

Queensland



Explanatory Notes for SL 2003 No. 167

Liquor Act 1992

LIQUOR AMENDMENT REGULATION (No. 2) 2003

Short title

Liquor Amendment Regulation (No. 2) 2003

Authorising Law

Sections 173G and 173H of the *Liquor Act 1992* (“the Act”).

Objectives of the legislation

The objective of the regulation is to prescribe a restricted area for the carriage of liquor in public places to minimise harm caused by alcohol abuse and misuse and associated violence, and alcohol related disturbances or public disorder in a locality.

Reasons for the subordinate legislation

The regulation is required to support a community driven strategy to reduce the incidents of alcohol related disturbances, public disorder and alcohol abuse with the communities of Wujal Wujal, Woorabinda and Lockhart River.

Consistency with authorising law

The *Liquor Act 1992* under Part 6A provides for an area to be declared under a regulation as a restricted area. The Act under section 168B creates an offence for the carriage of more than the allowable amount of liquor in public places within the restricted area.

Estimated cost of government implementation

Any expenditure associated with the implementation of the regulation will be met through existing budget allocations.

Fundamental legislative principles

The proposed regulation is consistent with fundamental legislative principles.

Consultation**(a) Community**

The community justice groups for the Indigenous community areas of Woorabinda and Lockhart River have recommended alcohol limits as part of their community alcohol management strategies.

(b) Government

The Departments of Premier and Cabinet, Aboriginal and Torres Islander Policy, Queensland Police Service, Queensland Health, Education Queensland, the Department of Primary Industries, the Department of Employment and Training, the Department of Main Roads, the Department of Emergency Services, the Treasury Department and the Department of Families were consulted in relation to the proposed regulation.

The Office of Parliamentary Counsel has drafted the regulation.

Results of consultation

There is agreement about the declaration of the restricted areas. However, some concerns have been expressed regarding certain inclusions within the proposed restricted areas and enforcement problems. This has resulted in the exclusion of certain roads that might adversely affect tourists or non-Indigenous community residents who must pass through the restricted area.

NOTES ON PROVISIONS

Section 37A will state that restricted area details are provided in a relevant schedule attaching to the Liquor Regulation.

Section 37B states that the prescribed quantity of liquor able to be carried in a restricted area. This will be detailed in the relevant schedule for that restricted area. Offence provisions under section 168B of the Liquor Act will apply to the carriage of more than the prescribed amount of liquor for the restricted area.

Schedule 1D details the extent of a restricted area for the community of Lockhart River. The area is to include the whole of the community area and the Lockhart River Airport with stated exceptions. The prescribed quantity of liquor other than at the Lockhart River canteen is zero. The prescribed quantity of liquor at the Lockhart River canteen is restricted to beer in any quantity, for wine and spirits zero.

Schedule 1E details the extent of the restricted area for the community of Woorabinda. The area is to include the whole of the community with the stated exceptions. The prescribed quantity of liquor is 18 litres of beer, 9 litres of pre-mixed spirits in which the concentration of alcohol of alcohol is no more than 5.5% and 2 litres of wine. This is the amount of liquor able to be in the possession of a person or in a vehicle in a public place.

Schedule 1F details the extent of the restricted area for the community of Wujal Wujal. The area is to include the whole of the community with the stated exceptions. The prescribed quantity of liquor in the restricted area is zero.

ENDNOTES

1. Laid before the Legislative Assembly on . . .
2. The administering agency is the Liquor Licensing Division.