



Inspections Harm
Legislation Policy Probity Licensing minimisation

Secondary supply

On 10 September 2008, the *Liquor and Other Acts Amendments Bill 2008* was passed by the Queensland Parliament. A significant amendment is the inclusion of harm minimisation as the first object of the *Liquor Act 1992*.

As part of the harm minimisation focus of the amendments, irresponsible supply laws have been introduced.

Purpose

The purpose of the new law is to address the problems associated with minors consuming liquor at private premises.

Events such as 'Schoolies' and youth parties held at private residences have attracted significant attention in the community as a result of the behaviour of intoxicated underage teenagers. In some circumstances parents and other adults are providing liquor to minors without responsible supervision.

Definition of responsible adult

A responsible adult is:

- a parent, step-parent or guardian of a minor or
- an adult who has parental rights and responsibilities for the minor.

There are two offences:

- for an adult who is not a responsible adult for the minor to supply liquor to a minor in a private place and
- for a responsible adult for a minor to supply liquor to the minor in a private place, without responsibly supervising the consumption of the liquor.

What is irresponsible supply?

A range of relevant factors will be considered by police when determining if the supply of liquor to a minor is irresponsible. They include:

1. whether the adult is unduly intoxicated
2. whether the minor is unduly intoxicated
3. the age of the minor
4. whether the minor is consuming liquor supplied with food
5. whether the adult is responsibly supervising the minor's consumption of the liquor supplied; and
6. the quantity of liquor supplied and the period of time over which it was supplied.

What is NOT considered irresponsible supply?

The new laws will not penalise parents/guardians who choose to educate their children in the responsible consumption of liquor through supervised and limited consumption within the family environment.

Role of police

An offence under this section of the *Liquor Act 1992* can only be investigated by a Queensland Police Officer.

A police officer also has the power to seize the liquor if the officer reasonably suspects it is in relation to irresponsible supply to a minor. The liquor which is seized under this authority is forfeited to the State immediately.

Penalty

A conviction of an offence of irresponsible supply could result in a maximum fine of \$6,000.

The Act currently addresses the supply of liquor to minors on licensed premises. The responsibilities of licensees and those in control of licensed premises in relation to minors remains unchanged. The new laws and the contents of this fact sheet are specifically directed towards supply of liquor to a minor in private places.

For further information, please contact the Office of Liquor, Gaming and Racing on 13 13 04 or visit www.olgr.qld.gov.au

