

2012

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

LIQUOR AMENDMENT REGULATION 2012 (No 1)

SUBORDINATE LAW NO SL2012-13

EXPLANATORY STATEMENT

**Circulated by the authority of
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Attorney-General**

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Statutory Rules

Overview

The *Liquor Act 2010* regulates the sale, supply, promotion and consumption of liquor in a way that minimises harm associated with the consumption of liquor and takes into account the safety of the community.

The Liquor Amendment Regulation amends schedule 1, part 1.5, section 1.20 (1) of the *Liquor Regulation 2010*, which was made under the *Liquor Act 2010* and commenced on 1 December 2010. The amendment relaxes the regulatory burden on the ACT liquor and hospitality industry by removing the legal obligation on liquor retailers to give information about the volume of annual liquor sales to Government.

Only off licensees who sell liquor by wholesale at wholesale prices to liquor retailers will be required to provide this information to Government. In circumstances where an off licensee is both a wholesaler and a retailer of liquor, the off licensee is only required to provide the information about wholesale liquor sales not retail liquor sales to Government. Liquor retailers are no longer required to provide this information to Government.

The collection of alcohol sales data in the ACT is part of the National Alcohol Sales Data Project (NASDP), which is funded by the Commonwealth Department of Health and Ageing. The overall objective of the NASDP is to construct an ongoing, regularly updated, national database of standardised alcohol sales data, which includes all Australian states/territories.

The NASDP monitors alcohol consumption trends by regularly estimating per capita alcohol consumption for all participating states/territories and provides an annual report on consumption by region. It also provides an annual report on consumption by region containing summaries of alcohol sales data and per capita alcohol consumption estimates for all participating states/territories and the Commonwealth, and provides standardised alcohol sales data sets for use by jurisdictions.

Collection of alcohol sales data enables governments to closely monitor the sale and supply of alcoholic substances, identify emerging trends in use and harms and support intelligence led policing and health service delivery.

Collecting this important alcohol sales data from ACT off licensees, who sell liquor by wholesale to liquor retailers, will assist the Government better target scarce regulatory resources where they are most needed in the community.

The Regulation is made under section 229 of the *Liquor Act 2010*.

Summary of Sections

Section 1 Name of regulation

This section names the Regulation as the *Liquor Amendment Regulation 2012 (No 1)*.

Section 2 Commencement

This section states that the Regulation will commence on the day after it is notified.

Section 3 Legislation amended

This section states that this regulation amends the existing *Liquor Regulation 2010*.

Section 4 Schedule 1, section 1.20 (1) and note

This section requires off licensees, who sell liquor by wholesale to liquor retailers, to give written information about the volume in litres of various kinds of wholesale liquor sales, not later than one month after the end of each financial year, to the Commissioner for Fair Trading and Chief Health Officer.

Off licensees who sell liquor by wholesale and retail, only need to provide annual sales data information for wholesale, not retail liquor sales.

This policy is consistent with alcohol sales data being provided by liquor wholesalers in other jurisdictions, which are also participating in the National Alcohol Sales Data Project.

Section 5 Dictionary, note 3

This section inserts the term ‘off licence’ in note 3 of the dictionary in the *Liquor Regulation 2010*.