



Queensland

Liquor (Restriction of Supply to Minors) Amendment Bill 2007



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2007

A Bill

for

**An Act to amend the *Liquor Act 1992* to increase the restriction
on supply of liquor to minors**

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Bill 2007*

The Parliament of Queensland enacts—

1

Clause 1 Short title

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This Act may be cited as the *Liquor (Restriction of Supply to Minors) Amendment Act 2007*.

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Clause 2 Commencement

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This Act commences on a day to be fixed by proclamation.

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Clause 3 Act amended

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This Act amends the *Liquor Act 1992*.

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Clause 4 Replacement of s 5 (Who is a responsible adult for a minor)

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10

Section 5—

11

omit, insert—

12

‘5 Who is a *responsible adult*

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‘A *responsible adult*, for a minor, is an adult who—

14

(a) is the minor’s parent, step-parent or guardian; or

15

(b) has parental rights and responsibilities for the minor.’.

16

Clause 5 Insertion of new s 61AA

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Part 4, division 2, after section 61—

18

insert—

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‘61AA Prohibition sign must be displayed at detached bottle shop

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‘(1) This section applies if under a general licence a licensee has approval from the chief executive to sell liquor on a detached bottle shop.

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- ‘(2) A licensee must display a prohibition sign at each of a
detached bottle shop’s points of sale so that the sign is easily
visible to a person purchasing liquor at the point of sale.
Maximum penalty—20 penalty units.
- ‘(3) In this section—
point of sale means a place where there is a counter or similar
fixture where liquor is sold in a detached bottle shop.
prohibition sign means a sign, complying with the
requirements prescribed under a regulation, designed to point
out the offence under section 155A(1).’.

Clause 6 Replacement of ss 155A and 156

Sections 155A and 156—

omit, insert—

‘155A Liquor prohibited to a minor

- ‘(1) A person must not sell or otherwise supply liquor to—
(a) a minor; or
(b) another person if the person knows, or ought reasonably
to know, that the other person intends to supply the
liquor to a minor.
Maximum penalty—
(a) if the person is a licensee, permittee, nominee or
manager of relevant premises to which the sale or
supply relates—250 penalty units; or
(b) otherwise—40 penalty units.
- ‘(2) It is a defence to a charge made against a person under
subsection (1)(a) if the person proves that he or she—
(a) was a responsible adult for the minor at the time of
supply; and
(b) responsibly supervised the minor at all times while the
minor had possession of the liquor.
- ‘(3) However, the defence in subsection (2) is not available if the
supply of liquor—

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(a)	was a sale; or	1
(b)	happened on relevant premises or a public place, other than a public place designated under section 173C.	2 3
‘(4)	A person must not, on relevant premises, allow liquor to be supplied to or consumed by a minor.	4 5
	Maximum penalty—	6
(a)	if the person is a licensee, permittee, nominee or manager of the premises—250 penalty units; or	7 8
(b)	otherwise—40 penalty units.	9
‘(5)	A person must not send, or cause or allow to be sent, to relevant premises a minor with a view to the minor or another person being supplied with liquor.	10 11 12
	Maximum penalty—	13
(a)	if the person is a licensee, permittee, nominee or manager of the relevant premises—250 penalty units; or	14 15
(b)	otherwise—40 penalty units.	16
‘(6)	In this section—	17
	<i>relevant premises</i> means premises to which a licence or permit relates.	18 19
‘156	Liquor prohibited to an unduly intoxicated or disorderly person	20 21
	‘A person must not, on premises to which a licence or permit relates—	22 23
(a)	sell or otherwise supply liquor to; or	24
(b)	allow liquor to be sold or otherwise supplied to; or	25
(c)	allow liquor to be consumed by;	26
	a person who is unduly intoxicated or disorderly.	27
	Maximum penalty—	28
(a)	if the person is a licensee, permittee, nominee or manager of the premises—500 penalty units; or	29 30
(b)	otherwise—80 penalty units.’	31

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Clause 7	Amendment of s 157 (Prohibitions affecting minors)	1
	(1) Section 157(2), from ‘not,’ to ‘place’—	2
	<i>omit, insert—</i>	3
	‘not’.	4
	(2) Section 157(3)—	5
	<i>omit, insert—</i>	6
	‘(3) Subsection (2) does not apply to a minor if the minor is	7
	accompanied by a responsible adult who is responsibly	8
	supervising the minor and the minor is not—	9
	(a) on premises to which a licence or permit relates; or	10
	(b) in a public place, other than a public place designated	11
	under section 173C.’.	12
	(3) Section 157(4), ‘the premises’—	13
	<i>omit, insert—</i>	14
	‘premises to which a licence or permit relates’.	15
Clause 8	Amendment of s 228 (Suspension of licence for offences concerning minors and other persons)	16
	Section 228(1)(b)—	17
	<i>omit, insert—</i>	18
	‘(b) section 155A(1), (4) or (5); or	19
	(c) section 156;’.	20
		21
Clause 9	Amendment of s 229 (Liability for certain offences against Act)	22
	Section 229(1), before ‘156’—	23
	<i>insert—</i>	24
	‘155A.’.	25
		26