence.
- (3) Upon conviction of a person under this Section, the court shall dispose of the liquor to which the offence relates and any vessels containing that liquor in such manner as the court deems necessary.

88 Offence by corporation

Where a corporation commits an offence under this Act, a person who at the time of the commission of the offence was a director, chief executive officer, manager, secretary or other similar officer of the corporation, or was purporting to act in any such capacity, or was in any manner or to any extent responsible for the management of any of the affairs of the corporation, or was assisting in such management:

- (a) may be charged jointly or severally in the same proceedings with the corporation; and
- (b) if the corporation is found guilty of the offence, shall be deemed to be guilty of that offence unless, having regard to the nature of the person's function in that capacity and to all circumstances, the person proves:
 - (i) that the offence was committed without the person's knowledge, consent or connivance; and
 - (ii) that the person had taken all reasonable precautions and exercised due diligence to prevent the commission of the offence.

89 General Penalty

- (1) A licensee who commits an offence under this Act for which no express penalty is provided is liable on conviction to a penalty of up to \$15,000 or to imprisonment for 12 months or both.
- (2) Any other person who is not a licensee under this Act and commits an

offence under this Act for which no express penalty is provided shall be liable to a penalty of up to \$20,000 or to imprisonment for 2 months, or both.

[The next page is 92,801]

PART 12 — MISCELLANEOUS

90 Notices in writing

Where this Act provides for a notice to be given or an application to be made before the hearing of a matter, that notice or application shall be in writing.

91 Closed days

Any sale or supply of liquor on any of the following days is prohibited:

- (a) Good Friday;
- (b) Christmas Day;
- (c) Sunday; or
- (d) any other day or portion of a day specified for the purposes of this Section by the Cabinet by notice in the Gazette.

92 Liability for acts of employees and agents

Where a person would be liable under this Act to any punishment or penalty for an act, omission, neglect or default, that person shall be liable to the same punishment or penalty for every such act, omission, neglect or default of any employee or agent of the person's, or of the employee of the agent, if the act, omission, neglect or default was committed:

- (a) by that person's employee in the course of the employee's employment;
- (b) by the agent when acting on behalf of that person; or
- (c) by the employee of the agent in the course of the employee's employment by the agent or otherwise on behalf of the agent acting on behalf of that person,

unless, having regard to the nature of the person's function in that capacity and to all circumstances, the person proves:

- (i) that the offence was committed without the person's knowledge, consent or connivance; and
- (ii) that he or she had taken all reasonable precautions and exercised due diligence to prevent the commission of the offence.

93 Protection from liability

The Chairperson, Board members, Registrar, an authorised officer or any other person appointed and acting on behalf of the Board or otherwise under this Act is not personally liable for any act done or omitted in good faith in the exercise or performance of the functions, powers or duties of the Board or in exercise or performance of any functions, powers or duties under this Act.

[s 93 am Act 17 of 2018 s 6, opn 10 May 2018]

94 Evidence

- (1) In any proceedings under this Act, evidence of delivery or supply of liquor is evidence of a sale of the liquor.
- (2) In proceedings for an offence under this Act, an apparently genuine document purporting to be a certificate signed by the Board certifying a

matter relating to an approval or authorisation under this Act is, in the absence of proof to the contrary, proof of the matters so certified.

95 Jurisdiction of the court

The District Court shall have jurisdiction to hear and determine all offences under this Act and, shall have power to impose the penalty or punishment in respect of the offences under this Act.

96 Regulations

The Cabinet may make regulations prescribing all matters which are necessary or convenient to be prescribed for giving effect to this Act.

[The next page is 93,001]

PART 13 — REPEAL, SAVINGS AND TRANSITIONAL

97 **Repeal of Act**

The *Liquor Act 1967* is repealed by the provisions of this Act.

98 **Savings and transitional provisions**

- (1) Despite the repeal of the *Liquor Act 1967*, all appointments, licences, fees, permits and decisions under that Act remain in force.
- (2) Every licence of the following class under the *Liquor Act 1967* immediately before the commencement of this Act shall be deemed for the purposes of this Act to be an:
 - (a) on-licenced premises:
 - (i) tavern licences; and
 - (ii) restaurant licences;
 - (b) off-licenced premises; and
 - (c) Liquor Retailers' Licences.
- (3) Any proceedings instituted or action begun under the repealed Act before the commencement of this Act which has not been determined before the commencement of this Act continues until it has been determined.

[The next page is 94,001]

Liquor Control (Trading Hours) Regulations 2020

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Title</i>
1	Citation
2	Commencement
3	Trading hours under an off-licence

[The next page is 94,201]

Liquor Control (Trading Hours) Regulations 2020

TABLE OF AMENDMENTS

The Liquor Control (Trading Hours) Regulations 2020 SL 2 was notified and commenced on 27 January 2020 (GN No 46/2020; Gaz 20/2020).

Amending Legislation	Notified	Date of Commencement
Liquor Control (Trading Hours) (Amendment) Regulations 2020 SL 6	27 March 2020	27 March 2020
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

[The next page is 94,401]

The Cabinet makes the following Regulations under Section 96 of the *Liquor Control Act 2017*:

1 Citation

These Regulations may be cited as the *Liquor Control (Trading Hours) Regulations 2020*.

2 Commencement

These Regulations come into effect on the day they are notified in the Gazette.

3 Trading hours under an off-licence

(1) The trading hours for the sale and supply of liquor under an off-licence shall be from 10am to 6pm from Monday to Saturday.

[subreg (1) subst SL 6 of 2020 reg 4, opn 27 Mar 2020]

(2) The Board may from time to time vary the trading hours by publishing a notice in the Gazette.

[The next page is 97,001]

Liquor Control (Forms and Fees) Regulations 2021

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Title</i>
1	Citation
2	Commencement
3	Application form
4	Form of licence
5	Application for special event licence
6	Notice in the Gazette
7	Area plan for premises
8	Application for variation of licence
9	Renewal of licence
10	Permit for extended hours
11	Certificate for a licence of premises not already constructed
12	Application for alteration of limits
13	Application for banning order
14	Banning order
15	Notice of appointment of authorised officers
16	Notice to Board of alteration to designated area
17	Notice prohibiting or restricting entry of any person under the age of 21 years
18	Fees

SCHEDULE 1

FORM 1 — APPLICATION FOR LIQUOR LICENCE

FORM 2 — LIQUOR LICENCE

FORM 3 — APPLICATION FOR SPECIAL EVENT LICENCE

FORM 4 — SPECIAL EVENT LICENCE

FORM 5 — NOTICE OF APPLICATION FOR A LIQUOR LICENCE –
GAZETTE

FORM 6 — APPLICATION TO VARY LICENCE

FORM 7 — APPLICATION FOR RENEWAL OF LIQUOR LICENCE

FORM 8 — APPLICATION FOR A PERMIT FOR EXTENDED HOURS

FORM 9 — PERMIT FOR EXTENDED HOURS

FORM 10 — CERTIFICATE FOR A LICENCE OF PREMISES NOT
ALREADY CONSTRUCTED

FORM 11 — APPLICATION FOR ALTERATION OF LIMITS

FORM 12 — APPLICATION FOR BANNING ORDERS

Title

FORM 13 — BANNING ORDERS

FORM 14 — NOTICE OF APPOINTMENT OF AUTHORISED
OFFICERS

FORM 15 — NOTICE TO BOARD OF ALTERATION TO
DESIGNATED AREA

FORM 16 — NOTICE PROHIBITING OR RESTRICTING ENTRY OF
ANY PERSON UNDER THE AGE OF 21 YEARS

SCHEDULE 2 — FEES

[The next page is 97,201]

Liquor Control (Forms and Fees) Regulations 2021

TABLE OF AMENDMENTS

The Liquor Control (Forms and Fees) Regulations 2021 SL 22 was notified and commenced on 2 August 2021.

Amending Legislation	Notified	Date of Commencement
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[The next page is 97,401]

The Cabinet makes the following Regulations under Section 96 of the *Liquor Control Act 2017*:

1 Citation

These Regulations may be cited as the *Liquor Control (Forms and Fees) Regulations 2021*.

2 Commencement

These Regulations commence on the day they are notified in the Gazette.

3 Application form

For the purposes of Sections 12 and 13 of the Act, the application form for a licence is in Form 1 of Schedule 1.

4 Form of licence

For the purposes of Section 12(6) of the Act, a licence granted by the Board is in Form 2 of Schedule 1.

5 Application for special event licence

- (1) For the purposes of Section 13(1) of the Act, the application form for a special event licence is in Form 3 of Schedule 1.
- (2) The form of a licence granted under subregulation (1) is in Form 4 of Schedule 1.

6 Notice in the Gazette

For the purposes of Section 14(2) of the Act, the form of a notice to be published in the Gazette is in Form 5 of Schedule 1.

7 Area plan for premises

- (1) For the purposes of Section 18 of the Act, an area plan submitted to the Registrar shall show:
 - (a) the site and dimensions of the land;
 - (b) the building or proposed building to be included in the licenced premises;
 - (c) the land and building that is occupied or used, or proposed to be occupied or used, in connection with the licenced premises;
 - (d) the area in which liquor is stored or will be stored;
 - (e) the size of each room in the building or proposed building included or in the licenced premises;
 - (f) the means of access in the building;
 - (g) if the building or proposed building is to operate more than one category of licence, show and include on the plan; and
 - (h) the nature, type and location of sanitary facilities installed, or proposed to be installed.

- (2) Notwithstanding subregulation (1), the Registrar may require a retail or bar applicant to include and indicate in the area plan the location of a surveillance camera.

8 Application for variation of licence

For the purposes of Section 27 of the Act, the application form for the variation of a licence is in Form 6 of Schedule 1.

9 Renewal of licence

For the purposes of Section 30(1)(b) of the Act, the application form for the renewal of a licence is in Form 7 of Schedule 1.

10 Permit for extended hours

- (1) For the purposes of Section 31(1) of the Act, the application form for a permit for extended hours is in Form 8 of Schedule 1.
- (2) For the purposes of Section 31(2) of the Act, the form of a permit granted by the Board is in Form 9 of Schedule 1.

11 Certificate for a licence of premises not already constructed

For the purposes of Section 32 of the Act, the form for a certificate granted by the Board is in Form 10 of Schedule 1.

12 Application for alteration of limits

For the purposes of Section 33 of the Act, the application form for the alteration of limits is in Form 11 of Schedule 1.

13 Application for banning order

For the purposes of Section 43(2) of the Act, the application form for a banning order is in Form 12 of Schedule 1.

14 Banning order

For the purposes of Section 43(1) of the Act, the form of a banning order is in Form 13 of Schedule 1.

15 Notice of appointment of authorised officers

For the purposes of Section 44 of the Act, the form of a notice of appointment of authorised officers is in Form 14 of Schedule 1.

16 Notice to Board of alteration to designated area

For the purposes of Section 55 of the Act, the form of a notice to the Board by the licensee is in Form 15 of Schedule 1.

17 Notice prohibiting or restricting entry of any person under the age of 21 years

For the purposes of Section 62 of the Act, the form of a notice prohibiting or restricting entry of any person under the age of 21 years is in Form 16 of Schedule 1.

18 Fees

The prescribed fees to be paid for the purposes of the Act and these Regulations are set out in Schedule 2.

[The next page is 97,601]

SCHEDULE 1

FORM 1



REPUBLIC OF NAURU

LIQUOR CONTROL ACT 2017

[Sections 12 and 13; Regulation 3]

APPLICATION FOR LIQUOR LICENCE

PART A

WHO MAY APPLY			
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	
TYPE OF LICENCE			
<input type="checkbox"/> Off-licence	<input type="checkbox"/> Club	<input type="checkbox"/> Bar	<input type="checkbox"/> Restaurant <input type="checkbox"/> Nightclub <input type="checkbox"/> Liquor Import Licence
DETAILS OF APPLICANT			
Surname:		Given names:	
Address:		Telephone:	Email:
Date of birth	/	age:	Occupation:
Nationality:			
DETAILS OF BUSINESS LICENCE <i>(in case of an individual; corporation or partnership)</i>			
Business		name:	
Expiry date of current business licence:..... / / 20...			
<i>Copy of current business licence must be submitted.</i>			
DETAILS OF INCORPORATION CERTIFICATE <i>(in case of a corporation)</i>			
Corporation		name:	

.....
 Expiry date of current incorporation certificate:..... / / 20...

Copy of current incorporation certificate must be submitted.

DETAILS OF PARTNERSHIP *(in case of a partnership)*

Partnership name:.....

Copy of current certificate of partnership must be submitted.

DETAILS OF PROPOSED PREMISES

Premises name: Address:

DECLARATION BY APPLICANT

I, *(name of applicant)* declare that the above particulars are true and correct to the best of my knowledge and belief.

..... Date: / / 20...
 Signature of applicant

OFFICIAL PURPOSES ONLY

- This office will not accept lodgement of this form if it is not completed in full.
- Application received on: / / 20...
- Application received by officer:
- Application received on
- Fee paid. Revenue receipt number:
- Licence issued on: / / 20...
- Licence given to:
- Identification sighted – drivers licence / passport / others

..... Date: / / 20...
Chairperson
Liquor Licencing Board

PART B*(to be completed by the Police Force)***APPLICATION FOR LIQUOR LICENCE****REPORT BY THE POLICE FORCE**

(a) Is applicant subjected to any criminal investigation, charge or conviction? Yes / No

(b) If yes to (a), please provide details:

.....

.....

.....

.....

(c) Details of the suitability and security of the proposed premises for the licence:

.....

.....

.....

(d) Details of the security for the display and storage of liquor in the proposed premises:

.....

.....

.....

(e) Any other recommendations:

.....

.....

.....

Name of police officer who provided report:

.....

Signature of police officer who provided report:

.....

Date: / / 20...

..... Date: / / 20...

Commissioner of Police

Date submitted to Registrar of Liquor Licencing Board: / / 20...

Registrar of Liquor Licencing Board:

PART C*(to be completed by Public Health)***APPLICATION FOR LIQUOR LICENCE****REPORT BY THE DIRECTOR OF PUBLIC HEALTH**

- (a) Inspection report of inquiry into the health and sanitary conditions of the proposed premises including the cooking facilities, dining area and public convenience:

- (b) Inspection report of inquiry into the fire and safety conditions of the proposed premises:

- (c) Inspection report of inquiry into the labelling, packaging, handling and storage of liquor on the proposed premises:

Name of public health officer who provided report:
Signature of public health officer who provided report:

Date: / / 20

..... Date: / / 20...

Director of Public Health

Date submitted to Registrar of Liquor Licencing Board: / / 20...

Registrar of Liquor Licencing Board:

FORM 2

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 12(6); Regulation 4]

LIQUOR LICENCE

[Name of Applicant] proprietor of [Name of business / corporation / partnership] is hereby licenced to sell / deliver / supply liquor from the premises in District. This licence is a [Off-licence/ Club Licence / Bar Licence / Restaurant Licence / Nightclub Licence / Liquor Import Licence]. This licence is valid for day(s) from the date of issue and is subject to the following conditions:-

- (a) a copy of this licence must be displayed in a prominent place on the licensee's premises;
- (b) the licensee must comply with all laws of Nauru;
- (c) this licence is not transferrable;
- (d) failure to renew this on time may result in a \$15,000 fine or to imprisonment for 12 months and may also incur additional fines and penalties.

The following authorised officer(s) may inspect liquor licences and such assistance must be afforded to him/her/them. Powers of authorised officers are attached to this liquor licence.

- [Name of authorised officer]

Registration valid from: [dd] of [month] 20.. to [dd] of [mm] 20..

Trading hours:

.....
CHAIRPERSON
LIQUOR LICENCING BOARD

Licence No	:	/20
Licence fee paid	:	
Receipt No	:	
Date paid	:	

FORM 3

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 13(1); Regulation 5(1)]

APPLICATION FOR SPECIAL EVENT LICENCE

1. Applicant details

Full name:

Date of birth:

Address:

Phone number:

2. On behalf whose behalf to which this licence is applied for

Name:

3. Premises

Venue:

Address special event is being held:

4. Special event:**5. Date of special event and hours applied for:**

Date: / /	Day	Hours	TO
Date: / /	Day	Hours	TO

6. Date of special event and hours applied for:

Number of bars/booths inside	Number of bars/booth outside
Location of Bars/Booth	
How is liquor dispensed	

Signature of applicant:.....

Date: / / 20. . .

OFFICIAL PURPOSES ONLY

- This office will not accept lodgement of this form if it is not completed in full.
- Application received on: / / 20. . .

- Application received by officer:.....
- Application received on
- Fee paid. Revenue receipt number:
- Licence issued on: / / 20. . .
- Licence given to:
- Identification sighted – drivers licence / passport / others

.....

Date: / / 20. . .

Chairperson

Liquor Licencing Board

FORM 4

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 12(6); Regulation 5(2)]

SPECIAL EVENT LICENCE

[Name of Applicant] is hereby granted a *Special Event Licence*. This licence is valid only for this event.

- Event:.....
- Date event held: / /20 ..
- Venue: At District
- Hours licence valid for: TO
- Number of bars/booths: ...

This licence must be displayed at the venue. Authorised officers may inspect liquor licences and such assistance must be afforded to him/her/them. Powers of authorised officers are attached to this liquor licence.

.....
CHAIRPERSON
LIQUOR LICENCING BOARD

Licence No	:	/20
Licence fee paid	:	
Receipt No	:	
Date paid	:	

FORM 5



REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 14(2); Regulation 6]

NOTICE OF APPLICATION FOR A LIQUOR LICENCE – GAZETTE

Gazette Notice No: / 20

TAKE NOTICE that the Liquor Licencing Board has received the following application for a(n) (*Off-licence/ Club Licence / Bar Licence / Restaurant Licence / Nightclub Licence / Liquor Import Licence*):

- (a) Applicant's name:
- (b) Address:
- (c) Name of proposed premises for licence:
- (d) Address of proposed premises for licence:

A person may lodge an objection to the application with the Liquor Licencing Board within 14 days of the publication of this Notice. The Notice shall contain: name, address, telephone contact and email of the person objecting and the grounds for such objection.

.....

Date: / / 20

**CHAIRPERSON
LIQUOR LICENCING BOARD**

[Section 27; Regulation 8]

97,610

FORM 7

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 30(1)(b); Regulation 9]

APPLICATION FOR RENEWAL OF LIQUOR LICENCE

WHO MAY APPLY			
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	
TYPE OF LICENCE			
<input type="checkbox"/> Off-licence	<input type="checkbox"/> Club	<input type="checkbox"/> Bar	<input type="checkbox"/> Restaurant <input type="checkbox"/> Nightclub <input type="checkbox"/> Liquor Import Licence
DETAILS OF APPLICANT			
Surname:		Given names:	
Address:		Telephone:	Email:
Date	of birth	/ age:	Occupation:
Nationality:			
DETAILS OF BUSINESS LICENCE <i>(in case of an individual; corporation or partnership)</i>			
Business		name:	
Expiry date of current business licence:..... /..... / 20...			
<i>Copy of current business licence must be submitted.</i>			
DETAILS OF INCORPORATION CERTIFICATE <i>(in case of a corporation)</i>			
Corporation		name:	
Expiry date of current incorporation certificate:..... /..... / 20...			
<i>Copy of current incorporation certificate must be submitted.</i>			
DETAILS OF PARTNERSHIP <i>(in case of a partnership)</i>			
Partnership name:.....			

Copy of current certificate of partnership must be submitted.

DECLARATION BY APPLICANT

I, (*name of applicant*) declare that the above particulars are true and correct to the best of my knowledge and belief.

.....
Signature of applicant

Date: / / 20...

OFFICIAL PURPOSES ONLY

- This office will not accept lodgement of this form if it is not completed in full.
- Application received on: / / 20...
- Application received by officer:
- Application received on
- Fee paid. Revenue receipt number:
- Licence issued on: / / 20...
- Licence given to:
- Identification sighted – drivers licence / passport / others

.....

Date: / / 20...

Chairperson

Liquor Licencing Board

FORM 8

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 31(1); Regulation 10(1)]

APPLICATION FOR A PERMIT FOR EXTENDED HOURS

DETAILS OF LICENCEE

Name of Licencee:

 Licence number: Name of licenced premises:

 Address of licenced premises: Telephone contact:

 Email:.....

DETAILS OF APPLICANT

What extension of day(s) and hour(s) is sought?

.....

DECLARATION

Notice of application is hereby given for an extended trading permit in accordance with and on the basis of the information set out above. It is declared that all information and details provided in this form and in any document lodged in support of the application are true and correct.

..... Date: / / 20...
 Signature

OFFICIAL PURPOSES ONLY

- This office will not accept lodgement of this form if it is not completed in full.
- Application received on: / / 20...
- Application received by officer:
- Application received on

- Fee paid. Revenue receipt number:
- Licence issued on: / / 20
- Licence given to:
- Identification sighted – drivers licence / passport / others

.....

Date:..... / / 20...

Chairperson
Liquor Licencing Board

FORM 9



REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 31(2); Regulation 10(2)]

PERMIT FOR EXTENDED HOURS

Permit No: / 20

DETAILS OF PERMIT

Name of Licencee:
.....
Name of licenced premises:
.....
Address of licenced premises:
.....
Permit Valid until: Time..... Date..... / / 20...

..... Date:..... / / 20...
Chairperson
Liquor Licencing Board

This permit must be displayed at a conspicuous place of the licenced premises.

FORM 10**REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017***[Section 32; Regulation 11]***CERTIFICATE FOR A LICENCE OF PREMISES NOT ALREADY CONSTRUCTED****Certificate No: / 20****DETAILS**

Name of licensee:

Name of licenced premises:

Address of licenced premises:

.....

Date: / / 20. . .

Chairperson**Liquor Licencing Board**

FORM 11

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 33; Regulation 12]

APPLICATION FOR ALTERATION OF LIMITS

DETAILS OF LICENCEE

Name of Licencee:
 Licence number: Name of licenced premises:
 Address of licenced premises: Telephone contact:
 Email:

DETAILS OF APPLICANT

What area(s) of the defined licenced premises will be altered? Please give details:

.....

DECLARATION

I, (name of applicant) hereby give notice for alteration of limits in accordance with and on the basis of the information set out above. I declare that all information and details provided in this form and in any plan or document lodged in support of the application are true and correct and do not omit any relevant information.

..... Date: / / 20. . .

Signature

OFFICIAL PURPOSES ONLY

- This office will not accept lodgement of this form if it is not completed in full.
- Application received on: / / 20. . .

- Application received by officer:
- Fee paid. Revenue receipt number:
- Identification sighted – drivers licence / passport / others

..... Date: / / 20. . .

Chairperson
Liquor Licencing Board

APPROVED / NOT APPROVED Date: / / 20. . .

FORM 12

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 43(2); Regulation 13]

APPLICATION FOR BANNING ORDERS

DETAILS OF LIQUOR LICENCE

Name of liquor licence: Liquor licence number:

 Name of licensee: Address of licenced premises:

DETAILS OF APPLICANT

Surname: Given names:

 Gender: Date of birth / age Telephone:

 Email: Address:

I (*name of applicant*) declare that all information and details provided in this form and in any plan or document lodged in support of the application are true and correct and do not omit any relevant information.

.....Date: / / 20...
 Signature

DETAILS TO SUPPORT ORDER

Details to satisfy the Board that the person has repeatedly been intoxicated, violent, quarrelsome or disorderly on or in the immediate vicinity of licenced premises:

.....
 ...

 ...

...

 ...

Duration of proposed order: (not to exceed 6 months)

DESCRIPTION OF PERSON TO BE ISSUED WITH ORDER

Surname: Given names:
 Gender: Date of birth / age: Telephone:
 Email: Address:

OFFICIAL PURPOSES ONLY

- This office will not accept lodgement of this form if it is not completed in full.
- Application received on: / / 20. . .
- Application received by officer:
- Fee paid. Revenue receipt number:

- Identification sighted – drivers licence / passport / others

..... Date: / / 20. . .

Chairperson
Liquor Licencing Board

APPROVED / NOT APPROVED Date: / / 20. . .

FORM 13

REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 43(1); Regulation 14]

BANNING ORDERS

The Board has **ORDERED** that (name of offender) is:

- (a) Prohibited from entering or remaining or attempting to enter or remain in the licenced premises (name of premises) situated at (address of premises).
- (b) Prohibited from entering or remaining or attempting to enter or remain in an area that is within (distance) of the licenced premises between the hours of (hours).
- (c) Prohibited from attending or remaining at (name of event) to be held at (place where event is to be held).
- (d) Insert other conditions.

This Banning Order does not stop the offender from entering or remaining in (place).

This Order shall remain in force until (insert date) unless amended or revoked.

..... Date: / / 20. . .

Chairperson
Liquor Licencing Board

Penalty: A person who contravenes this order commits an offence against the *Liquor Control Act 2017* and upon conviction is liable to a fine not exceeding \$1,000 or to a term of imprisonment not exceeding 6 months.

TO: [] Commissioner of Police;
 [] Offender;
 [] Licencee.

FORM 14**REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017***[Section 44; Regulation 15]***NOTICE OF APPOINTMENT OF AUTHORISED OFFICERS****Gazette No: / 20**

I,, Minister responsible for the administration of the *Liquor Control Act 2017*, acting under Section 44 of the Act, appoint as authorised officers for the purposes of the Act the following officers to perform such duties as outlined under Section 45 of the Act.

Name of officer(s):

Powers of the officer(s):

Date: / / 20. . .

.....
Minister

FORM 15



REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017

[Section 55; Regulation 16]

NOTICE TO BOARD OF ALTERATION TO DESIGNATED AREA

To: The Chairperson
Liquor Licencing Board
Nauru

I / We and
(.....) hereby give notice of the following change
in the particulars of my / our licenced premised designated area carried on under the
registered business name.

OLD PARTICULARS

NEW PARTICULARS

FORM 16



**REPUBLIC OF NAURU
LIQUOR CONTROL ACT 2017**

[Section 62; Regulation 17]

**NOTICE PROHIBITING OR RESTRICTING ENTRY OF ANY PERSON UNDER THE
AGE OF 21 YEARS**

NO PERSONS UNDER 21 YEARS OF AGE ALLOWED

[The next page is 97,701]

SCHEDULE 2

LIQUOR CONTROL ACT 2017

[Regulation 18]

FEES

	Relevant provision of Act	Description	Fees
1	Section 13	Application for licence [except restaurant licence]	\$2,500
2	Section 13	Application for Restaurant Licence	\$1,000
3	Section 30(1)(b)	Application for renewal of licence [except restaurant licence]	\$2,500
4	Section 30(1)(b)	Application for renewal of Restaurant Licence	\$1,000
5	Section 13(1)(iv)	Application for Special Events Licence	\$500 per event
6	Section 30(2)(c)(i)	Late application fee for renewal of licence	\$500
7	Section 27	Application for licence to be varied	\$100
8	Section 31(1)	Fee for a permit for extended hours	\$500
9	Section 32	Certificate for a licence of premises not already erected	\$200
10	Section 33	Fee for alteration of limits	\$100
11	Section 43(2)	Fee for a banning order	\$30

[The next page is 120,001]