

Legislative Statement: Sale and Supply of Alcohol (Community Participation) Amendment Bill – First Reading

Presented to the House of Representatives in accordance with Standing Order 272

Introduction

1. The Sale and Supply of Alcohol (Community Participation) Amendment Bill (the Bill) makes a number of changes to the Sale and Supply of Alcohol Act (the principal Act) to increase communities' ability to influence alcohol regulation in their areas, and thereby, ensure that—
 - the sale, supply, and consumption of alcohol is undertaken safely and responsibly, and
 - the harm caused by excessive or inappropriate consumption of alcohol is minimised.

Provisions of the Bill

2. The Bill makes the following amendments to the alcohol licensing process provided for in the principal Act:
 - removing the ability to appeal provisional local alcohol policies (LAPs) to the Alcohol Regulatory and Licensing Authority (ARLA);
 - giving district licensing committees (DLCs) and ARLA discretion to decline to renew a licence if the licence would be inconsistent with conditions on location or licence density in the relevant LAP;
 - requiring territorial authorities to consult on a discontinued LAP if they choose to recommence its development six or more years after the date when initial consultation was completed;
 - allowing any person to object to an application for a licence or renewal of licence application, whether as an individual or representative of a group or organisation, except for the applicant's trade competitors, who may only object if they are directly affected by the application in a way that does not relate to trade competition;
 - allowing DLCs to conduct hearings by telephone, audio-visual link, or other remote access facility where this is appropriate, and the facilities are available;
 - requiring DLCs to establish appropriate procedures to consider licensing applications, ensuring those procedures:
 - avoid unnecessary formality;
 - do not permit those who appear at hearings to question other parties or witnesses of other parties; and
 - do not permit cross-examination;
 - giving district licensing committees and ARLA ways to manage objections and appearances at licensing hearings, specifically allowing DLCs and ARLA to:

- limit the circumstances in which parties having the same interest in a matter may speak or call evidence in support if the chairperson of the DLC or ALRA considers that repetition is likely to be excessive;
 - direct parties to provide evidence within time limits;
 - make directions and requests before or at hearings about the presentation of evidence and provision of further information;
 - strike out evidence.
3. The Bill makes minor and consequential amendments to the Sale and Supply of Alcohol Regulations 2013.