

Briefing Note for NSW Members of Parliament

Liquor Amendment (24-Hour Economy) Bill 2020

Overview of the Bill

The Bill amends the current Liquor Act 2007 and Liquor Regulation 2018, to establish reforms in the following key areas:

- The incentives and sanctions (i.e. demerits) system for licenced premises
- Management of the density of licenced premises through a new Cumulative Impact Assessment Framework
- Regulation of same day alcohol deliveries to the home
- Licence conditions for small bars.

Online Sale and Home Delivery of Alcohol

- Currently in Australia, there are loopholes in the regulation of online sales and home delivery of alcohol. Online alcohol retailers are currently not being held to the same standards as bricks and mortar licensees, including restrictions that would prevent them selling alcohol to children and people who are intoxicated.
- The Bill represents the first attempt by an Australian state/territory to introduce detailed regulation to close these loopholes.
- The draft Bill goes some way to ensure online sales and same day delivery of alcohol meet the same standards applied to bricks-and-mortar licenced premises. The new regulatory measures contained in the Bill are:

- **Age verification:** Clauses 114(I) and (K) proposes that age is verified at point of sale and delivery for same day deliveries. This reform is crucial to ensure alcohol is not sold and supplied to children.

Industry lobbyist opposition to age verification at point of sale is not consistent with well-established practices to verify age already undertaken by other online commercial activities and all licensed premises.

Also, the risks of alcohol supply to children remain for next day or later deliveries and we recommend that the Bill is amended to improve consistency in this area.

- **Supply to people who are intoxicated:** The Bill proposes a new offence to supply alcohol by same day delivery to a person who is intoxicated. This is a welcome reform but should be extended to all deliveries, not just same day.

The risk of alcohol supply to people who are intoxicated remain for next day or later deliveries and we recommend the Bill is amended to improve consistency.

- **All deliveries, not just same day:** Important measures in the Bill, like age verification and a new offence to supply alcohol to people who are intoxicated, only apply to same day deliveries (Schedule 3). However, risks of alcohol supply to children or people who are intoxicated remain for next day or later deliveries.
- **Delivery hours:** Clause 114(M) allows delivery until midnight on all days except Sunday at 11pm. The cut-off-time for delivery should be changed from midnight to 9 pm, given the known risk of greater alcohol harms in the home late at night, such as suicide and family violence.
- **RSA training:** Training deliverers in the responsible service of alcohol (RSA) is an important measure in the Bill - clause 114(Q). However, the RSA training should be based on a government developed and accredited program, not an industry designed one as proposed in the Bill.