

Liquor Amendment Regulation (No. 1) 2014

Explanatory notes for SL 2014 No. 39

made under the

Liquor Act 1992

General Outline

Short title

Liquor Amendment Regulation (No. 1) 2014

Authorising law

Section 235 of the *Liquor Act 1992*

Policy objectives and the reasons for them

Currently it is mandatory for commercial hotel licensees, community club licensees, bar licensees, licensees catering to a commercial public event and casinos or another licensee who trades after 12 midnight to ensure cold drinking water is personally served by a member of staff free of charge at a point of sale. This is to be provided upon request at any time liquor is sold on the premises. The requirement is provided for under section 27A(2) of the *Liquor Regulation 2002* (the Liquor Regulation).

This requirement also applies to other liquor licensees, who can provide such water either free of charge or at a reasonable cost to patrons.

In September 2012, the Government established a liquor and gaming red tape reduction expert panel (expert panel), comprised of tourism industry and government representatives, to consider how the liquor and gaming regulatory framework could be reformed as part of the process of reinvigorating innovative tourism and removing constraints on business growth, productivity and investment in Queensland.

One of the tasks of the expert panel is to identify requirements within the liquor and gaming legislation which inhibit business/industry development, impose onerous regulatory burden on business and/or individuals, or create barriers to entry.

The expert panel considered the personal service requirement in relation to provision of drinking water. It recognised that while making drinking water available to patrons is essential to minimising harm, it considered that as long as there is a safe alternative for the provision of drinking water, the provision to personally serve the water should be removed.

As a result, section 27A(2) of the Liquor Regulation is to be amended to remove the requirement for personal service of drinking water.

Achievement of policy objectives

The policy objectives are achieved by amending section 27A of the Liquor Regulation to ensure that clean, potable drinking water is made available to patrons of a licensed premises at all times liquor is sold on the premises. It is also further provided that such water does not include taps located in toilet facilities.

Consistency with policy objectives of authorising law

The subordinate legislation is consistent with the objectives of the Act.

Inconsistency with policy objectives of other legislation

The subordinate legislation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

Industry will benefit from this amendment as bar staff will no longer be required to personally serve water to patrons. There are no implementation costs associated with the amendment.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

Consultation with industry was undertaken as part of the Government's liquor and gaming red tape reduction program through a public discussion paper process and red tape reduction expert panel. The expert panel comprises government, community, and industry representatives with a background in hospitality and tourism.