

Liquor (Responsible Service of Alcohol Training Course Approval) Guidelines 2022 (No 1)

Notifiable instrument NI2022–433

made under the

Liquor Act 2010, s 223 (Liquor guidelines)

1 Name

This instrument is the *Liquor (Responsible Service of Alcohol Training Course Approval) Guidelines 2022 (No 1)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Notification

I make the Responsible Service of Alcohol Training Course Approval Guidelines set out in Schedule 1.

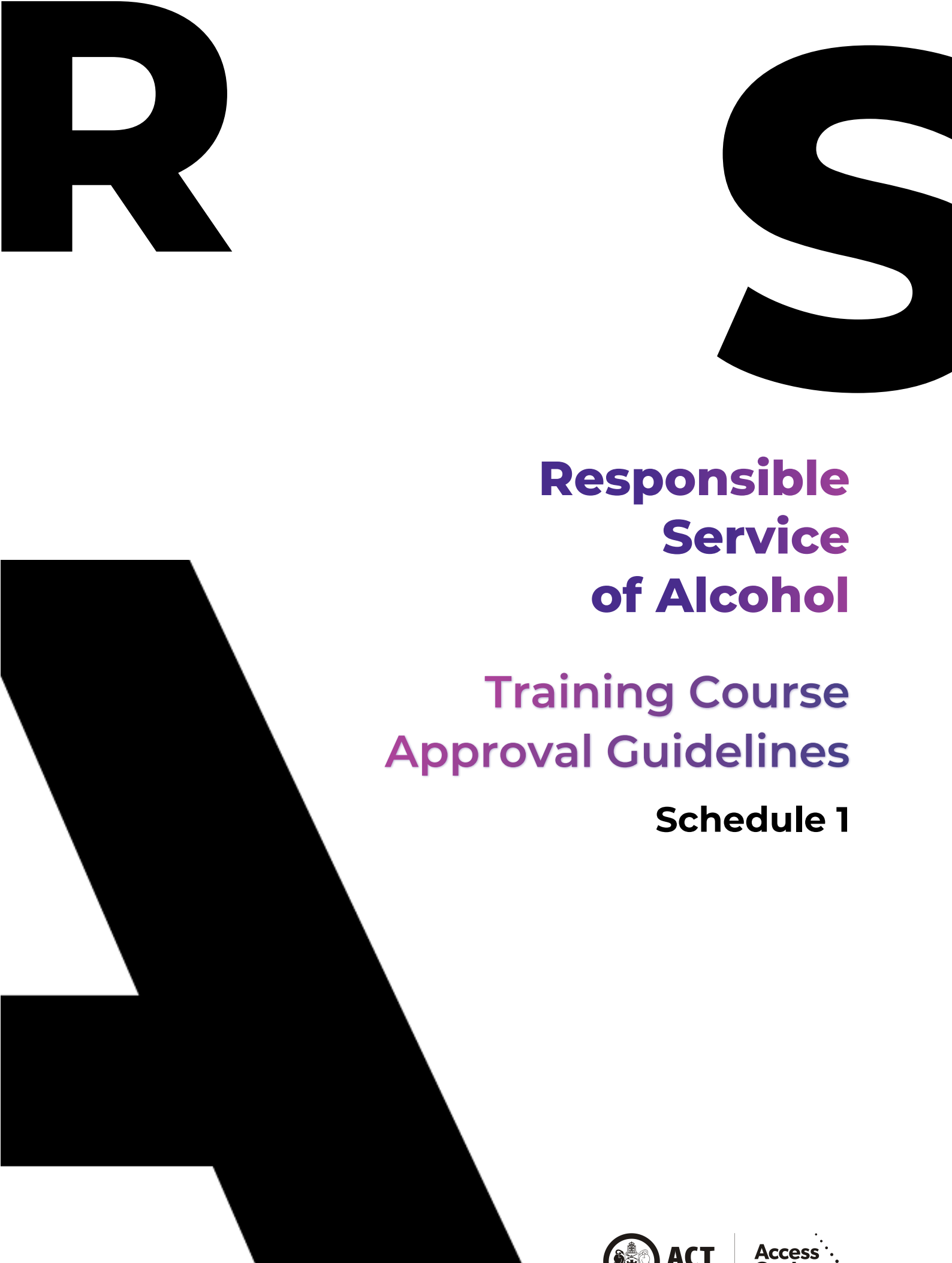
4 Revocation

This instrument revokes the *Liquor (Responsible Service of Alcohol Training Course Approval) Guidelines 2017 (No 1)* NI2017-351.

Derise Cubin

ACT Commissioner for Fair Trading

5 September 2022



Responsible Service of Alcohol

Training Course Approval Guidelines

Schedule 1



Responsible Service of Alcohol Training Course Approval Guidelines

Under section 223 of the *Liquor Act 2010* (the Act), the Commissioner for Fair Trading (the Commissioner) may make liquor guidelines consistent with the objects of the Act and the harm minimisation and community safety principles. These guidelines are published by the Commissioner to assist a Registered Training Organisation (RTO) in preparing Responsible Service of Alcohol (RSA) training content for approval by the Commissioner.

In reading these guidelines, consideration must also be given to the underpinning objectives of the Act; which are to regulate the sale, supply, promotion, and consumption of liquor-

- To minimise the harm associated with the consumption of liquor.
- To facilitate the responsible development of the liquor and hospitality industries in a way that takes into account community safety; and
- To encourage and support liquor consumers to take responsibility for-
 - their consumption of liquor; and
 - their behaviour if it is affected by the consumption of liquor.

What does the law say?

Sections 100 - 102 of the Act require that a licensee or commercial permit-holder, and their employees involved in the supply of liquor, be trained in RSA. Crowd controllers at licensed or permitted premises are also required to be trained in RSA.



Penalties of up to 50 penalty units apply.

Interstate RSA certificate recognition



The Act recognises a current RSA certificate issued by a training provider operating in another Australian jurisdiction if the certificate—

- is issued by a registered training provider approved, under a law in force in Australia relating to the supply or consumption of liquor, to provide an RSA training course; and
- certifies that—
 - the person satisfactorily completed the course; and
 - the course was completed on a stated day; and
 - the course is about the responsible service of alcohol.

An interstate RSA certificate is taken to have expired 3 years after the day the person satisfactorily completes the course.

RSA training delivered in the ACT

RSA training can only be delivered by an RTO that has the proposed unit of competency (which may be within a greater qualification) on its scope of registration as listed on National Register for Training website –

www.training.gov.au. Before the RSA training program can be taught in the ACT for the purposes of the Act, the provider and its RSA training program must also have been approved by the Commissioner.



Types of RSA training programs



The Commissioner will consider approval of both a full RSA training program and a refresher program. Minimum requirements for the content of RSA training programs are described below.

Program to complete for RSA certificate

A person may be issued with an RSA certificate only if the person has satisfactorily completed an approved full RSA training program.

However, a person may be issued an RSA certificate after the person's satisfactory completion of an approved refresher RSA training program if—



- a) the person has previously completed an approved full RSA training program; or
- b) the person holds, or has held, an interstate RSA certificate.

Full RSA training program content

For a full RSA training program approval, an RTO will be expected to provide evidence in their application of:

- Trainer qualifications [evidence of trainer's qualifications as per the Australian Quality Training Framework (AQTF) and a recommended minimum six months experience in a liquor service role].
- Course duration [to be at least 3 hours (excluding assessment)].
- Class size (if providing face-to-face training, a maximum of 30 participants are to be in the class).
- The unit of competency, SITHFAB021 'Provide responsible service of alcohol' or its equivalent is delivered.
- Interactive presentation of program content, e.g., include role plays, scenarios on DVD, or hands on experience.
- Coverage of ACT-specific legislative requirements under the *Liquor Act 2010*; at a minimum:
 - The objects of the Act.
 - Employee responsibilities in relation to responsible service of alcohol.
 - Identification and management of intoxicated patrons [refer to *Liquor (Intoxication) Guidelines 2017 (No 1)* on the ACT Legislation Register].
 - Offences relating to service of liquor; and
 - Offences relating to patrons.

A copy of all course materials, handouts, workbooks, or presentation slides must be provided to the Commissioner.

Refresher RSA training program content

For a refresher RSA training program approval, an RTO will be expected to provide evidence in their application of:

- Trainer qualifications [evidence of trainer's qualifications as per the Australian Quality Training Framework (AQTF) and a recommended minimum six months experience in a liquor service role].
- Course duration [to be at least 1 hour (excluding assessment)].
- Class size (if providing face-to-face training, a maximum of 30 participants are to be in the class).
- Coverage of ACT-specific legislative requirements under the *Liquor Act 2010*; at a minimum:
 - The objects of the Act.
 - Employee responsibilities in relation to responsible service of alcohol.
 - Identification and management of intoxicated patrons [refer to *Liquor (Intoxication) Guidelines 2017 (No 1)* on the ACT Legislation Register].
 - Offences relating to service of liquor; and
 - Offences relating to patrons.
- An overview of relevant content from the unit of competency, SITHFAB021 'Provide responsible service of alcohol' or its equivalent.
- Procedures for checking completion of the full ACT-approved RSA training program, a recognised interstate RSA training program, or a program recognised under the transitional arrangements of the Act.

A copy of all course materials, handouts, workbooks, or presentation slides must be provided to the Commissioner.

Other considerations



In considering an application for online delivery of a training program, the Commissioner must be satisfied that the applicant has stringent procedures in place to obtain and verify the identity of the participant prior to commencing the course or assessment; that procedures and assessment methods take into consideration the potential for fraud; and that the course duration is equivalent to the face-to-face duration.

An RTO must not issue a Statement of Attainment or RSA certificate until the identity of the person completing the test has been verified. Once an RTO has been approved to deliver an ACT RSA training program, the Commissioner reserves the right for an investigator from Access Canberra to observe the delivery of an approved RSA course at any time, without prior notice. Investigators must show identification in this circumstance.