

FACT SHEET

Liquor Licensing Amendment Bill 2015

Background:

- The Liquor Licensing Amendment Bill 2015 amends the *Liquor Licensing Act 1990* to:
 - align it more clearly with the Tasmanian Alcohol Action Framework;
 - provide administrative efficiencies and greater transparency across the licensing and permit process;
 - improve flexibility and effectiveness in compliance and enforcement;
 - strengthen consumer responsibilities; and
 - provide greater clarity to industry, the regulatory bodies and Tasmania Police.
- The Department of Treasury has advised that the proposal will not restrict competition in any way or have a significant negative impact on business.

Proposal:

- The Bill will:
 - introduce an objectives provision and clarify the meaning of “best interests of the community”;
 - introduce a discretionary power to apply a fit and proper test to permit applicants at the Commissioner for Licensing’s discretion and introduce fit and proper as a matter that may be considered in the cancellation, variation or suspension of a permit;
 - require licence and permit holders to notify the Commissioner of personal detail changes and when they or an associate has been found guilty of an offence;
 - allow conditions to be applied to all licence and permit types and provide an appeals process against the imposition of conditions by the Commissioner;
 - introduce a provision that licensees and permit holders must ensure that a seller or server of liquor meets minimum age requirements, the details of these requirements are to be specified in regulations;
 - allow the Commissioner to prohibit or restrict the irresponsible advertising and promotion of alcohol;
 - allow the Minister to prohibit alcohol products if it is in the best interests of the community and amend the definition of “liquor” to include other prescribed substances;
 - enhance the ability of Tasmania Police and licensees to bar a patron from a licensed premises if their behaviour warrants, provide a review process for police barring orders, and introduce new offences for patrons to help ensure responsible consumption of alcohol;

- allow alcohol sales data to be collected from wholesale and producer liquor licence holders;
- introduce a staged disciplinary approach, create offences for licensee obligations, extend licensee obligations and offences to permit holders and include new offences for which an infringement notice may be issued by a police officer; and
- make miscellaneous amendments to improve regulatory operations, enhance administrative efficiency, and provide increased clarity to stakeholders.