



Inspections Harm  
Legislation Policy  
Probity Licensing minimisation

## Exemptions under the *Liquor Act 1992*

As a result of the amendments to the *Liquor Act 1992*, an exemption has been included to allow florists and gift basket businesses to sell liquor under specific conditions without the need for a liquor licence.

Currently, a limited licence is required for these businesses that sell liquor for off-premises consumption and are usually restricted to an amount of not more than two litres per sale.

### Are you eligible for the exemption?

If your business satisfies all of the following criteria, you may choose to operate without a liquor licence:

- Where liquor is sold as part of a floral arrangement or gift basket and:
  - the sale is from a florist or gift basket business
  - is delivered as a gift to an adult who is not the purchaser
  - the gift is delivered to a place which is not where the business is conducted and
  - the quantity of liquor is not more than one litre
  - the total value of liquor and container it is supplied in is not more than half of the gift's sale price
  - the liquor has been purchased on a retail basis.

### If I can satisfy all of the above criteria and have a licence what do I do?

If you wish to relinquish your licence you will need to advise the Office of Liquor, Gaming and Racing in writing of your intentions to surrender the licence based on the new exemption.

*Please note the new exemption does not take effect until 1 January 2009 so you must maintain your current licence until that time.*

### If I surrender my licence and wish to sell more than one litre of liquor in a floral arrangement/gift basket can I reinstate my old licence?

No. You will need to make a new licence application.

### What if only some of my sales meet the criteria?

You will still be required to have a licence under the *Liquor Act 1992*.

### Which licence type will replace limited licences?

From the 1 January 2009, the licence type applicable for the business of a florist/gift basket is a commercial other (subsidiary off- premises).

This licence authorises:

- the sale of liquor on the premises for consumption off premises provided the liquor is subsidiary to another activity

AND

- the amount of liquor is not more than two litres

OR

- an amount stated by the Chief Executive on the licence.

### What fee applies to the commercial other licence?

The base fee for the commercial other licence will be \$500.

For further information, please contact the Office of Liquor, Gaming and Racing on 13 13 04 or visit [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

