

# LIQUOR LICENSING UPDATE

Regular News and Updates from the Liquor Licensing Division

April 2006 No. 9

## Liquor Act review discussion paper

Readers will recall that a comprehensive review of our legislation, the *Liquor Act 1992*, was included as one of the key initiatives in the Brisbane City Safety Action Plan. The Government has now endorsed and released a Discussion Paper for State-wide consultation with hoteliers, the liquor industry and the general public.

This extensive process will include consultation, feedback and negotiations with liquor industry peak bodies, along with numerous regional consultation meetings to be held across the State throughout May and June 2006.

A copy of the Government's Discussion Paper on the review of the *Liquor Act 1992* can be located on the Division's website: [www.liquor.qld.gov.au](http://www.liquor.qld.gov.au) and I encourage all licensees to review the paper and give careful consideration to providing comment and feedback on proposed reforms. This represents a great opportunity for all licensees to become involved in shaping the future direction of their industry.

For further information, contact the review team at [LiquorActReview@dtftwid.qld.gov.au](mailto:LiquorActReview@dtftwid.qld.gov.au) or on 07 3119 0393.

## State-wide Safety Action Plan

Given the success of the Brisbane City Safety Action Plan, which has been in operation since 1 April 2005, Liquor Licensing Minister Margaret Keech has announced the development of a State-wide Safety Action Plan which will effectively mirror the Brisbane reforms. This initiative includes the introduction of a State-wide statutory 3am lock-out as the first phase of a series of safety reforms for licensed premises.

Other initiatives to be introduced State-wide will include: banning drinking competitions on premises; guidelines for on-premises promotions, such as happy hours; a focus on late night trading in and around entertainment precincts; requirements for CCTV; specified security provider numbers; mandatory RSA training for staff; the introduction of house policies and incident registers.

The strategy is directed at ensuring safer communities, minimising harm and enhancing a responsible industry, therefore, protecting patrons and licensees.

## Trading hours for Anzac Day

As mentioned in January Update, trading hours have been extended on Anzac Day for licensed RSL clubs and Services clubs who support our veterans.

Anzac Day, celebrated on 25 April, is one day in the year that involves all Australians in solemn ceremonies of

remembrance, gratitude and national pride for the men and women who fought and died in all wars. It is a day which is increasingly recognised as a defining moment in the history, culture and ethos of the Australian people. The new trading hours on Anzac Day for ceremonial gatherings support the spirit of our Anzac heritage.

On Anzac Day 2006, RSL and Services clubs catering for RSL services or functions will be entitled to commence trading from 5am as part of their ordinary trading hours. They do not need to apply for a permit to do this, as has been the case previously.

Standard Premises must cease trading at midnight on the night before Anzac Day, (with a further half hour grace period for consumption of liquor), with the exception of On Premises (Cabaret) licences which may trade until 3am only (with a further half hour grace period for consumption of liquor).

Before 1pm on Anzac Day, liquor may only be sold or supplied in conjunction with a meal in a part of the premises that is ordinarily set aside for dining, if the meal is also prepared, served and intended to be eaten on the premises. Therefore, the sale of take-away liquor is not permitted prior to 1pm on Anzac Day. Normal trading hours apply after 1pm.

Other licensed premises that have entered into an agreement to sell liquor at an Anzac Day 2006 event held on behalf of an RSL or Services club should have already applied for an extended hours permit to trade between 5am and 1pm.

Further details and application forms are available on the Division's website [www.liquor.qld.gov.au](http://www.liquor.qld.gov.au) or contact Smart Service Queensland on 13 13 04.

## Preparing for phase three anti-smoking laws

Most licensees experienced little or no downturn in patronage after the introduction of Australia's toughest anti-smoking laws on 1 January 2005.

After a three-phase, 18-month approach, the laws will be in full effect by 1 July 2006, and will put an end to smoking indoors in public places and restrict smoking in certain outdoor public places.

The phase three laws include:

- The whole of the enclosed liquor licensed area, including all gaming machines, must be no-smoking
- Outdoor eating and drinking places where food or drink is provided as part of the business must be no-smoking

- Operators of general (hotel), club and casino licences may designate an outdoor smoking area where smoking and drinking may occur. However, food may not be eaten in this area, and no service is to be provided
- If an outdoor smoking area is designated, a smoking management plan will also be required for the venue.

Licensees with designated outdoor smoking areas should start preparing their smoking management plans to allow for processing time.

Licensees who allow patrons to smoke in a no-smoking area under their control may be prosecuted through a Magistrate's Court with maximum penalties of up to \$1500.

The existing legislation banning smoking in dining areas while meals are available or being consumed, still applies.

The laws are being enforced by Queensland Health environmental health officers located around Queensland, and on-the-spot fines will apply to both licensees and smokers for a range of offences including a licensee failing to display a no-smoking sign in a dining area.

Information packs are available from Queensland Health and if you need more information you can call the Tobacco Hotline on 1800 005 998 or visit the Queensland Health website, [www.health.qld.gov.au](http://www.health.qld.gov.au).

### Fact sheets available

The Liquor Licensing Division has produced a number of fact sheets for licensees to assist in navigating through the amendments to the *Liquor Act 1992*.

Fact sheets available include:

- Anzac Day trading hours
- Advertising ban on drink promotions
- Brisbane specific statutory licence conditions
- Drink spiking (licensees)
- Easter trading (licensees)
- House policy
- Licence transfer
- Lock-outs
- Minors and staff
- Minors (licensees)
- Noise restrictions
- Patron safety
- Provision of drinking water
- Schedule of fees from 1 July 2005
- Schedule of fees (wine) from 1 July 2005
- Xmas & New Years Eve trading (licensees)

Fact sheets are available on the Division's website [www.liquor.qld.gov.au](http://www.liquor.qld.gov.au) or contact Smart Service Queensland on 13 13 04.

### New Liquor Licensing forms available

The Liquor Licensing Division has reviewed and updated all licence application forms to reflect recent changes to legislation and improve client service for licensees.

The updated forms make it easier for licensees and are streamlined to save time and money.

Four new forms have been introduced:

- Liquor Licence Form 12 - Application for renew of extended hours permit to trade beyond 3am;
- Liquor Licence Form 14 - Application for catering away permit (on a regular basis);
- Liquor Licence Form 15 - Application for renewal of a restricted club permit; and
- Liquor Licence Form 17 - Temporary variation of a licence.

Licensees should note there is no longer a separate form to apply for a Club Licence. This form is incorporated into Liquor Licence Form 1 - Application for a Liquor Licence.

The forms are available for download from the Liquor Licensing Division's website at [www.liquor.qld.gov.au](http://www.liquor.qld.gov.au) or by contacting Smart Service Queensland on 13 13 04.

### Feedback

To provide feedback or comments on the Liquor Licensing Update or to change your contact details please email [liquorcomms@dtftwid.qld.gov.au](mailto:liquorcomms@dtftwid.qld.gov.au).

### Media – for Statewide/Brisbane interviews with the Minister for Liquor Licensing contact:

David Smith ph: (07) 3225 1005 or  
mobile: 0409 496 534

### Liquor Licensing Division

Kylie Hickling ph: (07) 3247 5963

### For interviews and comment on regional issues contact the Department's Regional Managers:

Cairns, Debbie Dixon-Searle	ph: (07) 4042 3399
Townsville, David Ferrar	ph: (07) 4753 2299
Mackay, Gary Ellacott	ph: (07) 4969 3003
Rockhampton, John Tate	ph: (07) 4920 6642
Sunshine Coast, Dorothy Woods	ph: (07) 5430 8999
Toowoomba, Peter Lovell	ph: (07) 4637 6070
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**Queensland Government**

Department of Tourism, Fair Trading and  
Wine Industry Development