

Queensland



Explanatory Notes for SL 2003 No. 230

Liquor Act 1992

LIQUOR AMENDMENT REGULATION (No. 3) 2003

Short title

Liquor Amendment Regulation (No. 3) 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 within the communities of Kowanyama and Pormpuraaw.

Consistency with authorising law

The Act under Part 6A provides for an area to be declared under a regulation as a restricted area. Section 168B of the Act creates an offence

regarding 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 Kowanyama and Pormpuraaw have recommended alcohol limits as part of their community alcohol management strategies.

(b) Government

The Departments of the Premier and Cabinet, Employment and Training, Main Roads, Emergency Services, Families, Aboriginal and Torres Strait Islander Policy and Primary Industries and Queensland Treasury, Queensland Police Service, Queensland Health and Education Queensland 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. The restricted areas are consistent with the recommendations of the Community Justice Groups for each community.

NOTES ON PROVISIONS

Section 37A of the *Liquor Regulation 2002* (the Regulation) provides that the area of the restricted area is that which is stated in the relevant schedule to the Regulation.

Section 37B provides that the prescribed quantity of liquor for a restricted area is that which is stated in the relevant schedule to the Regulation. The offence provisions contained in section 168B of the Act, will apply to the carriage of more than the prescribed amount of liquor within the restricted area.

Schedule 1G of the Regulation details the extent of the restricted area for the community of Kowanyama. The area is to include the whole of the community area and the adjacent Mitchell-Alice Rivers National Park. The prescribed quantity of liquor other than at the Kowanyama canteen is zero. The prescribed quantity of liquor at the Kowanyama canteen is restricted to beer in any quantity, in which the concentration of alcohol is no more than 4% of the beverage, for wine and spirits zero.

Schedule 1H of the Regulation details the extent of the restricted area for the community of Pormpuraaw. The area is to include the whole of the community area. The prescribed quantity of liquor, other than at the Pormpuraaw canteen, is for beer in which the concentration of alcohol is less than 4% of the beverage 9 litres and for other beer 4.5 litres. For wine that is to be used for sacramental purposes no more than 4 litres may be held. All other wine and spirits may not be held.

ENDNOTES

1. Laid before the Legislative Assembly on . . .
2. The administering agency is the Liquor Licensing Division.