



Queensland

Liquor (Artisan Liquor) Amendment Regulation 2021

Subordinate Legislation 2021 No. 35

made under the

Liquor Act 1992

Contents

		Page
1	Short title	3
2	Commencement	3
3	Regulation amended	3
4	Amendment of s 5 (Timing for making applications)	3
5	Insertion of new ss 24A–24G	3
	24A Volume of individual samples—Act, s 74A	3
	24B Volume of individual samples—Act, s 74B	3
	24C Volume of individual samples—Act, s 75H	3
	24D Volume of individual samples—Act, s 75I	4
	24E Volume of individual samples—Act, s 103ZA	4
	24F Volume of individual samples—Act, s 103ZF	4
	24G Particulars for returns—Act, s 203	4
6	Amendment of s 25A (Particulars required in transactions record for licence, other than producer/wholesaler licence—Act, s 217(2)(b)(i))	6
7	Insertion of new s 26	6
	26 Particulars required in transactions record for artisan producer licence—Act, s 217(2)(b)(i)	6
8	Amendment of s 27A (Drinking water to be available)	6
9	Insertion of new s 36AB	7
	36AB Licence fee for artisan producer licences for licence period ending 30 June 2021	7

Contents

10	Amendment of s 36A (Base fees for licences)	8
11	Amendment of sch 1 (Fees)	8

1 Short title

This regulation may be cited as the *Liquor (Artisan Liquor) Amendment Regulation 2021*.

2 Commencement

This regulation commences on 4 May 2021.

3 Regulation amended

This regulation amends the *Liquor Regulation 2002*.

4 Amendment of s 5 (Timing for making applications)

Section 5(1)—

insert—

(g) an artisan spirits producer permit.

5 Insertion of new ss 24A–24G

Part 6—

insert—

24A Volume of individual samples—Act, s 74A

For section 74A(7)(b) of the Act, the volume is 150ml.

24B Volume of individual samples—Act, s 74B

For section 74B(7)(b) of the Act, the volume is 15ml.

24C Volume of individual samples—Act, s 75H

For section 75H(4)(b) of the Act, the volume is 150ml.

24D Volume of individual samples—Act, s 75I

For section 75I(4)(b) of the Act, the volume is 15ml.

24E Volume of individual samples—Act, s 103ZA

For section 103ZA(2)(b) of the Act, the volume is 150ml.

24F Volume of individual samples—Act, s 103ZF

For section 103ZF(2)(b) of the Act, the volume is 15ml.

24G Particulars for returns—Act, s 203

- (1) This section prescribes, for section 203(3) and (4) of the Act, the particulars for a return.
- (2) For a producer/wholesaler licence the licensee for which attended a promotional event during the licence period to sell liquor at the event, the particulars are—
 - (a) the name of the event; and
 - (b) the date of the event; and
 - (c) a copy of the written consent of the organiser of the promotional event for the licensee to sell liquor at the event; and
 - (d) the value of the total sales of liquor sold at all promotional events during the licence period for consumption away from the event; and
 - (e) the value of the total sales of liquor sold at all promotional events during the licence period for consumption at the event for the purpose of sampling the liquor.
- (3) For an artisan producer licence the particulars are—

- (a) the quantity of liquor, expressed in litres, produced at the licensed premises during the licence period; and
- (b) the value of the total sales by the licensee of liquor produced at the licensed premises during the licence period; and
- (c) the value of the total sales by the licensee of liquor produced other than at the licensed premises during the licence period; and
- (d) if the licensee is a corporation—
 - (i) who owns the corporation's shares; and
 - (ii) who may cast votes, or on whose behalf votes may be cast, at the corporation's general meetings; and
- (e) if the licensee is a corporation—the quantity, expressed in litres, of liquor produced during the licence period by each entity that—
 - (i) owns at least 20% of the corporation's shares; or
 - (ii) may cast at least 20% of the votes at the corporation's general meetings; and
- (f) if the licensee attended a promotional event during the licence period to sell liquor at the event—
 - (i) the name of the event; and
 - (ii) the date of the event; and
 - (iii) a copy of the written consent of the organiser of the promotional event for the licensee to sell liquor at the event; and
 - (iv) the value of the total sales of liquor sold at all promotional events during the licence period for consumption away from the event; and

- (v) the value of the total sales of liquor sold at all promotional events during the licence period for consumption at the event for the purpose of sampling the liquor.

6 Amendment of s 25A (Particulars required in transactions record for licence, other than producer/wholesaler licence—Act, s 217(2)(b)(i))

Section 25A, after ‘producer/wholesaler licence’—

insert—

or artisan producer licence

7 Insertion of new s 26

After section 25A—

insert—

26 Particulars required in transactions record for artisan producer licence—Act, s 217(2)(b)(i)

For section 217(2)(b)(i) of the Act, the particulars that a transactions record for a licensee who holds an artisan producer licence must contain, for each sale of liquor, are as follows—

- (a) the quantity, expressed in litres, of liquor sold;
- (b) the type of liquor sold;
- (c) the sale price of the liquor sold;
- (d) whether or not the liquor was produced on the licensed premises.

8 Amendment of s 27A (Drinking water to be available)

Section 27A(1)(a)—

insert—

(vi) an artisan producer licence; or

9 Insertion of new s 36AB

After section 36AA—

insert—

36AB Licence fee for artisan producer licences for licence period ending 30 June 2021

- (1) This section applies to the licence fee for a transitioned artisan producer licence for the licence period ending on 30 June 2021.
- (2) Despite section 36(1), the licence fee for the licence for the licence period is to be assessed as if—
 - (a) the base fee for the licence mentioned in section 36A is nil; and
 - (b) the fee, calculated under section 36B or 36CA, for each risk criterion applying to the licence is nil.
- (3) The licence fee for the licence for the licence period is taken to have been paid on the day prescribed under section 36E(b) for payment of the licence fee.
- (4) Despite section 36F, the licensee is not required to self-assess the licence fee for the licence for the licence period.
- (5) Despite section 36G, the licensee of the licence is not required to give the commissioner a completed self-assessment form for the relevant licence.
- (6) This section expires on 30 June 2021.
- (7) In this section—

transitioned artisan producer licence means an artisan producer licence that was transitioned, under section 355 of the Act, from a licence that

was in force immediately before 1 July 2020.

10 Amendment of s 36A (Base fees for licences)

(1) Section 36A(3), after ‘licence,’—

insert—

other than an artisan producer licence,

(2) Section 36A—

insert—

(3A) For an artisan producer licence, the base fee is \$1,050.

11 Amendment of sch 1 (Fees)

Schedule 1, item 3—

insert—

(h) an artisan spirits producer permit, for each day of a promotional event for which the permit is sought 72.95

ENDNOTES

- 1 Made by the Governor in Council on 29 April 2021.
- 2 Notified on the Queensland legislation website on 30 April 2021.
- 3 The administering agency is the Department of Justice and Attorney-General.

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