

Liquor Amendment Regulation 2019

Explanatory notes for SL 2019 No. 235

made under the

Liquor Act 1992

General Outline

Short title

Liquor Amendment Regulation 2019

Authorising law

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

Policy objectives and the reasons for them

The policy objective of the *Liquor Amendment Regulation 2019* (the Amendment Regulation) is to implement one of the recommendations arising from the two-year independent evaluation (evaluation report) of the effectiveness of the *Tackling Alcohol Violence Policy* (TAFV Policy), by exempting community club licences from mandatory ID scanning.

On 26 July 2019, the Government released its interim response to the findings and recommendations of the evaluation report.

The evaluation report found that ID scanners had proven effective in reducing some key indicators of alcohol-related harm. However, in relation to community clubs, the evaluation report found late-trading community clubs may be inconvenienced by potentially duplicative identification processes required under the legislation. In particular, separate to the ID scanning obligations, community clubs are required to keep a register of club members and 'sign in' details of each person that enters the premises.

On this basis, the Government's interim response supported exempting community clubs from the ID scanning scheme, subject to consultation with affected community clubs to identify alternate processes to prevent banned persons from entry into clubs.

Achievement of policy objectives

The Amendment Regulation achieves the policy objective by prescribing the community club licence type as an 'exempt class' in the *Liquor Regulation 2002*.

Under section 173EF(1)(c) of the *Liquor Act 1992*, ID scanning requirements do not apply to a premises that is the subject of a licence that has been prescribed an 'exempt class'.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the policy objectives of the *Liquor Act 1992*.

Inconsistency with policy objectives of other legislation

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

Alternative ways of achieving policy objectives

There is no alternative way of achieving the policy objective.

Benefits and costs of implementation

The Amendment Regulation will benefit licensees of community clubs in safe night precincts with permanent extended liquor trading hours beyond midnight, as these licensees will no longer be required to operate ID scanners at their premises.

There are no anticipated costs associated with implementing the Amendment Regulation.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

Relevant industry stakeholders have been consulted and have expressed general support for exempting community clubs from the ID scanning scheme. The Office of Liquor and Gaming Regulation will continue to work with stakeholders to ensure appropriate arrangements are implemented at affected community clubs to ensure banned persons are not permitted to enter the premises.

Consultation with the Office of Best Practice Regulation on whether the proposal should be subject to Regulatory Impact Assessment was not undertaken on the basis that the amendment will reduce the burden of regulation and has already undergone an extensive stakeholder consultation process.