

Exposure Draft

Liquor Regulation 2010

June 2010

## The Liquor Regulation:

The Liquor Bill was introduced in the Legislative Assembly on 24 June 2010 and contains many new initiatives to make a difference to the culture of binge drinking in the ACT and minimise violent and anti-social behaviour.

The Liquor Regulation underpins the new law by prescribing detailed rules and requirements for licensees and the regulator. The Regulation contains procedural and administrative matters such as new standard trading hours from 7am to midnight and a new late night authorisation process for late night trading.

## How the Regulation will progress:

The Liquor Regulation will be reviewed in response to comments received from the various stakeholders and will commence operation at the same time as the Liquor Bill.

## Why is legislative reform necessary?

The ACT government is concerned about reports of drunken, anti-social behaviour at night in public places around Canberra, more recently in Manuka and Civic and at public events and the impact this behaviour has on shop owners and the wider community. It is recognised that these activities are strongly linked to the effectiveness of liquor licensing laws and there is also clear empirical evidence that the abuse of alcohol has significant adverse economic, social and health related consequences on our community and in some estimates, totals nearly \$11 billion a year across Australia. This has resulted in the Government undertaking a wholesale root and branch review of its liquor laws and has produced a new Liquor Bill 2010, which was introduced on 24 June 2010.

It is critical that views from the community, liquor industry and other government agencies are sought on all aspects of the reforms, including the new statutory rules underpinning the law.

## The regulation includes:

The regulation includes details on what licensees and the regulator must do to comply with the new laws including:

- additional information to be included on the liquor licence form;
- licensing conditions which a licensee must comply with under the liquor licence; expiry periods for the different types of liquor licence;
- requirements which a licensee must satisfy when displaying a public notice at premises informing the public of an intention to apply for a liquor licence;
- the extent of the public consultation period;
- a new certificate of occupancy if ACTPLA issues a certificate to be provided to the Commissioner for Fair Trading (the commissioner);
- new maximum renewal periods for certain types of liquor licences;
- additional information which must be included on a liquor permit form;
- conditions on a permit which a permit-holder must comply with;
- the factors which the commissioner must consider when having regard to the harm minimisation and community safety principles in deciding the suitability of a premise;

- information which must be included in a Risk Assessment Management Plan (RAMP);
- information which must be included in an application to hold a young people's event in an adults only area of a licensed premise;
- approval criteria which the commissioner must be satisfied has been met by a licensee who has applied to hold a young people's event;
- additional information which must be included on the young people's events form;
- conditions which a licensee must comply with if approval given by the commissioner to hold a young people's event;
- how a licensee or permit-holder must display an offence sign at the licensed premises;
- how a sign marking an adults-only area must be displayed at the licensed or permitted premises;
- how an occupancy loading sign must be displayed at the licensed or permitted premises;
- how a breath analysis sign must be displayed at the licensed or permitted premises;
- an exemption from the offence of selling petrol at licensed premises;
- a prohibition on certain promotional or marketing activities related to liquor;
- exemptions from the offence of allowing sexually explicit entertainment at licensed or permitted premises;
- permanent alcohol-free places in the ACT;
- licensed and permitted times for the sale and supply of liquor in the ACT. strengthening the licensing regime to better reflect harm minimisation and community safety principles;
- stronger enforcement of ACT liquor laws to better ensure compliance; and
- streamlining the licensing regime to promote more efficient regulatory action.

All of the proposed measures are designed to improve the regulatory liquor regime in the context of ongoing national initiatives to reduce excessive consumption of alcohol and to continue gathering data regarding the impact of both alcohol consumption and regulatory responses across Australia.

## Consultation

The public consultation period will run from 24 June to 6 August 2010. Comments citing specific provisions should be sent by the end date to:

The Liquor Act Review  
 Department of Justice and Community Safety  
 GPO Box 158  
 CANBERRA ACT 2601

Email: to [liquor.review@act.gov.au](mailto:liquor.review@act.gov.au)

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