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Section 1

Section 1 ► Slide 1

What is this program all about?

Alcohol is a drug and therefore Governments regulate its sale and supply and determine the rules which control who is able to sell liquor and who is able to consume it. These rules are contained in Acts of Parliament or Legislation.

Responsible Service of Alcohol (RSA) means serving and supplying liquor in a responsible manner. It also means that Licensees, Approved Managers and staff who sell or supply liquor are required to conduct their business in a responsible manner, and may all be held accountable for their actions.

Each State and Territory has its own laws with regard to liquor. The legislation aims to ensure that alcohol is sold by responsible people in a responsible manner and that the possible harmful effects of alcohol are minimised or avoided (harm minimisation).

The legislation also aims to identify:

- Who-alcohol may not be served to e.g. minors or unduly intoxicated persons
- When-alcohol may be consumed e.g. trading hours on licensed premises
- How-alcohol may be sold e.g. authorities related to different license types

Penalties apply to people who do not comply with the legislation and may range from a fine to the suspension or cancellation of a liquor license.

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The Roles of Key Agencies

The key regulatory agencies involved with licensing laws and RSA within Australia include:


These state agencies are responsible for the development, implementation and integrity of the overall regulatory framework across alcohol, licensed clubs, charitable fundraising and gambling activities in within their own states.

The best way to continuously update your knowledge of changing responsible service of alcohol laws and regulations is to visit the website of your state regulatory body and/or subscribe to their newsletter/mailing list.
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Legislation - Queensland

In Queensland, the legislative framework for Responsible Service of Alcohol includes:

- The Liquor Act 1992 and The Liquor Regulation 2002 (the interpretation of the Act) regulates the sale and supply of liquor and determine related penalties.
- The Liquor and Other Amendments Act 2008, implemented as of January 1, 2009, establishes the first object of the Act as harm minimisation.
- The Brisbane Specific Statutory Licence Conditions details specific licence conditions for premises operating in the Brisbane City Area.
- The Responsible Service Supply and Promotion of Liquor Code of Practice was developed by the Office of Liquor and Gaming Regulation in consultation with key industry, government and community stakeholders. Its goal is to implement the law consistently. The code:
  - Represents the agreed interpretations of the law by the industry sector.
  - Provides guidelines to assist all stakeholders to identify and control risks associated with supply and service of alcohol.
  - Outlines a range of practices and service guidelines to assist in making decisions regarding Responsible Service of Alcohol.

Recent Amendments

- The most recent amendments to the Qld Liquor Act 1992 were made in 2008 by the Other Acts Amendment Act 2008. A number of the changes made are detailed below.
- The act introduced many changes: including changes to licence types; extended trading hours, "Approved Managers" to replace Nominees. It also introduced Risk Assessed Management Plans (RAMP) and Community Impact Statements (CIS).
- Under this new legislation, the Licensee is not the only person who can be fined for breaches of the law. Penalties can also apply to the Approved Manager, Bar/Security, other staff and patrons.
- The Chief Executive of OLGR was given new powers to order emergency closure or licence suspension where riotous behaviour is occurring, or is likely to occur, and is empowered to immediately close a premises in the face of riot or tumult for up to 48 hours.
- Licenses were restructured into two types: commercial and community, with sub-categories based on the varying risks associated with the licensed operations.
- Annual liquor licence fees were introduced. These were based on the risk a licensed premises poses. Each licensee will pay a designated base fee and loadings based on other risk factors such as trading hours and compliance history.
- The Queensland Liquor Act 1992 can be viewed by clicking on this link: The Qld Liquor Act 1992

All states in Australia can be different in regards to service and supply of alcohol, below are some differences that QLD may have

- Minors can serve and supply alcohol (must have an RSA)
- Patrons that have been deemed unduly intoxicated can stay in premises (venue specific), but are only permitted to have non-alcoholic beverages.
- All staff must have their RSA within 30 days of employment.
- Staff are allowed to refuse service to patrons (check the house policy as per rules of the venue)
- Staff may charge for water as long as it is cheaper than the cheapest drink on the menu.

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Legislation - Western Australia

Since Western Australia's foundation in 1829, the State's liquor laws have evolved and matured to mirror the growth, development and changing expectations of the population.
In total, 11 different reviews of the liquor licensing laws, culminating with the Liquor and Gaming Legislation Amendment Act being ratified in State Parliament in December of 2006, have provided a legislative framework that focuses on regulating the production, sale, supply and consumption of liquor in Western Australia.

Western Australia's liquor laws are defined in the Liquor Control Act 1988, which regulates the sale, supply and consumption of liquor, the use of premises on which liquor is sold, and the services and facilities provided in conjunction with the sale of liquor.

The Act also focuses strongly on minimising harm or ill-health caused to people, or any group of people due to the use of liquor.

This legislation offers flexibility in regards to where and when liquor can be supplied and consumed in accordance with the ever-changing demands of a modern and diverse community, and the requirements of the tourism industry, consistent with the principles of harm-minimisation.

The foundations of the State's liquor laws are built on strong offence provisions relating to the sale of liquor, juveniles, public interest, drunkenness, security, anti-social behaviour, community amenity and trading hours.

Primary Objects Of The Liquor Control Act 1988

- To regulate the sale, supply and consumption of liquor;
- To minimise harm or ill-health caused to people, or any group of people, due to the use of liquor;
- To cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.

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Legislation - South Australia

- Liquor Licensing Act 1997
- Liquor Licensing (General) Regulations 2012
- Liquor Licensing (Dry Areas) Regulations 2012

Consumer and Business Services is responsible for administering the Liquor Licensing Act. The purpose of this Act is to regulate and control the sale, supply and consumption of liquor for the benefit of related industries and the SA public. Particular emphasis is placed on encouraging responsible attitudes towards the promotion and advertising of liquor and minimising the harm associated with liquor consumption.

Section 1 ► Slide 6

Legislation - Northern Territory

The Northern Territory Licensing Commission's role and responsibility is to effectively manage the provisions of the Liquor Act 1978 within the Northern Territory.

The Liquor Act 1978 governs all aspects of the sale, supply and consumption of liquor in the Northern Territory.

The regulations, which may change from time to time according to government policy, provide detailed information on procedures and requirements affecting licensees. These include: days and times at which liquor may be supplied; definitions of alcoholic beverages.

Key Differences in the Northern Territory Legislation

The following applies to Northern Territory only:
• All staff that serve alcohol must be 18 years old or more.
• There are exceptions to staff being 18 years or over to serve alcohol. They include staff undergoing training and the children of licensees.

Key Sections of the NT Liquor Act

3. Objects

(1) The primary object of this Act is to regulate the sale, provision, promotion and consumption of liquor:

(a) so as to minimise the harm associated with the consumption of liquor; and
(b) in a way that takes into account the public interest in the sale, provision, promotion and consumption of liquor.

(2) The further objects of this Act are:

(a) to protect and enhance community amenity, social harmony and wellbeing through the responsible sale, provision, promotion and consumption of liquor;
(b) to regulate the sale of liquor in a way that contributes to the responsible development of the liquor and associated industries in the Territory; and
(c) to facilitate a diversity of licensed premises and associated services for the benefit of the community.

(3) When the Commission exercises a power or performs a function under this Act, the Commission must have regard to the objects of this Act and must exercise the power and perform the function in a way that is consistent with those objects.

19. Inspector’s powers

(1) An inspector with such assistance as he considers necessary may, with such force as is reasonably necessary, at any time when premises are open for the sale of liquor, enter and inspect those premises.

(2) An inspector who enters licensed premises in pursuance of subsection (1) may not enter a private room of those premises without the prior consent of the occupant, the licensee or a person who is apparently in charge of those licensed premises unless the inspector has reasonable grounds for believing that an offence against this Act has occurred, is occurring or is likely to occur in that room.

(3) An inspector with such assistance as he considers necessary may, with such force as is reasonably necessary, at any time, enter and inspect premises when there are reasonable grounds for believing that:

(a) liquor is being sold on those premises;
(b) liquor is being kept for sale on premises which are not licensed premises within the meaning of this Act; or
(c) an offence against this Act has occurred, is occurring or is likely to occur on those premises.

31. Conditions of licence

(1) Subject to the Regulations, the Commission may issue a licence subject to such conditions as it may consider necessary or desirable in the particular circumstances of an application before it.

(2) Without limiting the generality of subsection (1), the Commission may, subject to the Regulations, determine conditions with respect to:

(a) the construction and furnishing of licensed premises;
(b) the equipment and facilities to be provided on or at licensed premises;
(c) the restriction of days when and times during which licensed premises may be open for the sale of liquor;
(d) the minimum facilities and services to be operative on the days when and times during which licensed premises may be open for the sale of liquor;
(e) the method of sale of liquor, including restrictions on the type of container in which liquor may be sold and limitations as to the quantities or type of liquor which may be sold by a licensee;
(f) the standard of repair, cleanliness and hygiene to be maintained on or at licensed premises; (g) the provision of entertainment on or at licensed premises (h) the provision of food on or at licensed premises;
(i) the display and content of notices, relating to this Act, on or at licensed premises;
(j) the persons who may be admitted to licensed premises; and
(k) the prohibition of specified activities on or at licensed premises by the licensee, employees of the licensee or patrons of those premises.
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Why Control Who can Sell and Consume Liquor?

Some reasons why we need legislation to control who is able to sell liquor and who is able to consume it:

- Alcohol is a drug and therefore needs to be controlled
- If we had no control then anyone could drink (e.g. Minors)
- For the safety of the patrons and others
- To minimize harm to the patrons and others

Examples of the impact of alcohol abuse - on The Individual:

- Personal injury
- Physical and mental health problems
- Family breakdown
- Financial problems

Examples of the impact of alcohol abuse - on The Community:

- Vandalism
- Noise
- Drink driving
- Drink walking
- Ruins the area’s reputation

Statistics (2010):

- 31% of driver & pedestrian deaths are the result of drivers having a blood alcohol reading over .05%
- Up to 80% police work is alcohol and drug related, including drink driving, property crime, assaults and domestic violence.
- Alcohol was involved in 8,196 hospital admissions and 43,238 bed days. The total cost of this hospitalisation in 2010 was over $30 million dollars
- Days off work due to alcohol cost industry $1B per year in accidents & sickies
- 1/3 of all Road deaths in Australia; 6,500 deaths in 1992 across Australia with intangible cost of $377.1 million
- Domestic violence, physical & sexual, 50% are alcohol related.
- 40% of violent crimes, and 70-80% of night-time assaults are alcohol related
- Alcohol affects 34% of homicide offenders and 31% of victims

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Duty of Care

Each State and Territory in Australia has its own law surrounding the sale and service of alcohol and underpinning each is the concept of Duty of Care. It means that we all have to keep in mind that our actions can have an effect on others and that this effect may be negative or cause them harm.

We all have a duty of care to keep in mind that what we do, or what we don’t do can have an effect on others. In this situation, managers and staff have a duty of care to make sure that all people are safe from harm when on the premises as well as when they leave.
In the case of the service of alcohol, this concept of duty of care goes even further. Vicarious liability is also a consideration to be made—especially by licensees and management. Vicarious Liability means that as a licensee or manager, you may be held to be legally responsible for the actions of those under your supervision. That is, if your staff commit an offence under the Licensing Act, you may be deemed to have committed the same offence. It makes sense then, to ensure that your staff are properly trained and fully aware of their responsibilities.

Also, licensees and managers have a duty of care to their staff under the State’s Occupational Health and Safety Law. This means that employers have the responsibility to ensure a safe workplace as well as safe systems of work in their workplace. Not serving alcohol responsibly may put your staff at risk.

Employers are responsible for all people on the premises. This includes:

- The customer who is served alcohol
- Other customers who are present
- Staff
- Anyone else who might be affected by the service of alcohol in or around the premises.

The concept of duty of care is important.

Service staff have a duty to attend to the well-being and safety of patrons as agents of the licensee. This duty does not automatically expire when the patron leaves the licensed premises but may remain for some time depending on the level of intoxication of the patron.

Observing responsible server practices and adhering to house policies will assist licensees and service staff in meeting their duty of care to patrons. It is important that all persons involved in the sale or supply of liquor have been properly inducted into the workplace.

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Section 1 ► Slide 9

Who Should NOT be Served?

There are THREE (3) people that CANNOT be served or supplied liquor under the liquor act:

- Minors
- Unduly intoxicated
- Disorderly

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Section 1 ► Slide 10

Who Should NOT be Served? - Minors

A minor is a person who is under 18 years of age.

Under state legislation minors are not permitted to be on licensed premises, and as a licensee, it is your responsibility to ensure minors do not gain entry to licensed premises.
The forms of ID are acceptable in licensed venues:

1. A current photographic Australian driver license or learner permit
2. A current passport (from any country)
3. A photographic proof of age card (18+ Card) issued under the law of an Australian state or a territory such as a Victorian Keypass, or a WA proof of age card.

In Queensland foreign driver licenses are also accepted as evidence of age providing the license has a photo and date of birth of the license holder. Where a foreign driver license is not written in English, an international driver permit issued in the foreign country of origin (and including a photo of the license holder and translation) must be presented with the foreign driver license.

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Who Should NOT be Served? - Unduly Intoxicated Patrons

"Unduly intoxicated" means a state of being in which a person's mental and physical faculties are impaired because of consumption of liquor so as to diminish the person's ability to think and act in a way in which an ordinary prudent person in full possession of his or her faculties, and using reasonable care, would act under like circumstances.

Management, as part of their risk assessed management plan, may formulate a written policy to deal with these situations so that all staff have a clear understanding of their responsibilities and steps to be taken.

You should be sure of your reasons for refusal of service and these reasons should not be discriminatory (race, sex etc.). A person has the right to take the matter to the Human Rights and Equal Opportunity Commission if they feel they have been subjected to discrimination. Remember, if the patron who just walked in is slurring, it does not automatically mean they are unduly intoxicated. The person may have a disability. Common sense must be applied in each case.

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Who Should NOT be Served? - Disorderly Patrons

A disorderly patron:

- Does not need to be intoxicated or unduly intoxicated.
- Could be sober or under the influence of another substance.
- If permitted to remain on the premises, the potential for harm to staff or patrons is present.
- Some outward signs of this individual would be:
  - Aggressiveness
  - Carelessness
  - Violent
  - Disruptive
  - Argumentative
  - Boisterous
  - Effecting patrons comfort/enjoyment level

Section 1 ► Slide 13

Intoxication guidelines - Queensland

The Liquor Act 1992 defines undue intoxication as:

'A state of being in which a person's mental and physical faculties are impaired because of consumption of liquor so as to diminish
the person’s ability to think and act in a way in which an ordinary prudent person in full possession of his or her faculties, and using reasonable care, would act under like circumstances.

Under the Liquor Act, it is an offence on licensed premises to:

- Sell/supply/provide liquor to an unduly intoxicated patron.
- Allow another person to supply an unduly intoxicated patron with liquor.
- Allow an unduly intoxicated patron to consume liquor.
- Be an unduly intoxicated patron.

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Section 1  ► Slide 14

Intoxication guidelines - Western Australia

Under the Liquor Control Act 1988, a person is ‘drunk’ if:

- They are on a licensed or regulated premises; and
- Their speech, balance, co-ordination or behaviour appears to be noticeably impaired; and
- It is reasonable in the circumstances to believe that their impairment results from the consumption of liquor.

Under the Act, it is an offence for any person on a licensed or regulated venue to:

- Sell or supply, or permit the sale or supply of liquor to a drunk person;
- Allow or permit a drunk person to consume liquor;
- Obtain or attempt to obtain liquor for a person who is drunk to consume; or
- Aid a person who is drunk to obtain or consume liquor.

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Section 1  ► Slide 15

Intoxication guidelines - Northern Territory

Under the Northern Territory Liquor Act, it is an offence to sell or supply liquor to an intoxicated person. The onus is on the licensee and their employees to prove that the customer was not intoxicated at the time of sale.

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Section 1  ► Slide 16

Intoxication guidelines - South Australia

Under the Liquor Licensing Act 1997, it is an offence for liquor to be sold or supplied on licensed premises to an intoxicated person and in circumstances in which the person’s speech, balance, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor.

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Section 1  ► Slide 17
Community Impact Statements (CIS)

A Community Impact Statement ('CIS') is an assessment of the likely social and economic impacts on the local community area, which may result, should an application for changes to a liquor licence, or a new liquor licence, be approved.

Some factors that should be considered when defining the local community area include:

- Patron characteristics;
- Size and type of site (e.g. Local tavern, RSL, sporting or community club);
- Size and distribution of membership base (for club sites only);
- Distance;
- Physical barriers to site access (e.g. Major roads, waterways);
- Location of other venues;
- Cultural or social factors; and
- Population density.

It is not appropriate to base the selection of the local community area on a single factor alone. Rather, a combination of factors should be considered.

Applicants for most new licences will be required to complete a Community Impact Statement (CIS) and Risk Assessed Management Plan (RAMP).

Variations of licences (including conditions and extended hours) will also require a CIS and a RAMP.

If a venue is requesting a change to an existing licence, or an approval of a new licence, then a notice must be erected on the site of the application, notifying people within the local community of the proposed changes.

Community club applications will only require a CIS if so directed by the chief executive.

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Section 1 ► Slide 18

Penalties

The following are examples of maximum fines for different offences based on QLD legislation as of September 2014. (Penalties vary regularly and are different for each state or territory. To find the current penalties for your state visit your governing body’s website.)

NB: Opening time for a licensed premises is 10AM unless the venue has specific permission to do otherwise.

**Maximum Fines for Licensee and Managers**

- Supplying liquor to a minor: $27500
- Supplying liquor to a person who is unduly intoxicated: $55000
- Supplying liquor to a person who is disorderly: $55000
- Engaging in promotions encouraging rapid or excessive liquor consumption: $11000
- Failure to provide a safe environment in and around premises: $11000
- Sale of liquor after authorized trading hours: $11000
- Allowing liquor to be consumed on premises after authorized hours: $11000
- Breach of lockout conditions: $11000
- Failure to confiscate fake ID and give to an investigator: $2750
- Failure to maintain confidentiality while checking identities: $3850
- Failure to comply with closed circuit television conditions: $11000
- Licensee employs unlicensed crowd controllers: $11000
- Failure to display appropriate signage: $2750
- Failure to provide water free or at a reasonable cost: $11000
• Failure to comply with any condition on the licence: $4400 (if the premises is not in a restricted area)

**Maximum Fines for Bar/Security and Other Staff**

• Supplying liquor to a minor: $8800  
• Supplying liquor to a person who is unduly intoxicated: $8800  
• Supplying liquor to a person who is disorderly: $8800  
• Failure to confiscate fake ID and give to an investigator: $2750  
• Failure to maintain confidentiality while checking identities: $3850  
• Sale of liquor after authorized trading hours: $11000  
• Allowing liquor to be consumed on premises after authorized hours: $11000  
• Breach of lockout conditions: $11000  
• Failure to provide water free or at a reasonable cost: $11000  
• Failure to comply with any condition on the licence: $4400 (if the premises is not in a restricted area)

**Maximum Fines for Patrons**

• Non-exempt minor on licensed premises: $2750  
• Minor consuming or possessing liquor in a public place: $2750  
• Minor to be drunk in a licensed venue: $2750  
• Minor falsely representing himself or herself to be of age: $2750  
• Supplying liquor to a minor: $8800  
• To consume alcohol in a public place: $110 on-the-spot  
• To be drunk in a licensed venue: $2750  
• To refuse to leave a licensed premises when asked or try to enter when you have been refused entry: $2750  
• To be drunk disorderly or to create a disturbance on licensed premises: $2750  
• To give an evidence of age document to another person: $5500  
• To provide a false name, address or age: $2750  
• To fail to provide your name, address or age on request to an officer: $2750

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**Section 1 ► Slide 19**

**RSA Initiatives & House Policies - Recommendations**

The following are 10 recommendations, as well as examples of house policies that a venue might implement to address each recommendation:

1. Responsible Service of Alcohol:  
   1. no shots  
   2. no double spirits  
   3. all staff must be RSA trained  
2. Minors:  
   1. no minors are to be at the bar  
   2. check ID for anyone who looks under 25 years of age  
3. Unduly Intoxicated & Disorderly Patrons:  
   1. staff are allowed to refuse service or management must do the refusal  
4. Security:  
   1. premises to have licensed security guards and cameras  
5. Staff Training:  
   1. all staff must achieve RSA either before they commence work or within 30 days of employment  
   2. RSG is also mandatory if venue has gaming  
6. Promotions:  
   1. management do not heavily discount or offer free alcohol to encourage drinking for drinking’s sake.  
   2. management does not promote activities that encourage harassment of patrons or staff.  
7. Responsible Hospitality Practices:  
   1. supply food and water (free or at a reasonable cost)  
   2. banning of glass (venue specific)  
8. Noise and Amenity:
1. all venues will have their own decibel limits regarding music

9. Consultation with the Community and Key Stakeholder Groups:
   1. the venue is active in Liquor Industry Action Groups (LIAG)
   2. discuss issues with local police, other licensed premises and local taxi drivers

10. Compliance with Laws:
   1. Liquor Act 1992
   2. Security Providers Act 1993
   4. Industrial Relations Act 1999
   5. Workers Compensation and Rehabilitation Act 2003
  10. Tobacco and Other Smoking Products Act 1998
  11. Fire and Rescue Service Act 1990
  12. Local by-laws outlined by Local Government

Note: If you are responsible for developing RSA initiatives, remember to include each of the ten accountabilities and the underlying points that you should consider when writing the relevant document.

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Section 1 ► Slide 20

RSA Initiatives & House Policies

What is a house policy?

- A set of rules and regulations that are set by the venue’s management
- While the rules can be venue specific they also have to be compliant with laws and regulations
- Should be read during your induction and it is your responsibility to read it, understand it and sign it as an agreement
- Management must keep a register of all staff who has read their House Policy

A House Policy could contain:

- Management’s commitment to the training of all staff in responsible serving.
- A commitment to serving patrons in a friendly, responsible and professional manner.
- Procedures for dealing with minors and intoxicated patrons
- The role staff should play - how far to go. Do staff call management or security?
- What assistance is offered - taxi, food, coffee?
- Detailed list of what behaviour would constitute refusal of service
- To record the incidents of refusal of service, details of fights or problem patrons.
- The role of security staff and who should be refused entry.
- A commitment to provide a range of interesting light or non-alcoholic beverages for drivers such as mocktails, fresh juices or a range of coffees.

What types of things could RSA initiatives or house policy contain?

A House Policy contain a range of issues that are recommended by the Office of Liquor and Gaming, however some of these recommendations will be relevant to your venue - so reading your house policy is very important during your induction.

As an employee, how can a list of RSA initiatives help you to implement RSA?

The house policy can help you in various situations as you can refer to this and it gives you back up and supports your decision.

You are able to provide accurate information to patrons on alcoholic beverages according to house policy or government legislation. This can be achieved by:

- Compulsory signage displayed within the premises
- Verbal discussions with patrons
- Having fact sheets available for patrons to view
Section 1 ► Slide 21

RSA Initiatives & House Policies - Signage

Liquor laws require licensees to display signs in their premises. These mandatory signs provide responsible serving and drinking information for patrons and staff.

What liquor signs are required for your venue?

Hotels and registered clubs usually require two or three types of liquor signage. For packaged liquor and for on-premises licences (e.g., restaurants) one or two types of liquor signs are required. Signs must be purchased from the applicable Liquor Licensing body for that particular state. They cannot be reproduced or customised by venues.

A selection of mandatory signs have been pictured below.
Under 18 - refers to legal implications and penalties for serving alcohol to minors, and what ID is valid - in this instance it is for the state of Victoria. States will have different images and penalties. It is important you become familiar with the signage for the state you choose to work in.

Intoxicated/Drunk/Disorderly - refers to legal implications and penalties for serving intoxicated persons or for having them on your premises.
Section 2

Section 2 ► Slide 1

What is RSA and what does it really mean?

RSA means serving and supplying liquor in a responsible manner and in accordance with the law. It means that licensees and staff who sell or supply liquor are required to conduct their business in a responsible manner. Licensees, managers and staff may all be held accountable for their actions.

Customers come to our venues to have a good time and sometimes to drink alcohol. To minimize harm how can we STOP people becoming Unduly Intoxicated?

Some effective RSA strategies could be:

- Offering food
- Offering water
- Discussing the law with the patron

Talk to the patron's friends to help control them.

Section 2 ► Slide 2

Benefits of RSA

To Licensees or Owner

- No fines
- Healthier work place

To Staff

- More employable
- Reduce the risk of fines as they know the law

To Community/Local Neighbourhood

- No noise
- Safer to walk the streets

To Patrons

- Feel safer
- Can bring families to the venue

Section 2 ► Slide 3
Alcohol Metabolism

Alcohol is absorbed into the bloodstream through the walls of the stomach and intestines. It is then carried by the bloodstream to the brain and other organs. Even small amounts of alcohol affect the normal functioning of the brain.

Intoxication commences when the first drink of alcohol enters the body and can affect a person’s behaviour within minutes. Even small amounts of alcohol affect the normal functioning of the brain.

When alcohol builds up in a person’s bloodstream it affects behaviour. At some stage, the loss of control becomes so great that the person is considered to be ‘unduly intoxicated’. The time taken will vary from person to person as there are several factors that can also affect timing.

What factors can affect the timing of when someone becomes ‘unduly intoxicated’?

- Not having eaten any food
- Drinking in the sun
- Sculling
- Being tired
- High percentage alcohol in the drink
- Rate of drinking
- Gender
- Size of the person
- Experience

Sobering Up

The liver is the main organ in the body responsible for removing alcohol from the bloodstream. A healthy liver can remove about 1 standard drink in 1 hour.

Even after the person stops drinking, the level of alcohol in the blood can rise as it is gradually absorbed.

It takes a healthy liver approximately one hour to process one standard drink; therefore, if a person drinks 10 pots of beer, the accumulated alcohol will take at least 10 hours to leave their system.

If they have 2 glasses of wine (200ml), it will be 4 hours before all that alcohol leaves their system.

The following methods have NO effect in reducing the level of alcohol in a person’s body.

- Coffee
- Shower
- Going to the toilet
- Vomiting

The only way to sober up is to give your body TIME to process the alcohol consumed.

Section 2 ► Slide 4

Alcohol’s Effects

Alcohol can have a negative impact on society through:

- Family & Relationships
- Work
- Law
- Finances
Alcohol consumption has been linked to many health problems. Below are some examples.

**Health**

Short Term Effects

- Sleep disruptions
- Fatigue
- Depression
- Hangovers and headaches

Long Term Effects

- Damage to unborn babies
- Impotency or Infertility
- Cirrhosis of the liver
- Mental illness
- Osteoporosis
- Stroke & Coronary Disease
- Muscle Weakness
- Stomach Ulcers & Digestive Cancers

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**Section 2 ► Slide 5**

**Avoiding the Long-Term Effects**

How do you look after yourself and avoid the short and long term impacts of alcohol?

Monitor and limit the amount of alcohol you consume over time and avoid drinking in a way that will cause the rapid or excessive build-up of alcohol in your body.

The National Health and Medical Research Council warn that a person is probably harming their long term health if:

- They are male and have more than 4 standard drinks per day
- They are female and have more than 2 standard drinks per day

There should be at least 2 or 3 days a week when a person does not drink alcohol at all. It is not safe to add up the daily limit and drink it in one weekly binge.

Regular drinking above these recommended levels can damage health. Pregnant women, or women trying to become pregnant, should not drink alcohol at all. Alcohol exposure during pregnancy can lead to adverse effects such as:

- Spontaneous abortion
- Low birth weight
- Attention and learning difficulties
- Foetal Alcohol Spectrum Disorder (FASD). This is a term used to describe a range of disabilities and effects that may arise from prenatal alcohol exposure. It includes several syndromes and birth defects.

Over the short term (on any one day) it is considered high risk drinking to consume:

- 11 standard drinks for men, and
- 7 standard drinks for women.
These levels of consumption will substantially increase the likelihood of accidents and injury.
Serving alcohol in standard quantities is one way of managing the risk associated with the consumption of alcohol.

Section 2 ► Slide 6
Standard Drinks - Part 1

The concept of a 'standard drink' is a measure not of how much liquid has been consumed, but how much pure alcohol has entered the system. The National Health and Medical Research Council defines a standard drink as one that contains 10 grams of pure alcohol.

All cans, bottles and casks containing alcoholic beverages are required by law to be labelled with the approximate number of 'standard drinks' they contain.

The term 'standard drink' should not be confused with a serving of alcohol, which is often much larger - e.g. a standard drink of table wine corresponds to 100 ml of wine, whereas a typical serve is at least 130 ml.

How Much is One Standard Drink?

To keep track of how much alcohol has been consumed, drinkers should count standard drinks rather than counting glasses or containers. Counting glasses, bottles, or cans is not a reliable measure as they contain varying amounts of alcohol.

You can imagine how difficult it is to estimate alcohol consumption when large containers such as jugs and casks are shared, glasses are topped up by others, the composition of mixed drinks (e.g. cocktails or punch) is not known, and pre-mixed spirit drinks contain a variable amount of alcohol per bottle or can. In fact, even the size of drinking glasses can vary across venues.
Section 2 ▶ Slide 7

Standard Drinks - Part 2

1.1 Standard Drinks
285ml
Full Strength
4.8% Alc. Vol

0.8 Standard Drinks
285ml
Mid Strength
3.5% Alc. Vol

0.6 Standard Drinks
285ml
Low Strength
2.7% Alc. Vol

1.6 Standard Drinks
425ml
Full Strength
4.8% Alc. Vol

1.2 Standard Drinks
425ml
Mid Strength
3.5% Alc. Vol

0.9 Standard Drinks
425ml
Low Strength
2.7% Alc. Vol

1.4 Standard Drinks
375ml
Full Strength
4.8% Alc. Vol

1 Standard Drink
375ml
Mid Strength
3.5% Alc. Vol

0.8 Standard Drinks
375ml
Low Strength
2.7% Alc. Vol

1.4 Standard Drinks
375ml
Full Strength
4.8% Alc. Vol

1 Standard Drink
375ml
Mid Strength
3.5% Alc. Vol

0.8 Standard Drinks
375ml
Low Strength
2.7% Alc. Vol

34 Standard Drinks
24 x 375ml
Full Strength
4.8% Alc. Vol

24 Standard Drinks
24 x 375ml
Mid Strength
3.5% Alc. Vol

19 Standard Drinks
24 x 375ml
Low Strength
2.7% Alc. Vol
Section 2 ► Slide 8

Standard Drinks - Part 3

1.1 Std Drinks
150ml
Ave. Restaurant Serving of Red Wine 13.5% Alc. Vol

1 Std Drinks
100ml
Standard Serving of Red Wine 13.5% Alc. Vol

0.8 Std Drinks
60ml
Standard Serving of Port 13.5% Alc. Vol

8 Std Drinks
750ml
Bottle of Red Wine 13.5% Alc. Vol

43 Std Drinks
4 Litres
Cask Red Wine 13.5% Alc. Vol

21 Std Drinks
2 Litres
Cask Red Wine 13.5% Alc. Vol

1.4 Std Drinks
150ml
Ave. Restaurant Serving of White Wine 11.5% Alc. Vol

1.5 Std Drinks
100ml
Standard Serving of White Wine 11.5% Alc. Vol

1.5 Std Drinks
150ml
Ave. Restaurant Serving of Champaignee 11.5% Alc. Vol

7.5 Std Drinks
750ml
Bottle of Champaigne 11.5% Alc. Vol

7.5 Std Drinks
750ml
Bottle of White Wine 12.5% Alc. Vol

39 Std Drinks
4 Litres
Cask White Wine 12.5% Alc. Vol

19.5 Std Drinks
2 Litres
Cask White Wine 12.5% Alc. Vol

28 Std Drinks
2 Litres
Cask of Port 17.5% Alc. Vol
Section 2 ► Slide 9

Standard Drinks - Part 4

1. **30ml**  
   High Strength Spirit Nip  
   40% Alc. Vol.

2. **275ml**  
   Full Strength RTD  
   5% Alc. Vol.

3. **330ml**  
   Full Strength RTD  
   5% Alc. Vol.

4. **660ml**  
   Full Strength  
   5% Alc. Vol.

5. **275ml**  
   High Strength RTD  
   7% Alc. Vol.

6. **330ml**  
   High Strength RTD  
   7% Alc. Vol.

7. **660ml**  
   High Strength RTD  
   7% Alc. Vol.

8. **250ml**  
   Full Strength Pre-mix Spirits  
   5% Alc. Vol.

9. **300ml**  
   Full Strength Pre-mix Spirits  
   5% Alc. Vol.

10. **375ml**  
    Full Strength Pre-mix Spirits  
    5% Alc. Vol.

11. **440ml**  
    Full Strength Pre-mix Spirits  
    5% Alc. Vol.

12. **250ml**  
    High Strength Pre-mix Spirits  
    7% - 10% Alc. Vol.

13. **300ml**  
    High Strength Pre-mix Spirits  
    7% Alc. Vol.

14. **375ml**  
    High Strength Pre-mix Spirits  
    7% Alc. Vol.

15. **440ml**  
    High Strength Pre-mix Spirits  
    7% Alc. Vol.
Section 2 ► Slide 10

Standard Drinks - Part 5

One drink isn’t always one drink.

1.5
375ml Full Strength Beer
4.9% Alc. Vol

1
375ml Full Strength Beer
3.5% Alc. Vol

0.8
375ml Full Strength Beer
2.7% Alc. Vol

1.5
375ml Pre-mix Spirits
5% Alc. Vol

1.2
300ml Alcoholic Soda
5% Alc. Vol

22
700ml Bottle of Spirits
40% Alc. Vol

7
750ml Bottle of Wine
12% Alc. Vol

38
4 Litres Cask Wine
12% Alc. Vol

To minimise health risks, men should have no more than 4 standard drinks a day on average. On any one day men should have no more than 6 standard drinks.

Women should have no more than 2 standard drinks a day on average. On any one day women should have no more than 4 standard drinks.

Labels on alcoholic drink containers state the number of standard drinks they contain.

www.alcoholguidelines.gov.au
Supported by the National Alcohol and Beverage Industries Council
Section 2 ► Slide 11

Standard Drinks - Part 6

It is important to be aware that a standard drink and a standard size glass are NOT the same thing. Wine is often served in a 200ml glass. This quantity of wine contains 20 grams of alcohol (i.e. 2 standard drinks). Cocktails can contain multiple standard drinks.

To provide responsible service of alcohol, staff must be able to identify how many standard drinks are in glasses, jugs and other containers and provide assistance to customer, encouraging them to drink within appropriate limits.

One standard drink always contains the same amount of alcohol regardless of container size or alcohol type (i.e. beer, wine or spirit) however the percentage of alcohol will vary from drink to drink, therefore the total volume (ml) in a serving will also be different from standard drink to standard drink. Counting standard drinks is simply a matter of adding numbers. For example, if a person has 1 nip of spirits and two 150ml glasses of wine, they would have consumed 4 standard drinks (1+1.5+1.5 = 4). Cocktails can multiple standard drinks. For example, if you drink a cocktail that contains 30mls of White Rum (equals 1 standard drink, 15ml of Vodka (half a standard drink) and 15mls of Gin (half a standard drink) you have consumed 2 standard drinks (1 +0.5 +0.5 = 2).

In Australia all bottles, cans and casks of liquor must, by law, state the number of standard drinks they contain and the percentage of alcohol by volume in the container.

High risk drinks such as Test Tubes, Shooters, Laybacks, Yard Glasses, Jugs, Buckets and Spray bottles or Backpacks are definitely seen as promoting irresponsible consumption of alcohol behaviour.

Section 2 ► Slide 12

Blood Alcohol Content (BAC)

Blood Alcohol Content (BAC) is a measure of the amount of alcohol in the bloodstream. It can be used as an indicator of how intoxicated a person is.
It is measured by the number of grams of alcohol in 100ml of blood. For example, a BAC of .05 means .05 grams of alcohol in every 100ml of blood.

A BAC in excess of 15% can cause considerable depression of the central nervous system. Other drugs capable of depressing the central nervous system will increase the effects of alcohol on the brain.

As BAC increases it can lead to unconsciousness. In extreme circumstances, it can retard the part of your brain that controls breathing and cause death. This can occur with a BAC of greater than 0.40%.

**Drinking and Driving**

The legal limit for BAC for fully licensed car drivers is below 0.05 (gram/100ml).

The following is a basic guide to how many drinks each gender can drink before being unable to drive:

- When driving **women** should only consume **1 standard drink in the first hour**
- When driving **men** should only consume **2 standard drinks in the first hour**
- When driving **each gender** should only consume **1 standard drink per hour after the first hour**

**THIS IS ONLY A GUIDE, EACH PERSON IS DIFFERENT AND PEOPLE SHOULD NOT DRINK AND DRIVE. AS A STAFF MEMBER WE CAN OFFER TO CALL THEM A TAXI, TALK TO A FRIEND WHO HAS NOT BEEN DRINKING, OR IF YOU HAVE A COURTESY BUS YOU CAN OFFER THAT SERVICE.**

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### Section 2  ► Slide 13

**Measuring**

To ensure the correct measurement of alcohol when pouring or mixing a drink you should use a standard measuring device such as a nip measure, electronic dispenser, sample glass or jigger.

A Jigger / Measurer is a measuring cup, usually for spirits, measure made from either an unbreakable clear glass like polycarbonate or from stainless steel and has a 15ml measure at one end and a 30 ml measure at the other end.

Free flow Spirit pourer - only use with a Jigger. Without a jigger you cannot determine how much spirit you are pouring the customer.
A spirits dispenser an be either 15ml or 30ml measuring pourer with ball bearing pouring system. It fits in the top of all standard liquor bottles and pours the correct amount of spirit without the need for a jigger. In most bars, the most common spirits will have a spirit dispenser attached to the bottle. If so, there is no need to use a jigger to measure the amount of spirit to be poured. If a bottle does not have a spirit dispenser attached, a jigger is used to ensure the correct amount of spirit is poured.

Section 2 ► Slide 14

Measuring Wine

Currently, under the National Trade Measurement legislation, wine (unless it is pre-packaged, such as in a bottle or cask) does not have to be sold by a volume measure.

A standard drink of wine is 100ml and there is no requirement for wine to be sold by measured volume. How can you tell a customer how many standard drinks they are having in a glass?

Some wine glasses have a 150ml line marked on the glass, called the plimsoll line. When wine is poured to the plimsoll line, the customer is receiving 1.5 standard drinks. If your bar does not have wine glasses with plimsoll lines, seek advice from your bar manager to determine the volume of wine to be poured into each glass. Then calculate how many standard drinks are in the glass.

Section 2 ► Slide 15

Stages of Intoxication

When continuing to consume alcohol, people generally progress through a number of stages that can be classified as follows:

<table>
<thead>
<tr>
<th>Sober</th>
<th>Intoxicated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of Inhibitions</td>
<td>Impaired judgment</td>
</tr>
<tr>
<td>BAC: 0.03% to 0.06%</td>
<td>BAC: 0.07% to 0.10%</td>
</tr>
<tr>
<td>Very few physical signs are evident, but behaviour indicates a minor loss of control and inhibitions:</td>
<td>Their ability to evaluate what is going on around them is greatly reduced. They cannot recognise “inappropriate behaviour” as it relates to them and may include:</td>
</tr>
<tr>
<td>• minor loss of judgment</td>
<td>• minor loss of judgment</td>
</tr>
</tbody>
</table>

150ml Plimsoll Line
false bravado
overly friendly
mood swings

clumsiness in handling small objects (i.e. coins)
drowsy/sleepy
inappropriate speech patterns (i.e. volume, speed)
forgetting where drink was placed
increased consumption rates
irrational statements
belligerent attitude towards others, or being overly friendly (i.e. buying everyone drinks or over tipping)

false bravado
overly friendly
mood swings

clumsiness in handling small objects (i.e. coins)
drowsy/sleepy
inappropriate speech patterns (i.e. volume, speed)
forgetting where drink was placed
increased consumption rates
irrational statements
belligerent attitude towards others, or being overly friendly (i.e. buying everyone drinks or over tipping)

Unduly intoxicated

<table>
<thead>
<tr>
<th>Impaired Reactions</th>
<th>Drunk</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAC: 0.11% - 0.15%</td>
<td>Impaired Co-ordination</td>
</tr>
</tbody>
</table>

Depending on the person, loss of peripheral vision and perception of dimly lit objects usually occur at this level, but may occur at previous level and may include:

- diminished ability to concentrate or follow a train of thought for a period of time
- difficulty in opening a door or holding a glass
- lighting the wrong end of a cigarette
- problems breathing i.e. hyperventilate
- excessive perspiration
- glassy/bloodshot eyes
- poor reactionary movements
- flushed appearance
- bumping into objects and other people

Drunk

At this level signs are obvious and include:

- swaying or slumping while seated
- staggered walking
- hampered muscle control
- double vision
- aggressive behaviour
- numbing of senses
- delays in responding to questions
- not hearing or understanding what others are saying
- asleep in a corner or on the bar
- vomiting
- risk of alcohol poisoning

Section 2 ► Slide 16

Illicit Drugs

The same rules that apply to excessive alcohol consumption also apply to illicit drug taking. NOT ACCEPTABLE!

The same signs of an intoxicated person as listed previously may not be contributed by alcohol consumption. Staff need to look out for these noticeable signs as outlined on the previous slide. Patrons that show signs of intoxication may not be drinking alcoholic drinks. This means they could be taking illicit drugs or medication. Under no circumstance should you provide Alcoholic beverages to these patrons. They must be escorted off the premises, and provided with a safe passage home. Any substance that can cause the human body to become intoxicated to excess must not be continually fuelled by more Alcohol.
Section 3

Section 3 ► Slide 1

Minors - Part 1

On licensed premises (or at a place adjacent to licensed premises), minors cannot be:

- sold liquor
- supplied liquor or allowed to be supplied liquor, or
- allowed to consume liquor

By including a “place adjacent to licensed premises” offences around bottle shops or other venues are captured.

If you deliver alcohol to a person's home you must check the ID of the person accepting the alcohol.

Who is considered a minor?
The Acts Interpretation Act 1954 states that “minor” means an individual who is under 18. Therefore any person under the age of 18 years in Queensland is considered a minor.

Minors are considered a target group at risk when it comes to liquor, why?

- Minors are not mentally and physically developed and the consumption of liquor can affect their growth both physically and mentally
- Minors do know their limits and are testing themselves
- Peer pressure

Section 3 ► Slide 2

Minors - Part 2

This video scene looks at the consequences for minors being served and consuming alcohol on licensed premises. As you watch the scene, have a think about the consequences for everyone

Watch Video / Read Transcript

Something to think about

- What steps should a bar attendant have taken when the patrons approached the bar?
- What should the management do to prevent this situation from occurring?
- In the video there were certain penalties spoken about, but have a look at the penalties page and think about what could have the MAXIMUM FINES been? In this situation:
  - To the patron: (up to) $5,000
  - To the licensee: (up to) $25,000
  - To the bar attendant: (up to) $8,000

Note: Jason the staff member in this scenario will not receive a fine as he has NOT completed an RSA course, hence as the manager will now receive the fine.
Section 3 ► Slide 3

Minors - Part 3

It is also an offence for a minor to be on licensed premises unless they are an "exempt minor". Licensees and staff are required to ensure that minors are not on the premises and remove them from the venue as soon as they are found.

Here are some times a minor permitted on licensed premises:

- When working
- When attending private functions
- When accompanied by a responsible adult

"Exempt minor" means a minor on premises where:

- The minor is a resident on the premises, or
- The minor is on the premises to:
  - perform duties as an employee of the owner or occupier of the premises, or
  - perform duties in the conduct of a lawful business, or
  - perform duties while receiving training for employment or work experience, or
- The minor is attending a function being held on the premises, or
- The premises are premises for which there is a club license or restricted club permit and the minor's presence does not contravene the club's rules or a condition of the license or permit, or
- The minor is on the premises for a purpose and is approved by the chief executive, or
- The minor:
  - is eating a meal on the premises, or
  - is accompanied by a responsible adult who is responsibly supervising the minor

Each of the following persons is a responsible adult for a minor:

- A parent
- Step-parent or guardian of the minor
- An adult who has parental rights and responsibilities for the minor

Section 3 ► Slide 4

Minors - Part 4

The following types of ID are acceptable to prove age:

- A current Australian driver’s or rider’s license/permit or learners permit
- A current Australian or foreign passport
- A foreign driver’s license - Where a foreign driver’s license is not written in English, an International Drivers Permit issued in the foreign country of origin (and including photo of license holder and translation) must be presented with the foreign driver’s license.
- A current State or Territory Government issued proof of age card in QLD we call it an 18+ card.
- Other current approved ID cards are:
  - Victorian Keypass
  - Foreign driver’s license

Here are some aspects of checking an ID

- Familiarise yourself with the built-in security features for each ID card.
• It is suggested that staff actually look for anyone under 25 years of age, this way staff will be screening a wider range of people and will pick up those minors who do look older than they really are.
• Take the ID card from the patron and run fingers over it.
• Feel for ridges between the photo and the card.
• Check the eye colour and height.
• Check for obvious scratching, use of permanent markers, any smudges in print or possible blurring of typed dates of birth.
• Look for the Queensland Coat of Arms in the laminate, or holograms for other states.
• To assist in verifying the personal details ask the person their star sign, year or month of birth.
• Additional supplementary ID that could be requested to back up photo ID includes:
  o Medicare card
  o Credit or charge card
  o Other IDs with signatures.

Section 3 ► Slide 5

Minors - Part 5

It is an offence for a person to falsely represent themselves to be 18 years old with the intent to enter a licensed premises or being supplied with liquor.

What should you do if you believe that an ID presented to you is fake, or is a genuine ID being used by another person?

It is an offence for a person to falsely represent themselves to be 18 years old with the intent to enter licensed premises or being supplied with liquor. If staff are shown ID that has been tampered with or believe it is being used by the wrong person, staff must:

• Confiscate the ID
• Forward it to your state regulatory body with details of the incident

Licensees and bar staff are not the only ones who may face disciplinary action. The minor and anyone who tampered with the ID or allowed the minor to use their ID may face fines.

What should you do when a patron you believe may be a minor is unable to produce ID upon request?

No ID No Entry!!!!

If there are any doubts about the person being 18 years of age, staff should refuse service or refuse entry to the establishment (if minors are not allowed to be there).

Section 3 ► Slide 6

Minors - Part 6

Watch the following video which presents a scenario where Minors purchase alcohol:

Watch Video / Read Transcript

Do you know the following fines apply if anyone under 18 drinks alcohol?

• You: $2,500
• Management: $25,000
• Staff: $8,000

We can't afford that.

Can you?

---

**Section 3 ► Slide 7**

**Unduly Intoxicated - Part 1**

'Unduly intoxicated' means a state of being in which a person’s mental and physical faculties are impaired because of consumption of liquor so as to diminish the person’s ability to think and act in a way in which an ordinary prudent person in full possession of his or her faculties, and using reasonable care, would act under like circumstances.

The most effective way for licensees and staff to determine if a person is unduly intoxicated is to observe behaviour and signs of changing behaviour.

Some obvious signs of undue intoxication include:

- Bumping into or knocking over furniture
- Falling down
- Swaying and/or dozing while sitting at a bar or table
- Clumsy or uncoordinated movements
- Stumbling or change in walking
- Crude behaviour
- Spilling drinks or the inability to find one’s mouth with a glass
- Inappropriate sexual advances
- Annoying other customers and employees
- Glassy eyes, lack of focus, loss of eye contact
- Becoming careless with money, buying rounds for strangers
- Becoming loud and boisterous and making comments about others
- Aggression or belligerence
- Becoming agitated or argumentative
- Inability to light a cigarette
- Letting a cigarette burn in an ashtray without smoking it
- Inability to pick up change from table/bar
- Rambling conversation, loss of train of thought
- Altered speech patterns, such as slurred speech
- Making irrational or nonsensical statements

It is an offence to sell liquor, supply liquor or allow supply of liquor to a person who is unduly intoxicated.

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**Section 3 ► Slide 8**

**Unduly Intoxicated - Part 2**

Staff can refuse service to a patron if they display signs of intoxication, it is up to the individual staff member and each case is different.

If you feel a customer has consumed too much alcohol and you consider them 'Unduly Intoxicated' you can refuse them service and offer them water or alternatives.
If they are too intoxicated and they are to leave your venue (reminder that the person IS allowed to stay on premises if they have been refused but depending on the house policy they may have to leave).

Watch Video / Read Transcript

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**Section 3 ► Slide 9**

**Disorderly**

A disorderly person is someone whose behaviour and/or language are such that it may interfere with the safety and/or comfort of those around them. If a person is deemed to be "disorderly" they are to be warned about their behaviour/language and if it continues they will be refused the service of alcohol and requested to leave the premises (whether or not they have consumed any alcohol).

To be disorderly a person does not need to be intoxicated or unduly intoxicated. This person could be sober or under the influence of another substance. Some outward signs of this individual would be:

- Aggressiveness
- Carelessness
- Violence
- Disruptive behaviour
- Argumentative behaviour
- Boisterous behaviour
- Behaviour affecting patron's comfort/enjoyment level

Staff can refuse service to a patron if they display signs of being 'Disorderly'. It is up to the individual staff member and each case is different.

If you feel a customer has been rude, aggressive or any other of the above signs and you consider them 'Disorderly' you can refuse them service and offer them water or alternatives.

If they are aggressive and they are to leave your venue (reminder that the person IS allowed to stay on premises if they have been refused but depending on the house policy they may have to leave) you can offer them a taxi or call a friend.

It is an offence to sell liquor, supply liquor or allow supply of liquor to a person who is disorderly.
Section 4

Section 4 ► Slide 1

Refusal of Service

Service may be refused at any time for non-discriminatory reasons. For example, you may refuse service when patrons do not meet dress standards. However there are times when you are required by law to refuse service of liquor, e.g. Where a patron is unduly intoxicated, disorderly or you suspect the patron is under 18 years. What are the main reasons for refusal of service?

- The law requires it - e.g. minors or unduly intoxicated or disorderly persons.
- Safety of the patron - the consumption of liquor is placing their safety in jeopardy.
- Safety of others - the consumption of liquor by a particular patron is placing the safety of other patrons in jeopardy.
- Civil litigation - the licensee may be held responsible for not adhering to Points 1-3, should an unduly intoxicated patron endanger their safety or the safety of others.

Here are some Do’s and Don’ts for professional refusal of service below. Do

- Notify the manager/licensee/supervisor or security. Also notify other bar staff that you have refused service to the patron.
- Be polite and avoid value judgements.
- Point out posters/signs behind the bar to reinforce your decision, eg ‘No More - It's the law’.
- Explain the reason for refusal of service (eg. continued bad language, inappropriate behaviour).
- Offer non-alcoholic beverages instead, or to phone a taxi or a friend to drive them home. DO make sure that they leave the premises safely and that they don’t hang around outside.
- Enter incidents relating to refusal of service in a log book, which should be kept behind the bar.
- Contact security or management if you feel that you, other staff or the patrons are at risk.

Do NOT

- Be rude
- Be aggressive
- Be persuaded to give them ‘one last drink’
- Argue
- Touch the patron

An Example

Watch Video / Read Transcript

After watching the video, make a note of what John the manager and the bar Attendant do and say. The Bar attendant and John both displayed and demonstrated the following:

- Firm voice
- Politeness
- Stated the legal consequences
- Explained that the customer was welcome back

Refusing Some Types of Service

The following types of requests should be refused using the same methods as above:

- jugs of spirits and mixers
- large samples
laybacks
multiple samples for self-consumption
rocket fuel
shooters
test tubes
yard glasses

Section 4 ► Slide 2

Security - Part 1

Crowd Controller Incident Register
When crowd controllers work at a public venue, a register must be kept with details of the controllers on duty and any incidents that occur. OLGR or Fair Trading investigators and police can inspect the register at any time.

The register must contain:

- Name, residential address and license number of crowd controllers
- The security firm's name and address
- Details of the crowd controller's identification (e.g. the ID number issued by the venue)
- Start and finish times for each controller
- Details of every incident in which a person is injured, or removed from a public place by the crowd controller

Refusing Entry to Premises
A licensee, employee or agent (e.g. security) may refuse entry to the premises if a person is:

- Unduly intoxicated
- Disorderly
- A minor (unless the minor is otherwise allowed on the premises)
- Suspected of being a minor and the person fails to produce acceptable identification.

Section 4 ► Slide 3

Security - Part 2

Eviction
The licensee, an employee or agent (e.g. security) may require a person to leave the venue, if the person:

- is unduly intoxicated
- is disorderly
- is creating a disturbance
- is a minor (unless the minor is otherwise allowed on the premises)
- has been refused entry
- has refused to provide evidence of age when required to do so

The Liquor Act 1992 requires the person to leave when asked to do so. A liquor licensing investigator or police officer is able to issue an on-the-spot fine of $440 if the person refuses to leave. Alternatively, the matter may be dealt with by the courts and the offence may result in a fine of up to $2,500.

Preventing Patron Problems
The best way to prevent dealing with patron problems is not to allow them to escalate in the first instance.
To assist in security and safety management, the licensee, staff and security need to monitor:

- Patron levels of undue intoxication
- Known problem patrons
- Rowdy groups
- Venue entry points for undue intoxication and minors
- Potential problems in and around the venue
- That patrons refused entry or evicted are moved on and don’t re-enter.

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**Section 4 ► Slide 4**

**Security - Part 3**

**The Ratios for Security**

Security providers must maintain surveillance outside the licensed premises for at least one hour after the designated closing time of the premises (which includes the 30 minute ‘grace period’ that commences at closing time).

Licensees must employ the following ratio of security providers to patrons:

- 1 to 100 patrons or part thereof - one security provider
- 100 to 200 patrons - two security providers
- 200 to 300 patrons - three security providers
- 300 to 400 patrons - four security providers
- 400 to 500 patrons - five security providers
- plus at least one security provider for every 250 patrons (or part) thereafter.

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**Section 4 ► Slide 5**

**Dealing With Aggression**

There will be times when a patron becomes aggressive. Remember the following tips when dealing with an aggressive patron.

**Never meet aggression with aggression.**

Being aggressive doesn’t solve the problem, it only makes it worse. Use calm, relaxed body language to take the heat out of the situation and to avoid presenting a challenge or a threat.

**A lot of aggression in licensed premises is about status.**

Being seen to be tough and macho, so try to move the offender away from their audience;

**Always be clear about your decision**

Whether you want the offender to leave the premises, stop drinking, or just sit down and behave, make sure this is clearly understood. Any doubt or ambiguity will cause further argument and aggression.

**Never allow a confrontation to get personal.**

When you refuse someone, give reasons based on the law, or house policy, and you make it clear that there is not personal dislike or criticism involved. Above all, make sure that offenders keep their dignity. ‘Let them have the last word’, even when this means swallowing your own pride.
Peace-keeping Tips

Some more tips for dealing with aggression.

- **Breathe (don’t panic)** – calm before control
- **Assess the situation** for your own personal safety and the safety of others
- **Be calm** and never respond to aggression
- **Try to diffuse the situation** and reduce the interest from other patrons
- **Never meet aggression with aggression** – this will frequently escalate the situation
- **Use calming language and calming body language** – keep an open stance with palms open.
- **Be clear** and introduce yourself and your role
- **Ask their name** - this can assist in defusing the situation
- **Speak clearly** and do not appear condescending.
- **Be clear** and introduce yourself and your role
- **Where required, speech should be polite, but firm**, directive and not ambiguous.

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**Section 4 ► Slide 6**

**Drink Spiking**

In recent times drink spiking has become common and there is increasing concern about the dangers of drink spiking on licensed premises. It is the practice of putting a substance (usually a drug) into a person’s drink without them knowing.

**Drink spiking is a criminal offence with a five-year jail term.**

Drink spiking is not only placing illicit drugs into a drink. It may well be ordering drinks for people with extra shots of alcohol, such as vodka. This has direct implications in the responsible serving of alcohol.

Management should think of having a policy about the number of standard drinks they will serve in any one glass. Some establishments have a 2 standard drinks policy and will serve no more than 2 shots in any one drink. If a request for a cocktail with more than 2 alcoholic ingredients is received, then half shots are poured. Check what your venue’s policy is.

Licensees are especially encouraged to ensure staff place ‘unattended drink’ cards over drinks temporarily left by patrons. Ideally, the graphic personal nature of the warning on these cards will discourage patrons from leaving their drinks unattended.

**What Do I Do?**

If a person suddenly appears to develop the symptoms of being unduly intoxicated or acts in an outrageously provocative manner, take the following actions:

- Go to the person and offer assistance
- Find out if they have a trusted friend in the venue who can help them get home
- If they become sleepy while you are speaking to them, there is a good chance they are the victim of drink spiking - carefully watch the person and arrange for a manager to assist them
- Take the person’s drink in its original container and give it to a manager for safekeeping in a secure location
- If possible, only touch the lowest part of the container and place it in a plastic bag. The drink may be crucial evidence in finding an offender.
- Call an ambulance and the police if the person appears to have been drugged
- if you are suspicious of anyone in the company of the victim, ask for their ID and take note of details
- If someone collapses and is unconscious call an ambulance immediately - but don’t leave them alone.

**Staff can help by:**

- getting any affected person to a safe, quiet place and stay with them;
- call an ambulance if they become unconscious;
- ensure that the person who is assisting them home is indeed a friend
always record what has happened and what action was taken in the incident register
all drink spiking incidents should be reported to police.

Section 4 ► Slide 7

Barring

A licensee or the licensee’s approved responsible person may, by order served on a person, bar the person from entering or remaining on the licensed premise for a specified period.

A person can be barred;

- If the person commits an offence, or behaves in an offensive or disorderly manner, on or in an area adjacent to, the licensed premises.
- If the licensee or the approved responsible person is satisfied that the welfare of the person, or the welfare of persons residing with that person, are seriously at risk as a result of the consumption of alcohol.
- On any other reasonable grounds

Barring periods may range from;

- A period of up to three months for a first barring, or a longer period as approved by the Liquor and Gambling Commissioner.
- Up to six months for a second barring, or a longer period as approved by the Liquor and Gambling Commissioner. Indefinitely for a third barring.
- In addition, a licensee may bar a person indefinitely (or for a specified period) in the case of the welfare of the barred person or that of a person residing with the barred person, being seriously at risk as the result of the consumption of alcohol by the barred person.

A person who enters or remains on a licensed premises from which he or she is barred is guilty of an offence.

Section 4 ► Slide 8

Signage

Licensed premises are required to display an exterior sign that includes the following details:

- the name of the premises;
- the name of the Licensee;
- the nature of the premises, and
- the permitted hours for the sale of liquor.

The exterior signage must be in a prominent location and in lettering at least 15 mm high.

Under the Liquor Act 1992, licensees must display the appropriate signage on the premises. These signs are available from the Office of Liquor and Gaming Regulation (OLGR) or other regulatory agency.

Signage - Western Australia

Signage at the entrance of the licensed premises must be displayed (with text at least 3cm high) detailing:

- Trading name of premises
- Licence type
The following documents must be on display at the licensed premises in a conspicuous position:

- The House Policy
- The Code of Conduct
- Licence Document & any other permits
- A reasonable amount of signage on Duty of Care and Harm minimisation strategies

Documents to be held on the premises and not necessarily displayed include:

- The Training register
- The Incident register
- Harm minimisation documents
- Management Plan

For those licence types in WA that are permitted to sell alcohol over the internet the following information must be included on the home page or front page of an internet website run by the premises:

- The licence number
- The class of licence
- The name of the licensee
- The address of and telephone number for the licensed premises

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Section 4 ► Slide 9

Promotions/Happy Hours - Part 1

Conditions relating to drinking practices were introduced in the Brisbane City Council area in 2006. Binge drinking has been a major factor in alcohol-related incidents in and around licensed premises and the conditions aim to curb irresponsible drinking and significantly improve the safety of patrons, hospitality employees and the general public.

Promotional activities have to be managed and planned as well as any other business activity. Poorly managed promotions have the potential to jeopardise the safety of patrons and also to disturb the peace and good order of the neighbourhood.

Responsible hospitality laws under the Liquor Regulation 2002 require licensees to:

- Engage in practices and promotions that encourage responsible consumption
- NOT engage in a practice or promotion that may encourage the rapid or excessive consumption of liquor

Licensees and permittees are also restricted in terms of particular types of promotional advertising. For example, promotions such as happy hours may be advertised within the licensed premises on which they are to be conducted, provided the promotion of cheaper drinks cannot be seen or heard from outside.

Advertising includes, but is not limited to:

- all written and oral advertising
- all types of signage external to the premises
- the handing out of flyers
- advertising over the internet
- advertising on radio or TV
- advertising in newspapers or magazines
- SMS and touting
The law does not ban the provision of free drinks, multiple drinks or promotions, just the advertising of such.

### Section 4 ▶ Slide 10

**Promotions/Happy Hours - Part 2**

<table>
<thead>
<tr>
<th>Acceptable</th>
<th>Unacceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td>• having cheap or free drinking water available</td>
<td>activities and promotions which encourage rapid and excessive consumption</td>
</tr>
<tr>
<td>• deterring the rapid or excessive consumption of liquor, for example by</td>
<td>such as:</td>
</tr>
<tr>
<td>stopping patrons from taking part in skulling games</td>
<td>• promoting or conducting skulling games</td>
</tr>
<tr>
<td>• having non-alcoholic and low alcohol beverages available</td>
<td>• promoting drinks such as laybacks where a patron cannot monitor or control</td>
</tr>
<tr>
<td>• supplying liquor in standardised quantities that can be recognised by</td>
<td>their consumption</td>
</tr>
<tr>
<td>patrons such as serving spirits in nips, using glasses or jugs with</td>
<td>• consuming liquor from dispensers such as water pistols which do not allow</td>
</tr>
<tr>
<td>measured quantities, supplying liquor in labelled pre-packaged</td>
<td>a patron to monitor their consumption</td>
</tr>
<tr>
<td>containers</td>
<td>• producer/wholesalers or other persons supplying liquor on the condition</td>
</tr>
<tr>
<td>• serving patrons half measures of spirits on request</td>
<td>that it is used to promote or conduct an activity which encourages rapid</td>
</tr>
<tr>
<td></td>
<td>or excessive consumption or discourages patrons from monitoring or</td>
</tr>
<tr>
<td></td>
<td>controlling their consumption</td>
</tr>
<tr>
<td></td>
<td>• conducting free or discounted drink promotions without appropriate levels</td>
</tr>
<tr>
<td></td>
<td>of staff or security to monitor consumption levels</td>
</tr>
<tr>
<td></td>
<td>• supplying liquor in dispensers or containers that encourage rapid and</td>
</tr>
<tr>
<td></td>
<td>excessive consumption or prevent patrons from monitoring/controlling their</td>
</tr>
<tr>
<td></td>
<td>consumption</td>
</tr>
<tr>
<td></td>
<td>• yard glasses for consumption</td>
</tr>
<tr>
<td></td>
<td>• glasses which cannot be rested eg. test tubes.</td>
</tr>
<tr>
<td></td>
<td>• providing liquor to a patron while holding their EFTPOS card or other</td>
</tr>
<tr>
<td></td>
<td>property in a way that discourages the patron from monitoring or</td>
</tr>
<tr>
<td></td>
<td>controlling their liquor spending.</td>
</tr>
</tbody>
</table>

### Section 4 ▶ Slide 11

**Responsible Hospitality Practices**

Responsible hospitality means providing a safe and enjoyable environment for patrons.

It also means responsibly serving liquor, to ensure that patrons do not become unduly intoxicated and subsequently a problem for management, staff and the neighbourhood.

The QLD Liquor Regulation details what is required of licensees in the operation of their business.

What specific responsible hospitality practices can a venue implement to make the environment safe and enjoyable for all patrons?

- Supplying public telephones which display the phone numbers for taxis and emergency services
- Banning of glass
- Having licensed security
- External lighting
- Cameras
- Light or low percentage alcohol
- Allowing staff to make calls to arrange transport for patrons
- Providing appropriate lighting inside and outside the premises
Section 4 ► Slide 12

Safe Environment

The QLD Liquor Act 1992 requires licensees to provide a safe environment for employees and patrons. This safe environment also extends to “in and around” the venue. This includes ensuring that patrons entering and leaving the premises have sufficient supervision and that problem patrons immediately leave the vicinity of the venue.

In providing a safe environment, the list of safety measures that may be considered is quite extensive. Other issues that licensees should consider include:

- Regular fire and emergency evacuation training for staff
- Ensuring emergency equipment is in good order and regularly inspected
- Not promoting irresponsible promotions that encourage rapid or excessive consumption of liquor
- Ensuring patrons leave after closing and do not gather outside
- Alerting taxis prior to closing to be available for patrons, particularly on busy nights
- Displaying trading hours in a prominent position
- Ensuring that furniture and fittings are in good repair and do not contribute to accidents
- Being aware of the potential weapons some patrons may possess

Section 4 ► Slide 13

Noise and Amenity

How can you tell if your venue is a noise nuisance?

- Walk to the property line of the closest residence to the venue whilst entertainment is being conducted.
- Can you make out the words to the song? If so could the doors or windows be shut to contain the noise?
- Can you hear the bass? If so could the doors or windows be shut to contain the noise?

Are patrons singing or talking loudly on entry or departure from the venue? We can deal with it by:

- Ask them to keep it down
- Get them a cab

<table>
<thead>
<tr>
<th>Form of entertainment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person talking normally at 1 metre</td>
</tr>
<tr>
<td>Piped restaurant music</td>
</tr>
<tr>
<td>Video disk background music</td>
</tr>
<tr>
<td>Soloists/Duos</td>
</tr>
<tr>
<td>Other small bands</td>
</tr>
<tr>
<td>DJ</td>
</tr>
<tr>
<td>Small Rock Band</td>
</tr>
</tbody>
</table>

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Government Initiatives - National Binge Drinking Strategy
In 2008 the Australian Government announced the $103.5 million National Binge Drinking Strategy with an initial commitment of $53.5 million over four years (2008-09 to 2011-12) for the Department of Health and Ageing to develop local solutions by strengthening partnerships between local governments, sporting organisations, police and the non government sector to affect the environments that shape the unhealthy culture of binge drinking among young people.

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Government Initiatives - Minimum (floor) Price for Alcohol

The Federal Government asked the Australian National Preventive Health Agency to consider the issues associated with a minimum (floor) price for alcohol as a public health measure. Discussion is occurring to determine public interests to introduce a minimal price on alcohol.

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Government Initiatives - Alcohol Advertising Codes

There is increasing public concern within Australia and internationally about the effects of harmful alcohol consumption on individuals and communities, particularly young people. The effect of alcohol advertising and marketing on alcohol consumption, particularly among children and young people, is the subject of continued debate. Advertising (or marketing) is no longer confined to traditional media such as television, print, radio and billboards. Increasingly, marketing is occurring via social media, product placement, point-of-sale promotions, sponsorship of sport and public entertainment events and other communication techniques.

Research seeks to provide background information on the current state of alcohol advertising and marketing, alcohol advertising regulation and associated current issues in Australia and provides stakeholders with the opportunity to present their views to the Agency. The primary focus of the paper is the impact of alcohol marketing on children and young people and the effectiveness of current regulation in addressing community concerns. The Agency recognises that there are a number of factors and stakeholder views that need to be considered when examining this issue.

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Government Initiatives - Reduce your Risk

Research funded by the Australian Government set out for the National Research and Medical Council to advise of safe limits and recommendations for healthy adults with a focus on improving health and well-being by reducing risks of alcohol-related injury and disease across the population. Further to this, guidelines to address factors specific to children, adolescents, and pregnant and breastfeeding women with regard to alcohol consumption.

Section 4 ► Slide 18

Consultation - Part 1
Consultation with the community and key stakeholder groups
Co-operation between licensees both within and across sectors is encouraged and supported. Liquor Industry Associations, while predominantly supporting their own industry sector, do often work together on major policy and promotional activities to improve the benefits for the industry as a whole.

Similarly at a local level, licensees and managers are recognising the benefits of working together to solve local area problems and also to swap and share information and experiences. For licensees, there is much to be gained from involvement in industry regional committees, consultation groups and local action groups.

The links between licensees and other businesses should not be forgotten either. For example, the fast food takeaway that is open the same hours as the hotel or nightclub, taxi companies, security firms, council, chamber of commerce, contract street cleaners etc.

Liquor Forums and Accords also called Liquor Industry Action Groups (LIAG)
Informal licensee consultative groups have emerged across the State to provide support and information to members. A liquor forum or accord is a formalised, co-ordinated and co-operative approach by the liquor industry and other stakeholders such as council, police and state regulatory agencies to deal with alcohol related problems in a local area. The local area is usually defined by geographical boundaries, police local area or local government district.

Industry Associations
Each industry sector is represented by an industry association that provides a range of information services to members. These organisations have regional representatives with vast industry experience who can provide advice not only on responsible service, but also training, marketing, legal issues affecting their sector, workplace health and safety issues to name a few. Contact details for the main associations are provided on the following page.

Industry Unions
Relevant industry unions are also invaluable sources of information and assistance in their respective fields of expertise. They also have highly experienced regional representatives accessible across the State. Contact details are provided on the following page.

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Consultation - Part 2

Industry Associations

- Queensland Hotels Association
  - Level 3, QHA House
  - 160 Edward Street Brisbane QLD 4000
  - 07 3221 6999
- Clubs Queensland PO Box 93
  - Northgate QLD 4013
  - 55 Holland Street
  - Northgate QLD 4013
  - 07 3252 0770
- Restaurant & Catering Queensland
  - Suite 676 O’Connell Terrace
  - Bowen Hills QLD 4006
  - 07 3360 8888
- Cabarets Queensland PO Box 3056 Village Fair
  - Toowoomba QLD 4350
  - 07 4632 9300
- Queensland Golf Union
  - Unit 2 Cnr Wren St & Walden Lane
  - Bowen Hills QLD 4001
  - 07 3854 1105
- Royal Queensland Bowls Association
  - 72 Pickering Street
  - Enogerra QLD 4051
  - 07 3355 9988
- Returned Services League of Australia
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Compliance with Laws

The following laws are mandatory for licensed premises:

- Liquor Act 1992
- Security Providers Act 1993
- Industrial Relations Act 1999
- Workers Compensation and Rehabilitation Act 2003
- Food Act 2006
- Anti Discrimination Act 1991
- Business Names Act 1962
- Trade Measurement Act 1990
- Tobacco and Other Smoking Products Act 1998
- Fire and Rescue Service Act 1990
- Local by-laws outlined by Local Government

Section 4 ► Slide 21

Indigenous Issues - Part 1

How alcohol has affected the Indigenous communities

- High levels of alcohol dependency are experienced in the communities
- Poor levels of nutrition exacerbate alcohol issues
- Poor levels of literacy result in lack of understanding of the laws
- There is limited education in the communities regarding the negative impact that alcohol can have
- In remote areas, lack of employment opportunities increases the likelihood of boredom and this links to the consumption of high levels of liquor, which is a form of drug abuse
- Alcohol Management Plans (AMPs) have resulted in increasing numbers of alcohol dependant community members leaving the community and moving into regional towns, therefore increasing the level of homelessness
General Consumption
Many non-indigenous Australians often make assumptions regarding Aboriginal and Torres Strait Islander people's abilities or behaviours after drinking liquor in comparison to their own behaviour. This unfortunately produces some very ineffective and generalised arguments.

For many non-indigenous Australians alcohol has been part of their cultural ancestry for decades if not thousands of years, consequently they have built up a resistance to alcohol. In simple terms a non-indigenous Australian may be able to consume one or two standard drinks with no adverse effect.

However, an Indigenous Australian person not used to drinking after only one or two drinks may behave in a heavily intoxicated manner relatively quickly.

Like many other target groups such as women and young adult males it is essential that liquor servers identify persons who fit into these target groups and take special note of their drinking whilst on licensed premises.

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Indigenous Issues - Part 2

Refusing service of alcohol
When refusing service of liquor to Indigenous Australians there are no special methods that would be different to any other patron being served liquor at your establishment.

Remember the following:

- Staff should focus on the behaviours as the reason for refusal
- Remain consistent with the reasons for refusal
- Remain calm
- Be polite and discreet.

Refusing Service to Elders
Cultural issues impact on staff when attempting to apply refusal of service to elders, council members and respected community individuals. Staff working in community establishments needs to consider softer approaches for refusal such as:

- Seeking the support of the manager
- Seeking assistance from other patrons who are older and respected
- Using appropriate and respectful phrasing to minimise any adverse reactions.

Culturally Appropriate Days to Limit or Prevent Supply of Liquor
Appropriate advice from Councils and or Community Justice Groups is provided to instruct managers to close canteens, taverns and take away facilities on significant cultural days. This closure would come under the instruction of “at the manager's discretion”. This clause allows the community to exercise control over the access to liquor on certain days.

Prescribed days (as indicated in the specific conditions per license):

- Tombstone openings (Torres Strait Island Tradition)
- Funerals
- House Openings
- Carnivals
- Road Shows
- Community concerts
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When you have Completed this Course

When you have completed this Responsible Service of Alcohol course there are many benefits for you - for example:

- You are more employable
- You now know the rules so you won't break the law
- The venue you're working in will be safer
- Your knowledge can potentially protect you from fines

When you have completed this Responsible Service of Alcohol course there are many benefits for Licensee's - for example:

- Reduced risk of fines
- Safer work environment for customers and staff
- More patronage
- More turn over

Apart from this training program, a couple other in-house RSA training should take place

- Have frequent staff meetings
- Have all staff read and signed the house policy
- Have all staff read and signed in house memos