



Queensland

Liquor Amendment Regulation (No. 1) 2008

Explanatory Notes for SL 2008 No. 28

made under the

Liquor Act 1992

Short title

Liquor Amendment Regulation (No. 1) 2008 (the amendment regulation)

Authorising Law

Sections 173G, 173H and 235 of the *Liquor Act 1992* (the Liquor Act).

Objectives of the legislation

The objective of Part 6A of the Liquor Act is to minimise harm caused by alcohol abuse and misuse and associated violence, and alcohol related disturbances or public disorder in Indigenous communities. Part 6A provides for the declaration of restricted areas and the establishment of liquor possession limits in restricted areas.

Reasons for the subordinate legislation

One of the principal strategies of the Government's *Meeting Challenges, Making Choices* response to the Cape York Justice Study Report is for the implementation of alcohol restrictions in 19 Indigenous communities to minimise the harm caused by liquor abuse and misuse. The Government in

declaring the restricted areas undertook to review the impact of the alcohol restrictions 12 months after the restrictions commenced.

The review of the Woorabinda alcohol management plan has been completed. As a result of the review, the Woorabinda Community Justice Group (CJG) and Aboriginal Shire Council (Council) requested government implement a complete ban on alcohol in the community to curb the excessive levels of alcohol related harm currently occurring. In implementing the zero carriage limit, additional alcohol rehabilitation and treatment services and demand reduction initiatives will be provided, to ensure the community has support services readily available to assist in the transition period to a community with a zero alcohol tolerance. Additional support services will be implemented to coincide with the commencement of the alcohol ban on 1 July 2008.

The amendment regulation will reduce the alcohol possession limit for the community of Woorabinda to zero. Further, the amendment regulation will complement this reduction by amending the restricted area boundary to clarify the Fitzroy Development Road is excluded from the restrictions and the Mimosa Social Club, Stockyard Meeting Place and Woorabinda football grounds are included in the restricted area.

Consistency with authorising law

The amendment regulation is consistent with Part 6A of the Liquor Act which provides in section 173G for an area to be declared as a restricted area under a regulation.

Estimated cost of government implementation

Any expenditure associated with 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

An extensive community consultation process was undertaken throughout 2005, 2006 and 2007 during the review of alcohol restrictions. In 2007, further consultation with the Woorabinda CJG, Council and local organisations was undertaken in relation to reducing the carriage limit to zero.

(b) Government

Consultation has occurred with the Department of the Premier and Cabinet, the Queensland Police Service and the Department of Communities. The Office of the Queensland Parliamentary Counsel has drafted the amendment regulation.

Results of consultation

(a) Community

In 2007, Government presented members of the CJG and Council with a proposed recommendation for a reduced alcohol carriage limit of one carton of light or mid-strength beer. The proposal was rejected by the CJG who requested the carriage limit be reduced to zero. Following a community survey of 150 residents on the carriage limit, the Council also supported the CJG's request to ban alcohol in Woorabinda. The CJG and Council also requested improved treatment and demand reduction services be implemented to assist the community to transition to a zero limit.

(b) Government

Due to the high levels of alcohol related harm occurring and the community's support for a zero alcohol limit, the proposed amendment has been endorsed by all Government stakeholders.

NOTES ON PROVISIONS

Section 1 provides for the short title of the amendment regulation.

Section 2 provides for the amendment regulation to commence on 1 July 2008.

Section 3 outlines the regulation to be amended

Section 4 amends schedule 1E (Woorabinda) of the *Liquor Regulation 2002*, which provides for the Woorabinda restricted area, by—

- (a) amending the restricted area boundary detailed in section 1 to exclude part of the road known as the Fitzroy Development Road, which passes through the Woorabinda Shire, from the restricted area; and
- (b) amending the restricted area boundary detailed in section 1 to remove the exclusions for the Mimosa Social Club; football grounds and Stockyard Meeting Place, meaning these venues will become part of the restricted area; and
- (c) reducing the prescribed quantity of alcohol able to be possessed in a public place in the restricted area, which is detailed in section 2, to zero.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Treasury Department.

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