



Liquor and Gaming (Red Tape
Reduction) Amendment Bill 2013 -
Submission 003

05 April 2013

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Sir or Madam

Thank you for the opportunity to provide input to the Committee's consideration of the *Liquor and Gaming (Red Tape Reform) Bill 2013*.

The Queensland Hotels Association (QHA) is pleased to make a submission, which is attached. The submission has been cleared by the State Board of the Association, and represents a firm policy position on behalf of the Association's 850 hotel members.

Please do not hesitate to contact me or the QHA Chief Executive should you require clarification or expansion on any issues raised.

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Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom McGuire', is written over a horizontal line. The signature is fluid and cursive.

Tom McGuire
President

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QUEENSLAND HOTELS ASSOCIATION**SUBMISSION ON THE
LIQUOR AND GAMING (RED TAPE REFORM) AND
OTHER LEGISLATION AMENDMENT BILL 2013****APRIL 2013****References:**

- A. *Liquor Act 1992*
- B. *Liquor Regulations 2002*
- C. *Gaming Machine Act 1991*
- D. *Liquor and Gaming (Red Tape Reform) Bill 2013*
- E. Department of Justice and Attorney-General Red Tape Reduction Discussion Paper dated February 2013
- F. *Queensland Code of Practice for the Responsible Service, Supply and Promotion of Liquor*, June 2005

Introduction

The Queensland Hotels Association (QHA) welcomes the opportunity to comment on the Bill, and strongly supports the Government's overall policy goals of reducing unnecessary red tape and administration, whilst retaining the core patron and harm minimization principles and provisions of the Queensland *Liquor Act 1992* and the Queensland *Gaming Machine Act 1991*.

Preamble

The Association submits that, in the eight years from 2005 to the present time, considerable progress has been made in further improving patron safety and licensed business amenity throughout Queensland. This has been achieved through a comprehensive range of regulatory and legislative measures, through ongoing commitment to improved training, facilities, and best practice by licensees, and by a steady but ongoing reduction in the per-capita liquor consumption of Queenslanders.

Unfortunately, these changes have been brought about in a piecemeal, sometimes unilateral, and iterative manner involving an uncoordinated series of Government reviews, inquiries and one-off policy and regulatory interventions which, taken as a whole, have introduced more than 100 separate changes to the policies, practices, guidelines, standards and compliance requirements which apply to licensed businesses in Queensland. The imposition of these changes has been at considerable revenue and expenditure cost to industry, including reduced revenue from shorter trading hours, higher costs through the imposition

of mandatory industry training and qualifications standards, and the imposition of an annual 'liquor licence administration fee' (state tax) on licensed businesses. The conservative costs to Queensland's licensed businesses of these regulatory changes is more than \$150 million each year, recurring.

By 2010, it had become clear that the Queensland licensed industry was suffering from 'reform fatigue' wherein the pace, frequency and nature of regulatory change had reached the stage where licensees were no longer able to effectively 'track' ongoing changes to venue requirements, and this was undermining industry's long-standing commitment to work cooperatively with Government and regulators to bring about constructive change. In this regard, the high volume and tempo of regulatory changes and impositions had become counter-productive, as Queensland's licensed industry had become jaded and disillusioned with the high cost and low level of consultation from Government associated with the process. Since 2010, Queensland's licensed industries have been seeking a period of regulatory consolidation to enable the many and varied changes that have been imposed over recent years to be 'bedded down' and to enable the full effects of the changes to be reviewed in a stable trading environment to see what measures are having effect and which measures are not.

In this context, the hotel industry welcomes the Government's focus on easing duplication and unnecessary compliance administration, and strongly agrees with the general objectives of the Bill that meaningful reductions in duplication, process, and unnecessary administrative red tape can be made without weakening the core requirements or general effectiveness of Queensland's liquor and gaming regulatory system.

None of the liquor and gaming matters outlined in the Bill represents major policy initiatives or changes, and none of the proposals will weaken the best practice endeavours of industry in relation to patron care and responsible liquor and gaming practice. Indeed, the measures outlined in the Bill will serve to raise the morale and confidence of Queensland licensed industries as they represent a tangible and visible statement of intent and commitment by the Government in support of the licensed and tourism industries.

SPECIFIC COMMENTS RELATING TO ISSUES RAISED IN THE *BILL*

Proposal to exempt community groups from requiring liquor permits at low risk events – For more than a decade, Queensland has been developing a 'risk-based' approach to regulation and compliance of licensed business. This is the correct approach, and permits the best and most effective targeting of the relatively scarce resources available to the licensing regulator. The proposed measure is supported, and will permit the (OLGR) regulator to monitor low-risk community events and intervene only as required. Given that any alcoholic

products sold at these low-risk community events will be initially purchased at an existing retail licensed business, this change does not represent an unfair competition threat to industry. There has been some quite emotive media coverage of this proposal around the theme of 'grog in our schools' but, in the eyes of licensees, this kind of commentary fails to understand the nature of the functions and events that currently take place in and in support of our schooling and charity sector. Alcoholic beverages are almost universally available now at community events in Queensland including weekend football, school fetes, at adult activities in support of school fund-raising, and these events have been held without major incidents or abuse of liquor. The only difference that will result from these sensible proposals is that the requirement for well-meaning community leaders to go through the process of obtaining a liquor permit will be removed. The same logic applies to the ability of nursing homes, hospitals and other low risk and low consumption facilities to transact 'petty cash' type liquor sales within their respective low-risk environments.

Proposal to cease the requirement for certain advertising to be made in the newspaper and *Government Gazette* – The licensed industry understands that members of the community wish to be and are entitled to be informed about many proposals and aspects of business development which might be sought by licensed businesses. Indeed, given the highly competitive nature of the industry, many industry participants are equally interested in monitoring and tracking what others in the industry are proposing in relation to licensed activities, venue development, various trading condition applications and so on. In the 21st century, almost every search for information starts with an online search on the Internet, and experienced people will know what sites to search, what key words to use, and the specific nature of the information sought. In this regard, searching the Internet provides a very high level of satisfaction when it comes to Queensland's current liquor and gaming applications and proposals. For those interests which are located proximate to a licensed venue, the proposed 'main street frontage sign' will serve as adequate protection and safeguard against unwanted proposals, or to provide a reasonable opportunity for potentially impacted parties to be made aware of the proposal. The proposal to dispense with newspaper and *Gazette* advertising is sensible, recognizes the changed methodology that parties and community members now use to seek information, and will save time and money for industry as parties will no longer need to undertake expensive but redundant advertising.

Proposal to allow the use of ticket-in-ticket-out (TITO) systems in casinos, clubs and hotels – TITO systems are paper-based credit transaction systems which allow money credits to be stored on a 'ticket' (typically a magnetized card similar to a parking card) which is then either exchanged for cash by a cashier, or used for credit at another TITO facility. In the context of casinos, clubs and hotels with electronic gaming, the ability to use TITO systems represents a form of cashless transactions with the potential to increase cash security, improve player safety and protections, improve staff efficiency, reduce the opportunity for

theft or pilfering, and eliminate the need for coins in EGM cash boxes and hoppers. It should be noted that this proposal is non-controversial, that TITO systems are in general use in other Australian jurisdictions, TITO has been successfully trialed in Queensland, and will likely be adopted in a case-by-case basis by Queensland gaming venues, if approved. Given society's march towards a cashless society, this proposal represents a timely, sensible and uncontroversial move towards a better and more secure financial transactions system in gaming venues.

Proposal to remove a number of advertising and prescriptive requirements for low risk restaurant/café applications and for ordinary hours detached bottle shops – The proposals are supported as a simple, low-risk administrative efficiency measure which will have no measurable impact or reductive effect on responsible practice.

In summary

The regulatory measures contained and proposed in the *Liquor and Gaming (Red Tape Reform) Bill 2013* represent the low hanging fruit from joint and ongoing efforts by the Government and the licensed industries to identify and make simpler some of the more complex, redundant, unnecessary, duplicate or dated administrative and compliance measures which are currently incorporated in the regulations. None of the measures proposed is controversial, and none of them will weaken the oversight or responsible practice safeguards which currently apply.

Too often, Governments develop and impose more and more laws and regulations, but fail to undertake reviews which identify and assess what measures are working and what measures are no longer required. It is therefore refreshing and a major boost to industry and business morale to see that the Legislative Assembly is considering a Bill that will make life a little easier for business whilst retaining the core intent of the regulatory framework.

Appearing before the Committee

The measures outlined in the Bill represent the first tranche of a range of proposals currently being considered by a Red Tape Reduction Expert Panel, all of which have been outlined in a Red Tape Reduction Discussion Paper published in February 2013. The Queensland Hotels Association does not seek to appear before the Committee at this time in relation to measures proposed in the Bill, but anticipates that it will make application to do so in relation to more complex proposals that may be put before the Committee later in this process.

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