



Queensland

# Public Service of Alcohol Youth Bill 2008

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**2008**

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## **A Youth Bill**

for

**a Youth Act to implement a changed standard for public  
consumption of alcohol in licensed premises in the State of  
Queensland**

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[s 1]

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| <b>The Parliament of Queensland enacts—</b>  | 1                    |
| <br>   |                      |
| <b>Part 1 Preliminary</b>  | 2                    |
| <br>   |                      |
| <b>1 Short title</b>   | 3                    |
| This Youth Act may be cited as the <i>Public Service of Alcohol Youth Act 2008</i> .   | 4<br>5               |
| <br>   |                      |
| <b>2 Commencement</b>  | 6                    |
| This Youth Act commences on a day to be fixed by proclamation.   | 7<br>8               |
| <br>   |                      |
| <b>3 Definitions</b>   | 9                    |
| In this Youth Act—   | 10                   |
| <i>adult</i> means a person over the age of 18.  | 11                   |
| <i>alcoholic beverages</i> means a drink, confectionary or other consumable product that contains more than 6.35mL (5g or half a standard drink) of alcohol.   | 12<br>13<br>14       |
| <i>authority</i> means the Queensland Liquor Licensing Division.   | 15                   |
| <i>class-1 alcoholic beverage</i> means a beverage containing between 5g and 20g of alcohol precipitate that is either beer or wine in a serving size of less than 400mL.  | 16<br>17<br>18       |
| <i>class-2 alcoholic beverage</i> means a beverage containing between 5g and 20g of alcohol precipitate that is not either beer or wine in a serving size of less than 400mL or is beer or wine in a serving size of greater than 400mL. | 19<br>20<br>21<br>22 |
| <i>class-3 alcoholic beverage</i> means a beverage containing more than 20g of alcohol precipitate in a serving.   | 23<br>24             |
| <i>department</i> means Queensland Health or any recognised affiliate of Queensland Health.  | 25<br>26             |

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| <i>guardian</i> means an adult who is the legal custodian of a minor while in a premises.  | 1<br>2   |          |
| <i>licensed venue</i> means a venue licensed for the serving of alcoholic beverages by the Queensland Liquor Licensing Division under the <i>Liquor Act 1992</i> . | 3<br>4<br>5  |          |
| <i>minor</i> means any person under the age of 18.   | 6  |          |
| <i>RSA licence</i> means the Responsible Service of Alcohol licence required to serve alcohol to nominated people in Queensland.                                   | 7<br>8<br>9  |          |
| <i>standard drink</i> means an amount of alcohol equivalent to 12.7mL of absolute alcohol or 10g of alcohol precipitate.   | 10<br>11   |          |
| <i>supply</i> means for a person other than the consumer of a beverage to purchase a beverage for another person's consumption.                                    | 12<br>13<br>14   |          |
| <br>   |  |          |
| <b>Part 2</b>  | <b>Establishment of authority</b>  | 15       |
| <br>   |  |          |
| <b>4</b>   | <b>Authority</b>   | 16       |
|  | The Queensland Liquor Licensing Division (the <i>authority</i> ) will administer this Youth Act on behalf of the department. | 17<br>18 |
| <br>   |  |          |
| <b>Part 3</b>  | <b>Implementation and enforcement</b>  | 19<br>20 |
| <br>   |  |          |
| <b>5</b>   | <b>Implementation</b>  | 21       |
|  | (1) The authority and the Queensland Police Service will implement the provisions of this Youth Act                          | 22<br>23 |

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| (2) This body will enforce a multi-tiered approach for the consumption of alcohol in Queensland as follows—   | 1<br>2                     |
| (a) minors under the age of 16 can not consume alcohol in public or licensed venues;  | 3<br>4                     |
| (b) minors aged 16 or 17 may consume class-1 alcoholic beverages in licensed areas of licensed venues under the direct supervision of a parent or guardian;   | 5<br>6<br>7                |
| (c) adults aged 18 to 20 may consume class-1 alcoholic beverages in licensed areas of licensed venues but may not act as a guardian for a minor consuming class-1 alcoholic beverages in a licensed area of a licensed venue;     | 8<br>9<br>10<br>11<br>12   |
| (d) adults aged at least 21 may consume class-1 or class-2 alcoholic beverages in licensed areas of licensed venues and act as guardian for a minor consuming class-1 alcoholic beverages in a licensed area of a licensed venue; | 13<br>14<br>15<br>16<br>17 |
| (e) no consumption of class-3 alcoholic beverages is to be permitted at licensed venues.  | 18<br>19                   |
| (3) This body will enforce a multi-tiered approach for the sale of alcohol in Queensland as follows—  | 20<br>21                   |
| (a) minors under the age of 18 may not purchase alcohol;  | 22                         |
| (b) adults aged 18 to 20 may purchase class-1 alcoholic beverages but may not supply alcohol to minors or act as the guardian of a minor;   | 23<br>24<br>25             |
| (c) adults aged at least 21 may purchase class-1 or class-2 alcoholic beverages and supply class-1 alcoholic beverages to minors under their guardianship at a licensed venue;  | 26<br>27<br>28<br>29       |
| (d) adults aged at least 21 may purchase class-3 alcoholic beverages for consumption at a private venue.  | 30<br>31                   |

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| <b>6</b> | <b>Enforcement</b>  | 1              |
|          | (1) This Youth Act will be administered by the Queensland Police Service.   | 2<br>3         |
|          | (2) Disputes against penalties will be heard in Queensland Courts.  | 4<br>5         |
| <b>7</b> | <b>Penalties</b>  | 6              |
|          | Penalties for breaches of this Youth Act are as follows—  | 7              |
|          | (a) for a person aged 16 to 20 consuming or purchasing alcoholic beverages in a licensed venue outside prescribed limits—   | 8<br>9<br>10   |
|          | (i) a mandatory penalty of \$500; and   | 11             |
|          | (ii) a disorderly persons record; and   | 12             |
|          | (iii) the requirement to participate in an alcohol treatment or rehabilitation program at the discretion of the court; and  | 13<br>14<br>15 |
|          | (iv) additional penalties including a further mandatory penalty of \$1500 if false identification is used;  | 16<br>17       |
|          | (b) for a bartender or clerk serving or supplying alcoholic beverages in a licensed venue outside the prescribed limits for the 16 to 20 years drinking class—            | 18<br>19<br>20 |
|          | (i) the loss of RSA licence; and  | 21             |
|          | (ii) a mandatory penalty of \$1000;   | 22             |
|          | (c) for the owner of the liquor licence serving or supplying alcoholic beverages in a licensed venue outside the prescribed limits for the 16 to 20 years drinking class— | 23<br>24<br>25 |
|          | (i) a mandatory penalty of \$10000; and   | 26             |
|          | (ii) suspension or revocation of the owner's liquor licence;  | 27<br>28       |
|          | (d) for guardians supplying or buying alcoholic beverages outside the prescribed limits for the 16 to 20 years drinking class—  | 29<br>30<br>31 |

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|               |   |                |
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| (i)           | a mandatory penalty of \$500; and   | 1              |
| (ii)          | a disorderly persons record; and  | 2              |
| (iii)         | the requirement to participate in an alcohol treatment or rehabilitation program at the discretion of the court; and  | 3<br>4<br>5    |
| (iv)          | additional penalties at the discretion of the Queensland Police Service for a breach of duty of care for persons aged 16 to 20;                                   | 6<br>7<br>8    |
| (e)           | for licensees who fail to label alcoholic beverages as required under this Youth Act—a mandatory penalty of \$200.  | 9<br>10<br>11  |
| <b>8</b>      | <b>Appeal</b>   | 12             |
|               | Penalties can be contested in a court of law.   | 13             |
| <b>Part 4</b> | <b>Education, awareness and advertising</b>   | 14<br>15       |
| <b>9</b>      | <b>Education</b>  | 16             |
|               | The authority, in conjunction with the department, will implement an alcohol awareness program to be completed by all students as part of the Junior Certificate. | 17<br>18<br>19 |
| <b>10</b>     | <b>Community awareness</b>  | 20             |
|               | The authority, with the aim of reducing destructive drinking habits, will implement a community awareness campaign, which will include—                           | 21<br>22<br>23 |
| (a)           | labelling all pre-packaged alcoholic beverages sold in Queensland with information on the alcohol content and class; and  | 24<br>25<br>26 |

- (b) labelling all pre-packaged alcoholic beverages sold in Queensland with information on the risks of consuming alcoholic beverages; and 1  
2  
3
  - (c) labelling all pre-packaged alcoholic beverages sold in Queensland with consumer advice and a hotline number; 4  
5  
6
  - (d) displaying in all licensed venues posters warning of the destructive effects of alcohol. 7  
8
- 11 Advertising** 9
- An advertising campaign to promote responsible drinking and awareness of the provisions of this Youth Act will be conducted by the authority with assistance from the department, and will include— 10  
11  
12  
13
- (a) television commercials; and 14
  - (b) radio commercials; and 15
  - (c) roadside billboards; and 16
  - (d) posters on public transport. 17