

## Summary of legislative changes



The objective of the Alcohol Reforms is to reduce the harm caused by alcohol. To support this objective, the following pieces of legislation have been amended.

### ***Liquor Act 1992***

- **Councils cannot hold a General Liquor Licence from 1 July 2008.** Continuation of an existing licence held by a mainland council may be granted up to a date not later than 31 December 2008 to enable the coordinated implementation of support services with the closure of the canteen.
- **Drinking in public places will be banned** to bring Indigenous communities into line with the rest of the state.
- **Roads will be included in the restricted areas.** From 1 January 2009, 'bona fide travellers' will however be able to carry alcohol in excess of the carriage limit, when driving on certain designated through-roads in some communities. These include the Savannah Way (Doomadgee) Bloomfield Track (Wujal Wujal) and Frenchmen's Road and Portland Roads Road (Lockhart River) if they can show they are going to a destination beyond the community. It will also be possible for bona fide travellers to stop at designated places such as the Doomadgee Road-House and the Bloomfield Falls car park.
- **Houses will be included in the alcohol restrictions.** This means that in a house, a person must not have any type of liquor banned under the restrictions.
- **It will be an offence to attempt to enter a restricted area with alcohol in excess of the carriage limit.** As a further deterrent for 'sly groggers', the penalty has been set at a maximum of 500 penalty units (currently \$37,500).

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### ***Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984***

- **Home-brew** and home-brew equipment **will be automatically banned in communities with a zero alcohol carriage limit.** It may also be banned in other communities by regulation. Home-brew equipment includes anything being used or has been used to make home-brew, not only home-brew kits.
- **Tenants and owner-occupiers can have their home declared as a 'dry place'** by application to the clerk of the Magistrates Court. This means people cannot have alcohol or drink there, irrespective of the carriage limit.

### ***Police Powers and Responsibilities Act 2000***

The amendments extend the existing police powers to support the alcohol restrictions.

- Police will be able to search a person without a warrant **if they reasonably suspect they are carrying illicit alcohol.**
- Police will be able to enter and search a house without a warrant if they reasonably suspect there is illicit alcohol in that house. This provision would be used in cases **where police believe the alcohol will be hidden before a warrant can be obtained** and they need to remove it immediately. However, police will have to obtain a post-search approval order from a Magistrate and complete a register with details of the search.

### **Regulation changes**

- Regulations for revised alcohol restrictions in **Woorabinda** took effect 1 July 2008.
- Regulations for tighter alcohol restrictions for the communities of **Hope Vale, Yarrabah, Doomadgee, and Pormpuraaw** will commence on 2 January 2009.
- There are **no changes to existing carriage limits in other communities.** Extensive consultation is being conducted regarding whether a carriage limit should be introduced for **Cherbourg** and government will make a decision before the end of 2008.

### **Further information**

Copies of the full explanatory notes can be obtained from the Queensland Legislation Site:

[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).