

Queensland



Explanatory Notes for SL 2003 No. 98

Liquor Act 1992

LIQUOR AMENDMENT REGULATION (No. 1) 2003

Short title

Liquor Amendment Regulation (No. 1) 2003.

Authorising Law

Sections 173G and 173H of the *Liquor Act 1992* (“the Act”).

Objectives of the legislation

The objective of the regulation is to prescribe a restricted area for the carriage of liquor in public places to minimise harm caused by alcohol abuse and misuse and associated violence, and alcohol related disturbances or public disorder in a locality.

Reasons for the subordinate legislation

The regulation is required to support a community driven strategy to reduce the incidents of alcohol related disturbances, public disorder and alcohol abuse with the communities of Napranum and Doomadgee.

Consistency with authorising law

The *Liquor Act 1992* under Part 6A provides for an area to be declared under a regulation as a restricted area. The Act under section 168B creates an offence for the carriage of more than the allowable amount of liquor in public places within the restricted area.

Estimated cost of government implementation

Any expenditure associated with the implementation of the regulation will be met through existing budget allocations.

Fundamental legislative principles

The proposed regulation is consistent with fundamental legislative principles.

Consultation**(a) Community**

The community justice groups for the Indigenous community areas of Doomadgee and Napranum have recommended alcohol limits as part of their community alcohol management strategies.

(b) Government

The Departments of Premier and Cabinet, Aboriginal and Torres Islander Policy, Queensland Police Service, Queensland Health, Education Queensland, the Department of Primary Industries, the Department of Employment and Training, the Department of Main Roads, the Department of Emergency Services, the Treasury Department and the Department of Families were consulted in relation to the proposed regulation.

The Office of Parliamentary Counsel has drafted the regulation.

Results of consultation

There is agreement about the declaration of the restricted areas. However, some concerns have been expressed regarding certain inclusions within the proposed restricted areas and enforcement problems.

NOTES ON PROVISIONS

Section 37A will states that restricted area details are provided in a relevant schedule attaching to the Liquor Regulation.

Section 37B states that the prescribed quantity of liquor able to be carried in a restricted area. This will be detailed in the relevant schedule for that restricted area. Offence provisions under section 168B of the Liquor

Act will apply to the carriage of more than the prescribed amount of liquor for the restricted area.

Schedule 1B details the extent of a restricted area for the community of Doomadgee. The area is to include the whole of the community area. The prescribed quantity of liquor is 27 litres of beer only. This means the equivalent of the possession of three cartons of beer per person or vehicle which may be carried or possessed in a public place.

Schedule 1C details the extent of a restricted area for the community of Napranum. The area is to include the whole of the community area with the exception of the Napranum tavern. The prescribed quantity of liquor is zero. This means no liquor may be carried or possessed in a public place within the community area.

ENDNOTES

1. Laid before the Legislative Assembly on . . .
2. The administering agency is the Department of Tourism, Racing and Fair Trading.