

Liquor (Local Board for Mackay CBD Safe Night Precinct) Amendment Regulation 2016

Explanatory notes for SL 2016 No. 27

made under the

Liquor Act 1992

General Outline

Short Title

Liquor (Local Board for Mackay CBD Safe Night Precinct) Amendment Regulation 2016

Authorising law

Sections 173NC and 235 of the *Liquor Act 1992*

Policy objectives and the reasons for them

The objective of the *Liquor (Local Board for Mackay CBD Safe Night Precinct) Amendment Regulation 2016* (Amendment Regulation) is to prescribe Safe Night Mackay CBD Precinct Inc. as a local board to manage the Mackay CBD safe night precinct, in Schedule 17 of the *Liquor Regulation 2002* (Liquor Regulation).

Section 173NC of the *Liquor Act 1992* (Liquor Act) provides that a regulation may prescribe an incorporated association to be the local board for a safe night precinct. Under section 173NA of the Liquor Act, local boards are intended to enable relevant licensees in safe night precincts to collaboratively achieve the purposes of minimising harm caused by the abuse and misuse of alcohol and drugs, and associated violence, disturbances and public disorder, in the precincts. To be prescribed as the local board for a safe night precinct, an association must be incorporated under the *Associations Incorporation Act 1981* and have at least one relevant licensee for the precinct as a member.

Local boards have already been prescribed for the following safe night precincts: Airlie Beach CBD; Broadbeach CBD; Bundaberg CBD; Cairns CBD; Fortitude Valley; Gladstone CBD; Inner West Brisbane; Ipswich CBD; Rockhampton CBD; Sunshine Coast; Surfers Paradise CBD and Toowoomba CBD. The Amendment Regulation prescribes an additional local board for the Mackay CBD safe night precinct.

Achievement of policy objectives

To achieve the policy objectives, the Amendment Regulation will amend the Liquor Regulation to prescribe Safe Night Mackay CBD Precinct Inc. as the local board to manage the Mackay CBD safe night precinct, in Schedule 17 of the Liquor Regulation.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the policy objectives of the Liquor Act and the purposes of Part 6AB of the Liquor Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are no costs associated with the implementation of this Amendment Regulation.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

Community and industry consultation has taken place in relation to provisions in the Liquor Act that authorise the making of a regulation to prescribe specific incorporated associations as local boards to manage safe night precincts. No additional community consultation was undertaken in relation to the Amendment Regulation as it is a consequential amendment and machinery in nature.

The Office of Best Practice Regulation was consulted regarding the Regulatory Impact Statement (RIS) system requirements and has advised that the Amendment Regulation is excluded from the RIS system.

The Department of the Premier and Cabinet and Queensland Treasury have been consulted and have raised no issues or concerns with the amendment.