# Submission to the WA Liquor Control Act 1988 review

|  |  |
| --- | --- |
| **Author** | Fare\_Admin |
| **Date** | 2013-03-25 14:06:26 |
| **Categories** | Policy submissions |

### The review of the West Australia (WA) Liquor Control Act 1988 provides the West Australian Government with an opportunity to reform liquor licensing and prioritise evidence-based policies that will reduce alcohol-related harms. This submission addresses the terms of reference of the review, making 26 recommendations regarding the price, promotion and availability of alcohol and the importance of harm minimisation.

The review of the West Australia (WA) Liquor Control Act 1988 provides the West Australian Government with an opportunity to reform liquor licensing and prioritise evidence-based policies that will reduce alcohol-related harms. This submission addresses the terms of reference of the review, making 26 recommendations regarding the price, promotion and availability of alcohol and the importance of harm minimisation.

## Recommendations

1. That the WA Government elevates harm minimisation to a single primary Object of the Act and subordinates all other Objects.
2. That the WA Government ensures that the Objects of the Act do not contradict each other.
3. That the WA Government ensures that the Objects of the Act do not favour the alcohol industry.
4. That the WA Government renames the Liquor Control Act 1988 to the Alcohol Control Act 2013.
5. That the WA Government amends the Liquor Control Act 1988 to legislate for a minimum floor price for alcohol sold at both on and off-licence premises to stop reckless discounting by licensees.
6. That the WA Government continues the collection and publication of alcohol sales data in WA and include cider sales in the data collected.
7. That alcohol sales data is made publically available in a format which can be easily accessed, used and analysed by policy makers and researchers.
8. That the WA Government clarifies the thresholds of promotional discounting, activities and behaviours that are prohibited under the Responsible promotion of liquor - consumption on premises and the sale of packaged liquor Industry Guideline and that this Guideline continues to address both on and off-licence venues.
9. That the WA Government amends the Liquor Control Act 1988 to provide a clear schedule of penalties applicable to licensees conducting promotional activities in breach of the provisions Liquor Control Act 1988 relating to the promotions of liquor.
10. That the WA Government amend the Liquor Control Act 1988 to include provisions regarding point of sale promotions that minimise minors’ exposure to these promotions in and around licensed premises in public-access areas, such as restaurants with bar sections, supermarkets with liquor sections, and shopping malls with packaged liquor outlets.
11. That the WA Government establishes and enforces saturation zones in areas that are identified as already having large numbers of liquor licences, including small bar licences.
12. That the WA Government introduces cumulative impact and cluster control policies for the determination of new liquor licenses.
13. That the WA Government maintains the restriction of small bars to a maximum of 120 persons and that a Public Interest Assessment is continued to be required for small bars.
14. That the WA Government legislates to introduce a reduction in trading hours for those licenses that are currently able to trade past 3.00am.
15. That the introduction of reduced trading hours be independently evaluated to ascertain the social, health, crime and economic effects of these trading controls.
16. That the WA Government introduces a risk-based licensing fee system that offsets and attributes the cost to Government and the community of administering and managing the impact of alcohol use and misuse on the community.
17. The risk-based licensing fee system includes but is not limited to the density of outlets, trading hours, patron intoxication, crowding, staff and management practices, and venue type.
18. That the WA Government introduces secondary supply laws into the Liquor Control Act 1988.
19. That the WA Government develops a public education campaign to accompany the secondary supply laws to ensure that those who are supplying alcohol to young people understand the risks associated with young people being introduced to alcohol at an early age.
20. That the WA Government introduces irresponsible supply laws into the Liquor Control Act 1988.
21. That the WA Government introduces the ‘controlled purchase operations’ for alcohol into the Liquor Control Act 1988.
22. That the WA Government develops regulations under section 113A of the Liquor Control Act 1988 which includes, but is not limited to provisions relating to age identification, licence number displays, delivery requirements and the promotion and marketing of liquor products.
23. hat the WA Government amends the Responsible promotion of liquor - consumption on premises and the sale of packaged liquor Industry Guideline to ensure that current provisions in these Guidelines are applicable to liquor internet sales.
24. That the WA Government ensures that section 38(5) of the Liquor Control Act 1988 remains unchanged.
25. That the WA Government introduce guidelines under section 3A(1)(b) of the Liquor Control Act 1988 outlining the characteristics of a ‘drunk’ person to assist licensees with enforcing their responsible service of alcohol measures.
26. That the WA Government introduces requirements for the Department of Racing Gaming and Liquor and WA Police to regularly and publically report on compliance activities relating to the Liquor Control Act 1988, the number of venues inspected and their location, the times of day that these venues are inspected and the number of identified breaches of compliance.

[view the submission](/wp-content/uploads/WA-Liquor-Control-Act-1988-Submission-FINAL.pdf)

### Metadata