# FARE response: Liquor & Gaming NSW consultation on same-day alcohol delivery

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### Market innovation for convenience is not a valid reason to allow alcohol companies to target vulnerable people via online alcohol sales and delivery.

Alcohol is a carcinogenic and addictive substance which is regulated by government because of the great risk of harm to the individual and those around them. The NSW Government is taking action to improve laws for online sales and home delivery (OSHD) and FARE has provided recommendations to the Government’s discussion paper.

The Government must recognise that in the case of alcohol, unlike fast fashion, there are public interest reasons why ‘consumer demand’ should not always be met.

FARE has raised concerns that the discussion paper characterises an ideal approach as achieving balance between consumer convenience and risk mitigation. We should not approach this drug with a bias towards convenience.

Alcohol companies have expanded into this unregulated space to profit from impulsive and addictive urges to use alcohol. Disruptive business models in OSHD present a new and unacceptable level of risk to the most vulnerable groups in the community:

* children under 18
* intoxicated people
* people who are dependent on alcohol or at risk of developing dependency
* people at risk of suicide
* people at risk of experiencing domestic violence
* children living in a household where family violence is present.

## Recommendations

The Government must act to protect the community. All OSHD, including same-day delivery, must be appropriately regulated with independent monitoring and enforcement by Liquor & Gaming NSW.

1. The NSW Government should introduce provisions in the Liquor Act allowing controlled purchase operations to assist with compliance, monitoring and enforcement.
2. Liquor & Gaming NSW should require businesses to submit sales data, delivery data and any other information needed to gain a clear understanding of the risks and trends of these business models.
3. To recognise the distinct risk profile of home delivery, a specific licence or licence condition should be required, with additional risk-loadings for delivery and rapid delivery.
4. Age verification should be conducted at point of purchase on the website or app, and at point of delivery.
5. All OSHD of alcohol must be received by the verified purchaser and not left unattended. Delivery must only be made to residential and commercial addresses and not to a public place.
6. An offence to deliver any alcohol at any time to intoxicated and/or underage persons should be introduced.
7. Restrictions on delivery hours should be made, preventing home delivery of alcohol between 10pm and 10am, and introducing an offence to deliver within these hours. Conditions on licences that specify more restrictive cut-off times should be retained.
8. There must be no rapid home delivery of alcohol, with a delay between purchase and delivery of minimum two hours to prevent the continuation of an existing alcohol session.
9. Children under 18 should not be exposed to advertisements for alcohol, including online and digital advertisements.
10. Businesses should not act upon data that reveals vulnerabilities, such as alcohol dependency, and should not collect or use children’s data under any circumstance.
11. People should not be able to purchase alcohol using ‘buy now pay later’ services.

[View the submission](https://fare.org.au/wp-content/uploads/FARE_Response_NSW_same-day_delivery_consultation.pdf)

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