

REPUBLIC OF NAURU

(Act No.10 of 2009)

AN ACT

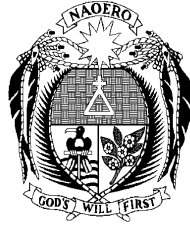
to amend the Liquor Act 1967-1997 to increase the fees payable for liquor licences, to vest Cabinet with the authority to make regulations prescribing fees for liquor licences and for related purposes

(Certified: 15 September 2009)

REPUBLIC OF NAURU
LIQUOR (AMENDMENT) ACT 2009
(No. 10 of 2009)

ARRANGEMENT OF SECTIONS

1. Short Title and Commencement
2. Principal Act
3. Amendment of section 14 of the principal Act
4. Repeal and replacement of sections 59 and 60 of the principal Act
5. Insertion in the principal Act of new section 61
6. Repeal and replacement of Schedule 4 of the principal Act



REPUBLIC OF NAURU

An Act

(No. 10 of 2009)

To amend the Liquor Act 1967-1997 to increase the fees payable for liquor licences, to vest Cabinet with the authority to make regulations prescribing fees for liquor licences and for related purposes

(Certified: 15 September 2009)

Enacted by the Parliament of Nauru as follows:

Short Title and Commencement

- (1) This Act may be cited as the *Liquor (Amendment) Act 2009*.
- (2) This Act shall come into force on the date on which it receives the certificate of the Speaker.

Principal Act

- (1) The *Liquor Act 1967-1997* is the principal Act.
- (2) The principal Act as amended by this Act may be cited as the *Liquor Act 1967-2009*.

Amendment of section 14 of the principal Act

3. Section 14 of the principal Act is amended by repealing subsection (2) and replacing it with the following subsection –

‘(2) A licence shall, unless sooner cancelled or suspended, continue in force until the last day of the financial year in which it was granted or renewed.’

Repeal and replacement of sections 59 and 60 of the principal Act

4. The principal Act is amended by repealing sections 59 and 60 and replacing them with the following sections:

- ‘59. (1) Upon giving notice of an application under this Act, the applicant shall lodge with the Registrar the fee payable in respect of the licence for which he is applying.
- (2) Subject to subsection (3), the fees payable for a licence under this Act are those provided for in the Fourth Schedule, or, if Cabinet by regulations made pursuant to section 60 provides otherwise, those provided for in such regulations.
- (3) Where an application is made for a licence that requires payment of an annual fee and such licence would commence more than three months after the commencement of the financial year in which the application is made, the Registrar may accept a proportion of the annual fee, commensurate with the number of months remaining in the financial year, in satisfaction of the requirement under subsection (1).
- (4) In respect of any application that is not approved by the Board, the fee paid shall be refunded to the applicant.
60. Cabinet may make regulations prescribing all matters which are necessary or convenient to be prescribed for giving effect to this Act and, in particular –
- (a) prescribing fees payable for a licence under this Act; and
- (b) prescribing penalties not exceeding \$1,000 for offences against the regulations.’

Insertion in the principal Act of new section 61

5. The principal Act is amended by inserting new section 61 as follows –

‘61. Notwithstanding the provisions of any other Act, no legal or administrative challenge may be brought and no legal or administrative remedy shall be granted in respect of any licence fee that was charged or paid prior to the date on which this section comes into effect.’

Repeal and replacement of Schedule 4 of the principal Act

6. The principal Act is amended by repealing the Fourth Schedule and replacing it with the following Schedule –

‘FOURTH SCHEDULE

Section 59

Scale of Fees Payable to the Registrar on Making Application

Column 1: item	Column 2: fee
1. Grant or renewal of Liquor Retailer’s Licence	\$2,500.00 per annum
2. Grant or renewal of Tavern Licence	\$2,500.00 per annum
3. Grant or renewal of Restaurant Licence	\$1,000.00 per annum
4. Grant or renewal of Club Licence	\$1,000.00 per annum
5. Grant of Extended Hours Permit	\$50.00
6. Transfer or removal of licence or alteration of limits of licensed premises	\$20.00
7. Grant of Function Permit	\$20.00
8. Any other application	\$50.00’

I hereby certify that the above is a fair print of a Bill for an Act entitled ***Liquor (Amendment) Act 2009*** that has been passed by the Parliament of Nauru and is now presented to the Speaker for his certificate under Article 47 of the Constitution.



Clerk of Parliament
15 September 2009

Pursuant to Article 47 of the Constitution, I, Riddel Akua, Speaker of Parliament, hereby certify that the ***Liquor (Amendment) Act 2009*** has been passed by the Parliament of Nauru



Speaker of Parliament
15 September 2009