

Alcohol, the law and you!

A fact sheet for youth

If you are under 18 years old or have friends who are under 18, you need to understand the laws around drinking alcohol. This fact sheet has been designed to answer your questions about when and how you can consume alcohol.

Am I minor?

Under the law, you are a minor if you are **under 18 years of age**. And according to the law, as a minor you are not allowed to be on a licensed premise such as a nightclub, pub or licensed restaurant if you are not eating a meal. If you are under 18 years of age on a licensed premises, you risk an on the spot fine of \$225.

Is it illegal to drink in a public place?

Yes. You can be fined or arrested if found drinking in a public place. This includes parks and beaches. An on-the-spot fine of \$75 for adults and \$225 for minors can be issued.

What ID is accepted in pubs and clubs?

Four forms of identification are acceptable in licensed venues:

- a current driver's licence or learner's permit
- a current passport (from any country)
- an Australian government-issued proof-of-age card (Card 18+)
- a Victorian Keypass.

From 1 August 2005 foreign driver's licences will be accepted as evidence of age providing it has a photo and date of birth of the licence holder. Where a foreign driver's licence is not written in English, an International Drivers Permit issued in the foreign country of origin (and including a photo of the licence holder and translation) must be presented with the foreign driver's licence.

Can a friend, who is over 18, buy me alcohol?

No. It is illegal to supply alcohol to a minor. If your friend buys or supplies alcohol for you, you can receive an on-the-spot fine of \$225 and your friend can be fined \$600 on-the-spot. It is even illegal for a minor to hold a friend's drink, or help carry a carton of beer.

What happens if I borrow a friend's ID?

It is illegal to use someone else's ID. Not only are you breaking the law, but so is your friend.

You can receive an on-the-spot fine of up to \$225 and your friend who lent you the ID can be fined up to \$375. Plus, the ID may be confiscated.

It is also illegal to alter an ID (including changing the date of birth), with a possible on-the-spot fine of up to \$375. If you make a false ID, you could receive an on-the-spot fine of \$450.

What can I do if my ID is confiscated?

Under the law, if a security guard or bar tender thinks your ID is fake or it does not belong to you, by law they must take it from you. They will send it to the Compliance Unit of the Liquor Licensing Division or the closest regional office. A letter will then be forwarded to the owner of the ID, requesting that they contact an investigator in relation to the confiscation.

If your ID is real and you have not borrowed one from a friend, it will be given back to you. However, if it is fake or you lent it to a friend, an infringement notice or complaint and summons may be issued and the ID will be kept as evidence for court purposes.

Can I be stopped from entering a licensed premise?

If you are underage and decide to enter a licensed premise, you are considered to be breaking the law. It is the responsibility of the licensee and staff to ensure you don't enter the premise and therefore they must refuse your entry.

If you refuse to leave immediately, you can expect a fine of \$300. You can also be fined a further \$300 if you resist an authorised person from making you leave and if you enter or attempt to enter after being refused, you can also be fined an additional \$300.

What happens if I make it into a licensed premise without detection?

If you are underage, expect to receive an on-the-spot fine of \$225. You may also receive a further on-the-spot fine of \$225 if you have consumed liquor. And you will not be the only person fined - the licensee and staff may also be prosecuted and fined up to \$7500. Staff could even lose their jobs.

So while you might have your night ruined, your decision to break the law might wreck someone else's career. You decide if it's really worth it.

Additional penalties

Not only can you receive an on-the-spot fine, but you may have to proceed to court where maximum penalties can apply. This means you may receive a fine of up to \$1875 for **each offence** you commit.

How can I find out more information?

By phoning (07) 3224 7024 or accessing the website www.liquor.qld.gov.au. You will also find links to other sites which you may find useful.

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The laws referred to in this guide are complex and various qualifications may apply to the provision in different circumstances. You are encouraged to obtain independent legal or financial counselling advice if you are unsure of how these laws apply to your situation.

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