

Queensland



Subordinate Legislation 2003 No. 231

Liquor Act 1992

**LIQUOR AMENDMENT REGULATION
(No. 4) 2003**

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1 Short title

This regulation may be cited as the *Liquor Amendment Regulation (No. 4) 2003*.

2 Regulation amended

This regulation amends the *Liquor Regulation 2002*.

3 Replacement of s 41 (Responsible practices in the service, supply and promotion of liquor)

Section 41—

omit, insert—

‘41 Acceptable and unacceptable practices and promotions for the service, supply and promotion of liquor—Act, s 148A

‘(1) The following are examples of unacceptable practices or promotions that, for section 148A(2)¹ of the Act, may encourage rapid or excessive consumption of liquor—

- (a) promoting or conducting an activity that encourages rapid or excessive consumption of liquor or discourages a patron from monitoring or controlling the patron’s consumption of liquor;

Examples for paragraph (a)—

- promoting or conducting skolling games
- promoting the consumption of drinks known as ‘laybacks’
- promoting the consumption of liquor from a water pistol

- (b) supplying liquor to a person on condition that the person is required to promote or conduct an activity that encourages rapid or excessive consumption of liquor or discourages a patron from monitoring or controlling the patron’s consumption of liquor;

- (c) serving, supplying or promoting liquor in a container that encourages rapid or excessive consumption of liquor or discourages a patron from monitoring or controlling the patron’s consumption of liquor;

1 Section 148A (Obligations of licensees and permittees relating to the service, supply and promotion of liquor) of the Act

Examples for paragraph (c)—

- serving liquor in a yard glass for consumption at 1 draught
 - serving liquor in a test tube shaped glass without providing a stand on which the glass can be placed
- (d) serving, supplying or promoting liquor without taking appropriate action to discourage rapid or excessive consumption of liquor;

Example for paragraph (d)—

promoting free or discounted liquor without providing an appropriate number of staff or security persons to monitor and control patrons' consumption of liquor

- (e) serving or supplying liquor to a patron while holding the patron's financial institution access card or other property pending payment for the liquor, in a way that discourages the patron from monitoring or controlling the patron's purchase of liquor.

Example for paragraph (e)—

holding a patron's financial-institution access card and serving liquor to the patron on account over several days pending payment when the patron next receives social security benefits

‘(2) The following are examples of acceptable practices or promotions that encourage, for section 148A(3) of the Act, the responsible consumption of liquor—

- (a) deterring the rapid or excessive consumption of liquor;

Example for paragraph (a)—

deterring patrons from taking part in skolling games

- (b) having non-alcoholic and low alcohol beverages available;
- (c) supplying liquor in standardised quantities that can be recognised by patrons;

Examples for paragraph (c)—

- serving spirits in measured nips
 - serving liquor in glasses or jugs marked with measured quantities
 - supplying liquor in prepacked containers labelled with measured quantities
- (d) serving patrons half measures of spirits on request.

‘(3) The following are examples of acceptable practices for providing and maintaining, for section 148A(4) of the Act, a safe environment in and around premises—

- (a) helping patrons to arrange transport from the premises;

Examples for paragraph (a)—

- arranging the supply and convenient positioning of public telephones displaying telephone numbers for taxis and emergency services
- allowing staff to make telephone calls to arrange transport for patrons

- (b) providing appropriate lighting inside and outside the premises.

‘(4) An example of an unacceptable practice for providing and maintaining, for section 148A(4) of the Act, a safe environment in and around premises, is promoting or conducting an activity that encourages harassment of patrons or staff.

Example for subsection (4)—

A licensee promotes and conducts a ‘wet T-shirt’ competition during which discounted liquor is served to patrons. The licensee does not provide adequate staff or security persons to monitor or control patrons’ behaviour and some patrons become intoxicated and harass other patrons and staff.’.

ENDNOTES

1. Made by the Governor in Council on 25 September 2003.
2. Notified in the gazette on 26 September 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Tourism, Racing and Fair Trading.