

1978 - 79

PARLIAMENT OF NEW SOUTH WALES

REPORT

FROM THE

SELECT COMMITTEE

OF THE

LEGISLATIVE ASSEMBLY

UPON

LIQUOR TRADING

PART I REPORT

MEMBERS OF THE COMMITTEE

ERNEST NEVILLE QUINN, M.P. (CHAIRMAN)

MICHAEL ARTHUR CLEARY, M.P.

ROGER CHARLES DEGEN, M.P.

TIMOTHY ANDREW FISCHER, M.P.

ROSEMARY IRENE FOOT, B.A., M.P.

MERVYN LESLIE HUNTER, M.P.

THE HONOURABLE JOHN CLARKSON MADDISON, B.A., LL.B., M.P.

KEITH O'CONNELL, M.P.

TERENCE WILLIAM SHEAHAN, B.A., LL.B., M.P.

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TERMS OF REFERENCE

1. The Select Committee of the Legislative Assembly which was appointed by resolution of the Legislative Assembly on 23 November, 1978, with the following terms of reference:-

"To inquire into and report upon whether the times during which, and the conditions under which liquor may be sold, supplied or consumed in accordance with any license, permit or other authority granted or issued pursuant to the provisions of the Liquor Act, 1912, should be extended or varied having regard to the interest of the community and any other relevant factors; and to make such recommendations as the Committee sees fit".

and to which was granted leave to make visits of inspection within the State of New South Wales and other States or Territories of Australia, begs to submit the following report to your Honourable House.

INTERPRETATION

1. At its meeting on 30 January, 1979, the Select Committee interpreted its Terms of Reference to mean:-

"Whether the presently existing hours of liquor trading should be extended or varied, and if so, whether the presently existing conditions relating to trading in the presently existing hours should be extended or varied to meet the extended or varied hours".

2. In addition, the Committee recognised its responsibility to have regard to the interests of the community and any other relevant factors and to make appropriate recommendations.

INTRODUCTION

1. The Committee has had every possible regard to the best interests of the community in formulating recommendations within its Terms of Reference.

2. Community interest required that careful consideration be given to a wide range of matters including:-
 1. The social aspects of any increase in the per capita consumption of liquor by the community.
 - (a) The effects on family life patterns.
 - (b) Health considerations and possible increased burdens on health services.
 - (c) The effect on traffic problems and the road toll.
 - (d) Welfare and rehabilitation costs related to per capita alcohol consumption.

 2. The view of the community as expressed in the 1969 Referendum on Sunday hotel trading.

3. The Committee sought and received various submissions, reports and findings regarding the effects of alcohol and its consumption on the individual and on the community. Some of these are referred to in the course of this Report.

4. The Committee recognises that implementation of its recommendations could result in changes in the everyday life of some members of the public, particularly those involved in the liquor related industries and in the enforcement of the State's liquor laws. However, the Committee considered the substantial body of evidence placed before it regarding changes that have occurred in community life over recent years.

5. These changes have affected the scope of weekend work, recreational choices and habits, the numbers of tourists and their preferences, the standards and types of entertainment and accommodation facilities available, and the scope and influence of advertising.

6. Recommendations in respect of many of these matters would be completely outside the Committee's Terms of Reference. However, the Committee wishes to mention some general impressions it gained on alcohol related health and social problems.

7. Later in this Report the Committee will deal specifically with evidence presented on these problems insofar as they relate to hours and conditions of trading.

8. The Committee sees the major problems in these areas as being:-

Health

- (a) Alcoholism
- (b) Cirrhosis of the liver
- (c) Alcoholic heart disease
- (d) Alcoholic brain damage

Social

- (a) Drink driving
- (b) Under age drinking
- (c) Family disruption

9. It is clear from all the evidence presented to the Committee that, in the incidence of such problems, the critical factor is the per capita consumption of pure alcohol. As this figure increases so too does the proportion of "heavy to problem" drinkers in the community.

10. The per capita consumption of alcohol in Australia has almost doubled in the past 30 years and this Committee believes that governments and the community generally must take all possible steps to reverse, or at least check, this trend if major community problems are to be avoided in the future.

11. By way of background to this expression of opinion the Committee notes that findings have already been made elsewhere in Australia that:-

- (1) 95% of men and 99% of women in the community have no serious problem with alcoholism.
- (2) Changes in drinking environment can moderate consumption patterns.
- (3) Economic factors are very significant in influencing consumption patterns, and
- (4) Drinking habits are fairly well established early in adult life.

12. AFTER A CRITICAL EXAMINATION OF THE EVIDENCE, THE COMMITTEE IS SATISFIED THAT IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED LATER IN THIS REPORT WILL NOT BRING ABOUT ANY INCREASE IN THE PER CAPITA CONSUMPTION OF ALCOHOL NOR IN ALCOHOL RELATED HEALTH AND SOCIAL PROBLEMS.

13. However, the Committee sees an existing need to arrest per capita alcohol consumption trends and urges the Government to consider actions of the following types:-

- (i) Personal development programmes in high schools and all driver instruction courses should include the best possible information on the dangers of the use, and particularly the abuse, of drugs, including alcohol.

- (ii) Greater financial allocations could be made to programmes aimed at prevention and early detection of alcohol abuse and for the employment of Community Health workers to advise individuals whose drinking habits are endangering their own health, personal life and the lives of others.

- (iii) Establishment of "Drop-in Centres" situated in convenient locations, staffed by trained personnel, and at which no alcohol will be available. Such centres should become "natural" and enjoyable places for young people to congregate.

- (iv) Assistance in the development and promotion of beverages of lower alcohol content. In addition the removal of legislative and regulatory provisions such as those under the Pure Food Legislation stipulating high minimum alcohol content, and ensuring that the alcohol content of home-brewed beverages does not exceed a desirable level.

(v) Restricting the advertising of alcoholic beverages (in much the same way as has occurred in the case of cigarettes) in order to prevent compounding of pressures on people, particularly the young, to consume liquor.

(vi) Expansion of diversionary programmes under which the Courts seek to treat, rather than punish, persons committing alcohol related offences.

SECTION 1

MAJOR LEGISLATIVE CHANGES SINCE 1912

1.1 The times during which and the conditions under which liquor may be sold, supplied or consumed in New South Wales are governed by the provisions of the Liquor Act, 1912. "Liquor" is defined in the Act as wine, spirits, beer, porter, stout, ale, cider, sherry, mead, or any spirituous or fermented fluid whatever, capable of producing intoxication.

1.2 Although the Principal Act is still entitled "Liquor Act, 1912", that Act has been amended from time to time with resultant changes in hours and conditions of trading. The fluctuations in selling hours since the original Liquor Act, 1912, are set out hereunder:-

- (1) Liquor Act, 1912: 6.00 a.m. to 11.00 p.m.
- (2) Liquor Referendum Act, 1916:
6.00 p.m. was determined as the closing hour during World War 1.
- (3) Liquor (Amendment) Act, 1919:
6.00 p.m. was continued as the closing hour until the holding of a referendum.
- (4) Liquor (Amendment) Act, 1923:
6.00 p.m. confirmed as the closing hour - no referendum was held.

- (5) Liquor (Amendment) Act, 1946:
10.00 a.m. was fixed as the opening hour and a referendum was held on the 15 February, 1947, to determine the closing hour, the voting being:- 6.00 p.m. 1,050,260: 9.00 p.m. 26,954: 10.00 p.m. 604,833 thus, 6.00 p.m. was confirmed as the closing hour.
- (6) Liquor (Amendment) Act, 1954:
a referendum was held on the 13 November, 1954 - the voting being:- 6.00 p.m. 892,740: 10.00 p.m. 902,532. The hours were fixed at 10.00 a.m. to 6.30 p.m. and 7.30 p.m. to 10.00 p.m. with power in the Licensing Court to vary the hours.
- (7) Liquor (Amendment) Act, 1963:
6.30 p.m. to 7.30 p.m. "tea-break" abolished.
- (8) Liquor (Amendment) Act, 1975:
provided for 11.00 a.m. to 11.00 p.m. trading during "daylight saving" periods.

1.3

A referendum on the question of hotel trading on Sundays was held on 29 November, 1969. The voting being:- YES - 906,276: NO - 1,249,835.

1.4

New conditions of trading, in many instances involving new forms of licenses, permits or authorities, were introduced by various amending Acts. The main alterations came about in consequence of the following:-

- (1) Liquor (Amendment) Act, 1946:
introduction of canteen permits and restaurant permits.
- (2) Liquor (Amendment) Act, 1954:
packet licenses extended to commercial aircraft flying intra-state. Accommodation hotels and accommodation houses in parks and reserves provided for.
- (3) Liquor (Amendment) Act, 1963:
provision made for historic inn declarations.
- (4) Liquor (Amendment) Act, 1966:
provisions made for theatre licenses and public hall licenses. Spirit Merchants allowed to sell single bottles.

- (5) Liquor (Amendment) Act, 1969:
provision for tavern and
accommodation hotel endorsements:
special licenses for the Sydney
Opera House.
- (6) Liquor (Amendment) Act, 1972:
introduction of tourist hotel
licenses.
- (7) Liquor (Amendment) Act, 1973:
provisions made for liquor in
Universities and Colleges of
Advanced Education.
- (8) Liquor (Amendment) Act, 1977:
Special license for Sydney
Town Hall and Town Hall House.
- (9) Liquor (Further Amendment) Act, 1977:
special license for Elizabeth Bay House.

SECTION 2

REFERENDUM

- 2.1 Many of the letters and submissions received by the Committee called for a Referendum to be held before any extension of trading hours is effected, particularly any extension of the present scope for liquor trading on Sundays.
- 2.2 While it is noted that a proposal for general hotel trading on Sundays was defeated in a Referendum on the 29 November, 1969, the decision on whether or not to conduct a Referendum on such an issue is always, and properly a decision for the Government of the day to take, and any recommendation for or against a Referendum would be clearly outside this Committee's Terms of Reference.
- 2.3 It is competent for Parliament representing a wide range of viewpoints to make changes to the liquor laws from time to time. The Committee points out that most of the many substantial changes in this State's Liquor Laws over the years, detailed in the preceding Section, particularly those involving trading hours and limited Sunday trading, were not the subject of Referendums.
- 2.4 The fact that community attitudes, even those expressed at a Referendum, change over time, is illustrated by the fact that 10 o'clock closing of hotels was rejected by a Referendum in 1947, but accepted in 1954.

2.5 The Committee believes that the recommendations in the following Sections will, if implemented, provide a clear definition of the legality or illegality of liquor trading at all times, on all days, in all premises, and will represent a significant tightening of the law.

2.6 In combination with our comments and recommendations on conditions of trading, education, health and welfare programmes, etc., these recommendations should minimise many of the circumstances which have, in the past, tended to encourage alcohol abuse, and the Committee believes they will be generally acceptable to the community.

SECTION 3

INSPECTIONS AND WITNESSES

- 3.1 The most recent far reaching amendments to liquor trading hours and conditions were enacted in the Australian Capital Territory, and in the State of Tasmania. Accordingly the Committee visited Canberra on 14 - 15 January, 1979, and Hobart and Launceston on 10 - 11 - 12 March, 1979.
- 3.2 A visit was also made to the Gold Coast area of Queensland where the operation of the Sunday morning and Sunday afternoon trading sessions in the holiday resort area from Southport to Coolangatta was observed. In conjunction with the visits to Canberra and the Gold Coast area, sittings were held at Queanbeyan and Murwillumbah.
- 3.3 At the various centres visited the Committee inspected licensed premises. It also discussed matters generally with licensing authorities, representatives of the liquor industry, and interested organisations and members of the public.
- 3.4 Inspections were also made of licensed premises in the inner and outer metropolitan areas of Sydney on a Sunday and mid week.

3.5

In response to the Committee's requests and advertisements, a total of 246 submissions were received and 56 witnesses were examined in accordance with the provisions of Standing Order No. 362. The submissions and witnesses came from companies, church groups, temperance organisations, the union representing employees in the liquor trade, trade organisations, Local Government Authorities, Government Commissions, Authorities, and individual members of the public.

SECTION 4

ALCOHOL RELATED HEALTH AND SOCIAL PROBLEMS

- 4.1 During the course of its inquiry, the Committee has been referred to the findings of many authorities and to the opinions of many researchers who have turned their attentions to the overall effects of alcohol. This Committee is aware of the statement of the Senate Standing Committee on Social Welfare that "Alcohol is the major drug of abuse in Australia".
- 4.2 We draw attention to the statement contained in the report of the Executive Committee of the Addiction Research Foundation of Ontario dated 17 February, 1978, which refers to the close relationship between cirrhosis death rate and per capita alcohol sales. The statement reads:="This reflects the now well established principle that the overall level of consumption is directly related to the magnitude of alcohol problems: the larger amount of alcohol consumed by a population as a whole, the larger the number of heavy consumers and the greater the damage to public health".
- and to its further statement:-

"The relevant question would become:
are the proposed changes likely to
contribute to higher consumption
levels and therefore to an increase
in health costs?"

4.3 In its submission to this Committee, the Health Commission of New South Wales echoed the views of the Ontario authority when it said:-

"However, if conditions of sale are altered in such a way as to further liberalize the communities attitudes to and behaviour with alcohol and/or make alcohol more readily available, then it is possible that further increases in per capita consumption will occur, and with these increases, further increases in the frequency of alcohol related health problems".

4.4 It seemed of utmost importance that this Committee should examine any extensions or variations to liquor trading hours or conditions in the light of whether or not they would lead to any "higher consumption levels" or to "further increases in per capita consumption".

4.5 Statistics contained in Table 1 show the per capita consumption of Alcohol in Australia between 1947 and 1976. They are illustrated in Graph 1.

TABLE I

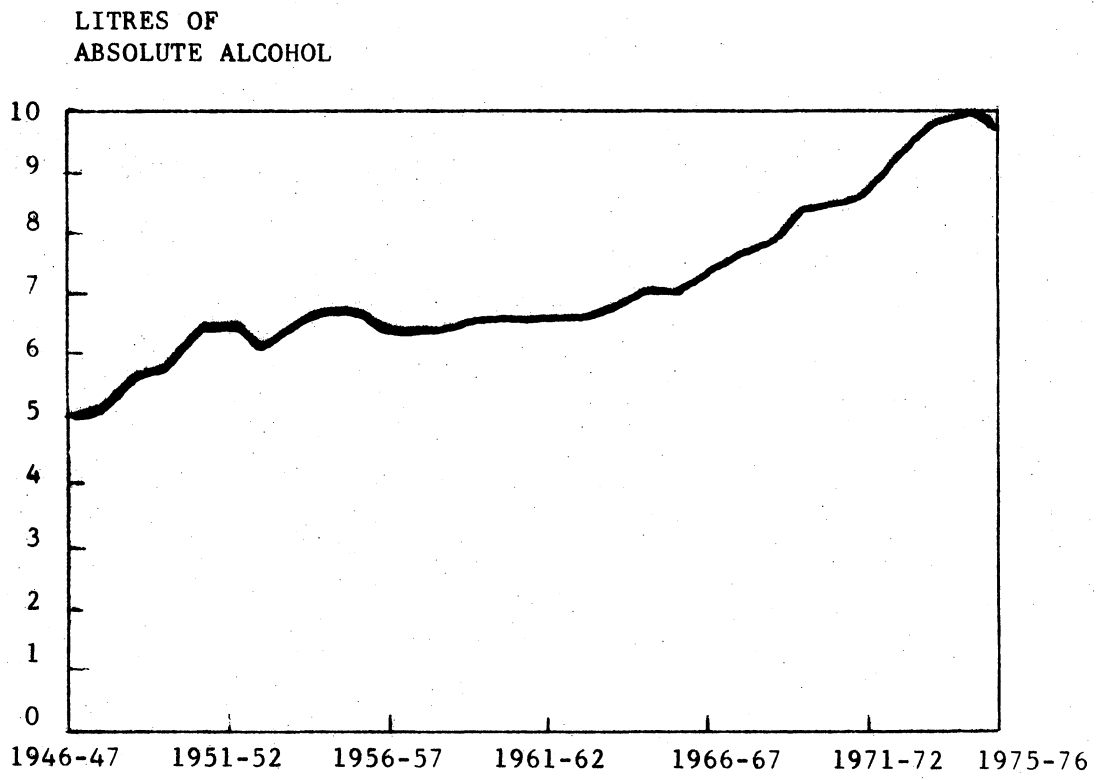
CONSUMPTION OF ABSOLUTE ALCOHOL PER HEAD OF POPULATION, 1947 TO 1976

Year Ended June 30	Estimated Total Absolute Alcohol (litres)
1947	5.0
1948	5.1
1949	5.7
1950	5.8
1951	6.4
1952	6.5
1953	6.1
1954	6.4
1955	6.7
1956	6.7
1957	6.3
1958	6.3
1959	6.4
1960	6.6
1961	6.5
1962	6.5
1963	6.5
1964	6.8
1965	7.0
1966	7.0
1967	7.3
1968	7.7
1969	7.9
1970	8.3
1971	8.4
1972	8.6
1973	9.1
1974	9.7
1975	9.9
1976 (P)	9.7

(P) Preliminary figure

Source Australian Bureau of Statistics

GRAPH 1 ESTIMATED TOTAL CONSUMPTION OF
ABSOLUTE ALCOHOL PER HEAD OF POPULATION
1946-47 TO 1975-76



SOURCE: DERIVED FROM TABLE 1

4.6 Dr R.J. Swannell, in his submission on behalf of the National Committee for the Prevention of Alcoholism, has set out a number of factors relating to the consumption of alcohol. His submission reads as follows:-

"5.0 Alcohol consumption is related to accessibility and availability:

5.1 The consumption of alcohol is related to many factors, including:-

1. Cultural
2. Psychological
3. Nutritional
4. Genetic
5. Economic
6. Social and legal.

5.2 It is the last group of factors, the social and legal factors, with which this committee is largely concerned.

In this category are such factors as:

1. The availability of alcohol as determined by marketing and distribution methods.
2. The accessibility of alcohol as determined by price.
3. The potential market for alcohol as determined by the legal drinking age.
4. The demand for alcohol as stimulated by the advertising of alcoholic beverages.

5.3 I would submit, in considering the first of these factors, that the consumption of alcohol is influenced in part by the following.

1. The number of outlets.
2. The trading hours at such outlets".

4.7 It should be noted that Mr P.D. Phillips, Q.C., Royal Commissioner into the Sale, Supply, Disposal or Consumption of Liquor in Victoria in 1964 stated in his report "broadly I am of the opinion that the available statistics in Australia support the view which research elsewhere has indicated that trading hours (unless indeed they are made very restrictive) do not have any noticeable effect on consumption."

4.8 It seems that the reasons for any increases in per capita alcohol consumption are extremely complex involving the above factors, and that it is the increase in per capita alcohol consumption which leads to an increase in health and social problems.

4.9 However, the Committee has concluded that levels of per capita consumption of alcohol are most closely related to economic factors such as disposable income and liquor prices. This conclusion has been reached from submissions made to the Committee, evidence given before it and to findings made elsewhere. In particular:-

1. The evidence of Dr James G. Rankin on behalf of the Health Commission of New South Wales contained in his paper "A litany: Hopeful or Monotonous and Ineffective?" was that the level of consumption in Australia has remained relatively stable for the last four years. He stated "although the per capita consumption of alcohol in Australia has remained relatively

stable since 1973-1974, evidence supports the view that this is due to economic factors and certainly not the result of preventive measures."

2. In his oral evidence Dr Rankin said (Q.1545) ".... it would appear that the dominant factor affecting alcohol consumption in Australia, Canada and probably most industrialised nations is economic." And later, (Q.1576), "In terms of taking off between 1965 and the present day, I have not looked at the analysis but I would expect if one did one would find that the dominant factor during those years was the economic factor. That is why there is a take off. It has really become much more cheaper to drink over that period of time."
3. The report from the Australian Senate Standing Committee on Social Welfare under the chairmanship of Senator Peter Baume records at page 42 "Variation in the price of alcohol relative to average disposable income has been shown to correlate inversely with the level of consumption."

The Senate Committee was sufficiently impressed with the decrease in consumption occurring following increases in the price of liquor when excise increases were imposed that it recommended at page 43 "that Government imposts on all alcoholic beverages be adjusted annually so that real prices of the beverages remain constant."

4. Mr John Noble, President of the Tasmania Branch of the Australian Hotels Association, who trades on a Sunday, told the Committee "the opportunity to trade seven days a week does not mean that suddenly a hotel takes an extra \$5,000.00. Basically over seven days our takings are what they were previously over six days."

He also stated that it was not a matter of hours he was open or days he was open that affected consumption. He said "people have only so much to spend. The trend has been that now they might drink for say two hours instead of three hours in the evening and come here with their family on a Sunday."

"Our package trade has increased because it is available on Sunday and therefore our overall takings are up. Our bar takings over seven days are nearly identical to our bar takings for six days previously."

4.10

The Addiction Research Foundation of Ontario has stated:-

"Over the past 30 years, changes in licensing regulations in Ontario have all been in the direction of liberalization. For example, the sale of distilled liquors by the glass has been permitted, hours of sale have been extended, sale on Sundays introduced, and licenses have been issued to premises in a steadily increasing number of new settings - for example, trains, aircraft, museums, art galleries, office buildings, and University campuses. So far, it has not been possible to demonstrate specific adverse effects attributable to any one of these changes taken separately."

4.11

This Committee is charged with the consideration of trading hours and the conditions associated therewith. The Committee is convinced after extensive consideration of the number and nature of the factors, referred to earlier, which affect alcohol consumption that a change in trading hours in itself will have no significant effect. It is confirmed in this conviction by the relative stability in per capita consumption of alcohol demonstrated in Graph I, for the years immediately following the Liquor (Amendment) Act, 1954, when trading hours were varied to 10.00 a.m. to 10.00 p.m.

With regard to:-

- (i) Social aspects of any increase in the per capita consumption of liquor,
- (ii) Adverse effects on family life patterns; and
- (iii) Welfare and rehabilitation costs to the community,

the Committee has been supplied with no specific statistics. However, it considers that any increase in alcohol related social problems will be dependent upon any increase in per capita consumption - an increase which appears unlikely to result from a variation in trading hours alone.

4.12

Evidence has shown that some of the social problems which may cause a person to abuse alcohol, will continue to do so, irrespective of the hours or conditions of liquor trading.

SECTION 5

ALCOHOL RELATED TRAFFIC PROBLEMS

5.1 Just as any increase in alcohol related health and social problems is closely linked with an increase in per capita alcohol consumption, so too it seems that alcohol related traffic problems must also be linked with an increase in per capita consumption. Figures supplied by the Bureau of Crime Statistics and Research show a fall in convictions for the offences of driving under the influence (D.U.I.) and driving with the prescribed content of alcohol (P.C.A.). The latest available figures for New South Wales show:-

<u>TABLE 2</u>	<u>DRINK DRIVING CONVICTIONS - NEW SOUTH WALES</u>		
	<u>1975</u>	<u>1976</u>	<u>1977</u>
Combined incidence of D.U.I. and P.C.A. convictions per 10,000 people	36	35	35
Combined incidence of D.U.I. and P.C.A. convictions per 10,000 vehicle licenses	69	65	63
Combined incidence of D.U.I. and P.C.A. convictions per 10,000 vehicle registrations	79	76	75

(Source - Bureau of Crime Statistics and Research)

5.2 The Committee deplores the number of fatalities on the road, but notes that there has been a fall in the numbers of fatalities in New South Wales when taken per 10,000 licenses and registrations. While there was a rise between 1951 and 1970 per 10,000 population there has been a slight fall in recent years.

5.3 The latest figures are shown in Table 3 and expressed in Graph 2.

TABLE 3

TRAFFIC CRASH STATISTICS FOR NEW SOUTH WALES

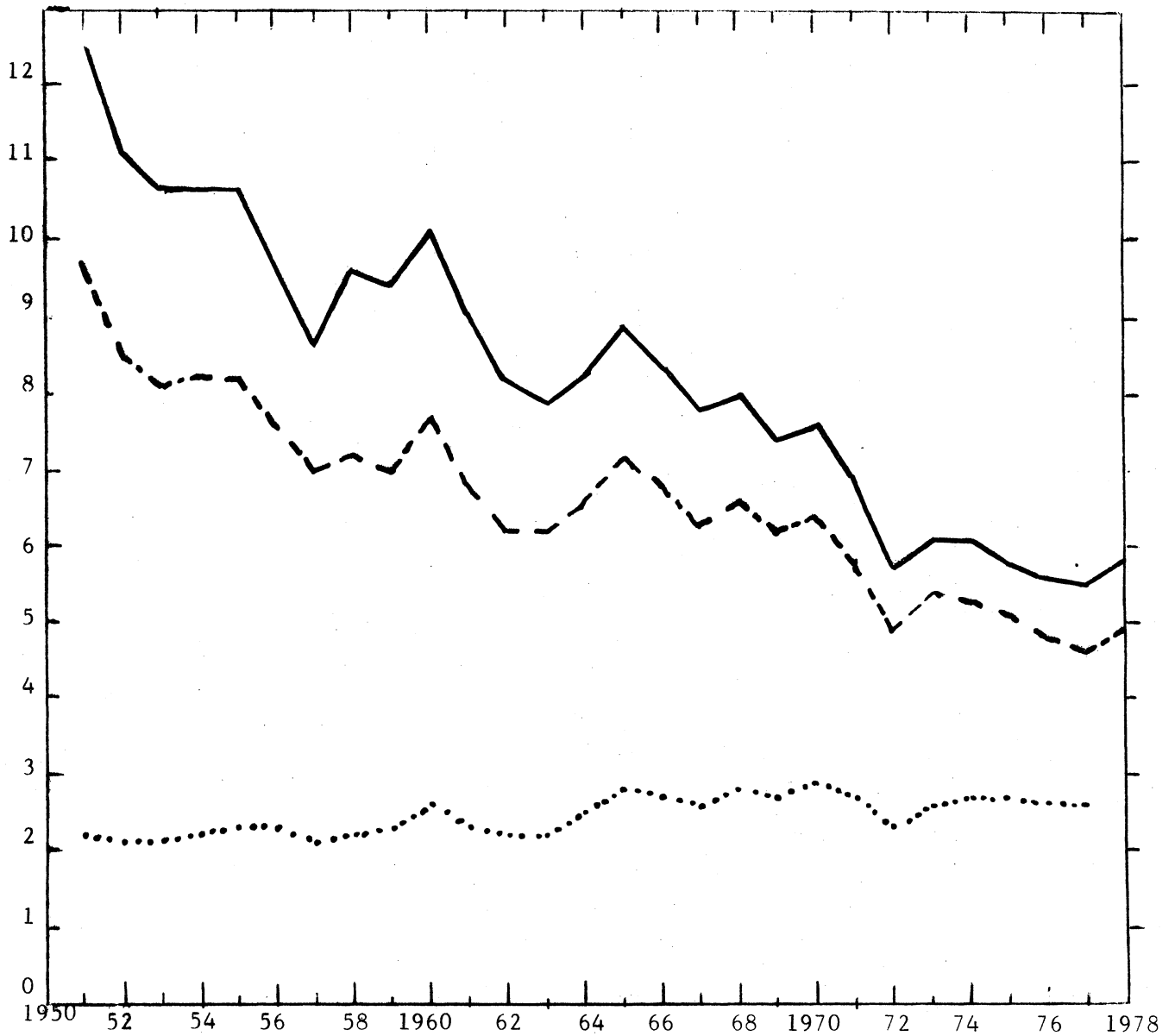
Year	Persons killed per 10,000 vehicles registered	Persons killed per 10,000 licences issued	Persons killed per 10,000 population
1951	12.5	9.7	2.2
1952	11.1	8.5	2.1
1953	10.6	8.1	2.1
1954	10.6	8.2	2.2
1955	10.6	8.2	2.3
1956	9.6	7.6	2.3
1957	8.6	7.0	2.1
1958	9.6	7.2	2.2
1959	9.4	7.0	2.3
1960	10.1	7.7	2.6
1961	9.0	6.8	2.3
1962	8.2	6.2	2.2
1963	7.9	6.2	2.2
1964	8.3	6.6	2.5
1965	8.9	7.2	2.8
1966	8.4	6.8	2.7
1967	7.8	6.3	2.6
1968	8.0	6.6	2.8
1969	7.4	6.2	2.7
1970	7.6	6.4	2.9
1971	6.9	5.8	2.7
1972	5.7	4.9	2.3
1973	6.1	5.4	2.6
1974	6.1	5.3	2.7
1975	5.8	5.1	2.7
1976	5.6	4.8	2.6
1977	5.5	4.6	2.6
1978	5.8	4.9	Not available

(Source: Australian Bureau of Statistics)

GRAPH 2

TRAFFIC CRASH STATISTICS 1951-1978

Persons
killed



Code: ——— Persons killed per 10,000 vehicles registered.
- - - - Persons killed per 10,000 licences issued.
..... Persons killed per 10,000 population.

Source: Derived from Table 3

5.4

In the State of Victoria, on 1 February, 1966, closing time of hotel bars was altered from 6.00 p.m. to 10.00 p.m., and in 1969 Anne Raymond, B.A., of the Australian Road Research Board conducted a study into road traffic accidents in the Melbourne Metropolitan area.

She concluded:-

"30. "The change in closing time of hotel bars from 6.00 p.m. to 10.00 p.m. brought no change in the number or proportion of road casualty accidents which occurred in the hours directly affected, that is in the extra trading hours from 6.00 p.m. to 10.00 p.m. plus the hour following late closing time from 10.00 p.m. to 11.00 p.m."

5.5

The most recent research on the traffic position, in relation to liquor trading hours, took place in Perth following the introduction in 1970 of two periods of 2 hours of Sunday trading. The report by Dr Ian Smith, published in the Journal of Studies on Alcohol - Volume 39, Number 7, 1978, concluded by saying:-

"The results of the study cannot be said to 'prove' that the introduction of the Sunday drinking sessions in Perth caused an increase in the traffic accidents, such a proof would have necessitated a more sophisticated experimental design, preferably incorporating the random assignment of half of the Perth area as a control area. It is possible, however, to say that the results strongly suggest that the introduction of the Sunday drinking session did have a detrimental effect on traffic safety".

5.6 This Committee believes that the drinking sessions, introduced in Perth, could reproduce the 'swill' conditions, familiar in New South Wales in the 6.00 o'clock closing days, and is confirmed in this belief by its observation of the sessional Sunday drinking on the Gold Coast area of Queensland.

5.7 Evidence indicates that the total number of road fatalities in Tasmania has decreased slightly since extended trading hours were introduced in 1976. Mr G.D. Leitch, Licensing Inspector attached to the Hobart office of the Licensing Board of Tasmania, in his letter to the Committee on 14 March, 1979, stated:-

"The Director of Road Safety has provided the following statistics:-

1975 - 122 deaths on the road
(includes Tasman Bridge disaster)

1976 - 108 deaths on the road

1977 - 112 deaths on the road

1978 - 106 deaths on the road

These figures indicate a reduction in road deaths, however, it could be shown that other forces have influenced these statistics.

They are:-

- (a) a media campaign with the theme "no more mate, I'm driving"
- (b) increased penalties for drink driving offences
- (c) more Police power in the drink drive area
- (d) magistrates are handing out much tougher penalties than before, especially with provisional licence holders (first year driver).

The Director of Road Safety also indicated that there had been no significant increase in minor driving accidents where the presence of alcohol was detected."

5.8

As mentioned in Section 4 on Health and Social Problems, the Committee is satisfied an increase in per capita consumption is unlikely to flow from a variation in trading hours alone. The absence of sessional drinking is an additional factor leading to the conclusion that existing traffic problems are unlikely to be aggravated by our later recommendations on Sunday trading hours.

SECTION 6

TRADING HOURS - SUNDAY TRADING

- 6.1 Liquor trading on Sunday is prohibited by the provisions of Section 57 of the Liquor Act, 1912, but numerous provisos and exemptions make limited trading legal. "Bona fide lodgers, servants or inmates" and "bona fide travellers" may be supplied with liquor at hotel premises at any time of the day.
- 6.2 These provisos in the Act lead to the undesirable practice of encouraging return journeys, in many cases in excess of 96 kilometres in the Sydney Metropolitan area to outer metropolitan or near country hotels, or in excess of 32 kilometres in country districts, thus increasing the possibility of traffic problems caused by the extra vehicles being on the road for longer periods. The "bona fide traveller" proviso has lead to the recent practice of hotels opening their bottle departments on Sundays. The obvious difficulty in establishing the place where the customer slept the night before, leaves no doubt that the proviso is frequently abused. The Committee acknowledges illegal sales for consumption both on and off licensed premises, do in fact take place.

- 6.3 The provisions of Section 57A of the Act, providing for the supply of liquor with meals between the hours of 12 noon and 3.00 p.m. and between 6.00 p.m. and 10.00 p.m. on a Sunday, enable approximately one quarter of the hotels in New South Wales to give a limited service to the public in their dining rooms or dining areas. Again, the obvious difficulty in establishing the customer's intention to partake of a meal, leaves no doubt that the provisions of this Section are frequently abused and that many illegal sales do take place.
- 6.4 Part IIIA of the Liquor Act, 1912, enables the granting of permits to suitable restaurants to sell liquor with meals and allows such sales to be made on Sundays between the hours of 12 noon and 3.00 p.m. and 6.00 p.m. and 10.00 p.m. Many restaurants open on Sundays, thus making available to the public a further avenue for access to liquor.
- 6.5 The Committee is aware of the fact that, although governed by the provisions of the Registered Clubs Act, 1976, and outside the Terms of Reference of this Committee, some 1500 registered clubs are able to supply a full service for the sale of liquor, for consumption on the club premises, to members and their guests and to honorary members at any time on a Sunday.

- 6.6 Under these conditions large sections of the community may buy liquor on Sundays for consumption ON licensed premises and the Committee can see no reason for continuing to deny this opportunity to the rest of the community, notably those who choose to patronise hotel bars in preference to Registered Clubs.
- 6.7 The Report of the Licenses Reduction Board for the year ended 30 June, 1978, shows an increase in the proportion of overall sales of liquor made by spirit merchants from 4.56% in 1966 to 32% in 1978. This indicates the rising popularity of premises covered by spirit merchants' licenses (bottle shops).
- 6.8 The only people who can presently purchase liquor in a package form on Sundays are bona fide travellers. The Committee is of the opinion that members of the public desiring to purchase packaged liquor should be able to do so on Sundays and should have the choice of hotel bottle departments and "bottle shops".
- 6.9 The Committee believes that this variation will be appreciated not only by local residents but also by tourists visiting the State's tourist resorts.
- 6.10 So far as Students Unions and Sports Unions at Universities and Colleges of Advanced Education are concerned it is noted that, from time to time, sporting fixtures and special functions do take place on Sundays. The Committee believes that these bodies should have the right to trade under certain conditions in order to provide amenities for patrons of such sporting fixtures and special functions.

6.11 Booth licenses, theatre licenses and public hall licenses cater for sporting fixtures and public entertainment. In recent years, the community has increased its patronage of sport and entertainment on Sundays and the Committee believes that Sunday trading rights should be extended to these forms of licenses.

6.12 THE COMMITTEE THEREFORE RECOMMENDS:-

- (a) The holders of publicans' licenses and Australian wine licenses, AT THE OPTION OF THE LICENSEE, be permitted to trade on Sundays in any part of his premises between the hours of 12 noon and 10.00 p.m. The Licensing Court should be given the right to vary these hours, to meet the needs of special areas or premises, with the proviso that no variation would allow opening before 10.00 a.m., closing after 10.00 p.m., or trading for a period longer than 10 hours.
- (b) The holders of spirit merchants' licenses, AT THE OPTION OF THE LICENSEE, should be allowed to trade on Sundays between the hours of 12 noon and 8.00 p.m. with the Court being given the right to vary these hours but with the proviso that there be no opening before 10.00 a.m., closing after 8.00 p.m., or trading for a period longer than 8 hours.

- (c) The holders of University or College of Advanced Education permits should be allowed to trade on Sundays between the hours of 12 noon and 10.00 p.m. PROVIDED THAT there must be an application to the Court, having the consent of the governing body of the University or College to the variation of its existing hours. The option to trade should rest with the permit holder if the Court approves the application.
- (d) The holders of those forms of licenses associated with sport and entertainment e.g., booth licenses, theatre licenses, public hall licenses be permitted to trade on Sundays provided that booth licenses should not be allowed to operate after 10.00 p.m.
- (e) The bona fide traveller provisions be removed from the appropriate sections of the Act.
- (f) The holders of Restaurant and Tourist and Accommodation Hotel Licenses be permitted to serve liquor with meals between the hours of 12 noon and 10.00 p.m. on Sundays, and under conditions which normally apply on weekdays.

6.13

The Committee considers that these recommendations will bring about no increase in per capita consumption, but are more likely to alter drinking patterns by changing the places of consumption from outer metropolitan and near country hotels to city and inner metropolitan hotels; from clubs to hotels; and from hotels to residences. A change in the day of sales from weekdays to Sundays is also likely. This would leave the overall sales much the same in volume and, at the same time, meet the convenience of the public.

SECTION 7

TRADING HOURS - SPECIAL DAYS

- 7.1 Section 57 of the Act, as well as prohibiting sales on Sunday, prohibits sales upon Good Friday, Christmas Day, and any day proclaimed by the Governor, also on the morning of Anzac Day.
- 7.2 On Good Friday, Christmas Day and any proclaimed day the prohibition should remain but IT IS THE RECOMMENDATION OF THE COMMITTEE that there should be a proviso enabling restaurants and those hotels which regularly supply meals in their dining rooms to supply liquor with meals on those days between the hours of 12 noon and 10.00 p.m. The proviso should be restricted to the dining room only and not extended to dining areas defined under Section 51B.
- 7.3 The Committee recognises the importance of Anzac Day but sees little reason to continue the prohibition of morning trading on that day, AND RECOMMENDS that it be subject to the ordinary trading hours of the day upon which it falls.
- 7.4 The Committee is of opinion that one further "special day" should receive consideration. It has long been the practice for many members of the public to celebrate on New Year's Eve. THE COMMITTEE RECOMMENDS that licensees should have the right to apply to the Licensing Court for a permit to trade beyond the normal closing hour on 31 December through to 2.00 a.m. on 1 January.

SECTION 8

TRADING HOURS - WEEK DAY TRADING

- 8.1 With regard to week day trading, the Committee rejects the submission that licensees - to suit the requirements of their areas - should be able to nominate their own trading hours at any period within the 24 hours of the day. At the same time the Committee supports the present state of the law which gives to the Licensing Court a limited power to vary hours to suit the requirements of special areas.
- 8.2 At present, normal trading hours are from 10.00 a.m. to 10.00 p.m. variable to 11.00 a.m. to 11.00 p.m. during that period of the year when the "daylight saving" provisions are in force. Many hotels and Australian Wine premises have availed themselves of this variation. In addition, those hotels and wine premises having Section 57A or Section 57C permits (12 o'clock licenses) and those hotels and restaurants having Section 57B permits or cabaret endorsements (3 o'clock licenses) have extended trading hours. Many justifiable complaints, both by way of submission and oral evidence, have been before the Committee, and it has been established that licensed premises closing at 12 midnight or later do in fact disturb local residents, by reason of the noise and nuisance created by customers leaving the premises, particularly those premises where entertainment is provided on one or more nights of the week.

8.3

THIS COMMITTEE RECOMMENDS that Section 57A and Section 57C, enabling licensed premises to trade until 12 midnight, be removed from the Act and that (subject to the Court's power to vary) the trading hours for hotels and Australian Wine premises on week days be between 10.00 a.m. and 11.00 p.m. For those hotels presently catering for special occasions such as dinners and annual balls, etc., a special section should be introduced providing for a function permit. Consideration should be given to this type of permit being made available not only to the holders of publicans' licenses, but also to non-proprietary associations or groups conducting functions.

8.4

The hours for spirit merchants' licenses should remain as at present, i.e. from 6.00 a.m. to 6.00 p.m. to cover wholesalers, and the Licensing Court retain power to vary to 8.00 a.m. to 8.00 p.m. to cover retailers, with an extension to 9.00 p.m. on late shopping nights.

8.5

Having regard to the submission lodged on behalf of the Universities and Colleges of Advanced Education IT IS RECOMMENDED that they be permitted to trade between the hours of 12 noon and 11.00 p.m., subject to there being an application to the Court with the consent of the governing body of the University or College. No recommendation is made in favour of the sale of packaged liquor at Universities or Colleges of Advanced Education as these permits, we believe, were intended and should continue to provide an amenity for students whilst on campus.

8.6

The other forms of licenses - booths, theatres, etc. - have variable hours according to the nature of the occasion catered for, and it is suggested there be no variations in their hours, with the proviso that no booth license should be allowed to operate beyond 11.00 p.m. on week nights or 10.00 p.m. on Sundays.

8.7

It is felt that the recommended trading hours would not lead to any increase in per capita consumption of alcohol, for whilst the closing hour would be extended in some premises by one hour, it would be curtailed by one hour in many others. They would have the advantage of reducing, or perhaps removing, the early morning noise nuisance suffered by those residents living close to hotels.

57B PERMITS

8.8 Section 57B of the Liquor Act presently allows a Publican or the holder of a Tavern Permit to obtain from the Licensing Court a permit to trade until 3.00 a.m. subject to certain conditions including the provision of live entertainment. This is commonly referred to as a Cabaret Permit.

8.9 The Court can only grant such a permit if the premises concerned have a dining room or a room used permanently and primarily for dining or the provision of meals for at least 150 persons. This may be but is not necessarily the area of the licensed premises to be set aside for the holding of cabaret. The Court in dealing with the application must identify that part of the premises in which the live entertainment is to be held and has to be satisfied that in such part there will be adequate staff, fittings, furniture, equipment and accommodation for the supply of meals and entertainment.

8.10 On the granting of a Section 57B permit the licensee can sell or supply liquor:-

(a) for consumption on that part of the premises specified in the permit;

(b) up to 3.00 a.m.; and

(c) to any person with or ancillary to a bona fide meal or substantial refreshments and with or ancillary to live entertainment by more than one person physically present and providing the entertainment.

8.11 As the law stands at present, this form of permit commences to operate from 12 midnight and is dependent on the licensee holding a Section 57A Permit allowing liquor to be sold or supplied with or ancillary to a bona fide meal or substantial supper until 12 midnight.

8.12 Evidence was given before the Committee and submissions were made to the Committee expressing in strong terms a concern of residents in close proximity to licensed premises as to noise emanating from both inside and outside of certain licensed premises where entertainment has been provided up until midnight where Section 57A Permits allow opening till midnight. Having regard to such complaints, the Committee is concerned that with extensions under Section 57B permits, the local residents should have more clearly defined rights and ways and means of exercising those rights on initial applications and renewals of this form of permit.

8.13 Since the Committee has recommended that Section 57A be abolished and that general trading be extended to 11.00 p.m. it will be consequentially necessary to provide that the Section 57B permit should apply from 11.00 p.m. and not 12 midnight.

8.14

There is no doubt that there is a demand, particularly within the metropolis of Sydney, for the continuation of a permit to allow liquor to be sold in association with live entertainment until 3.00 a.m. There is also no doubt that there is a demand for discotheques and many are operating pursuant to this form of permit. Some submissions have sought to do away with the requirement to provide food and live entertainment and have the law permit taped or recorded music.

8.15

THE COMMITTEE RECOMMENDS that the Liquor Act should provide as follows:-

1. That a "Cabaret" Permit be provided on application to the Court which would permit trading from 11.00 p.m. up to a specified time, not later than 3.00 a.m.
2. That a prerequisite for the granting of such a permit be that the licensed premises have a dining room or room used permanently and primarily for dining to serve at least 150 persons, other than the part or parts of the licensed premises specified under Section 51B as a dining area.
3. That the permit allow the sale of liquor with or ancillary to a meal in a dining room with or without the provision of live entertainment until the hour of 12 midnight.

4. That the permit allow the sale of liquor in those parts of the premises specified in the permit so long as live entertainment, as presently defined under the Act is provided.
5. That it not be essential that a bona fide meal or substantial refreshment be a requirement for the sale or supply of liquor except as in No. 3 above.
6. That it be a requirement that substantial refreshments be available.
7. That the applicant indicate in his application:-
 - (a) the precise part of the premises to which the permit will apply;
 - (b) the general facilities which will be provided;
 - (c) the type of entertainment which will be provided; and
 - (d) the hours during which the permit is to be operated.

8. That the Court in granting the permit fix the number of persons at any one time entitled to be in the area set aside and to which the permit applies.

9. That the Court be entitled to fix whatever other terms and conditions it may see fit.

8.16

THE COMMITTEE RECOMMENDS that an applicant for a Section 57B Permit must be required to notify the local council for the area as to his intention to apply for such a permit including the type of entertainment to be provided and that the council, at the cost of the applicant, be required to notify all residents in the near vicinity of the licensed premises of all details of the application. The local council and/or any three or more residents shall be entitled to object on the basis that the amenity of the neighbourhood is likely to be affected if the permit is granted. Any objector would be entitled to be heard in the Licensing Court proceedings. The Court, before granting the permit, must satisfy itself that the amenity of the neighbourhood will not be affected if the permit is granted.

8.17

Under Section 40D of the Liquor Act, three or more residents in the vicinity of a hotel may complain to a Licensing Inspector or a Sergeant of Police about objectionable noises or noises at unreasonable hours coming from the premises. The noise must be such as to cause discomfort or interfere with the quiet enjoyment of those residents.

8.18 If the Licensing Inspector or Sergeant of Police is satisfied as to the reasonableness of the complaint then he may order the licensee to take steps to discontinue or prevent or modulate such noises. A penalty of \$100.00 is provided if the order is not complied with.

8.19 It would appear that this section is not entirely satisfactory and needs strengthening to give greater emphasis to the Committee's views that with Section 57B Permits allowing entertainment after 11.00 p.m., there is a need to ensure greater protection to the amenity of the neighbourhood than at present exists.

8.20 It is possible that a month or so after an application for a permit has been granted the noise levels coming from the licensed premises may become intolerable to citizens nearby. It is unsatisfactory that reliance must be placed on Section 40D or, alternatively, that residents have to put up with the noise until the application for renewal of the permit is made at the expiry of the twelve months period.

8.21 THE COMMITTEE RECOMMENDS that the Act should provide that on a complaint being made to a Licensing Inspector by the local council and/or three or more residents in the vicinity of licensed premises operating under Section 57B Permit, the Inspector will summons the licensee to show cause before the Licensing Court why the permit should not be cancelled. Similar provisions to those dealing with cancellations of licenses under Section 123 of the Act should apply.

8.22

Sections 78J and 78K set out provisions whereby a Restaurant Permit can be endorsed with a Cabaret Permit which permits a restaurant to trade to 3.00 a.m. and to sell or supply liquor with or ancilliary to a meal and live entertainment.

8.23

The COMMITTEE RECOMMENDS that a Cabaret endorsement on a Restaurant Permit be subject to the same conditions recommended for a Section 57B Permit in relation to notification to the local council, rights of objectors and the necessity for the Court to consider the amenity of the neighbourhood before an application can be approved.

SECTION 9

CONDITIONS OF TRADING

OPTIONAL OR COMPULSORY

- 9.1 Section 66 of the Liquor Act, 1912, imposes upon the holders of publicans' licenses the obligation to supply meals and accommodation on demand, but no similar obligation rests upon a publican or the holder of any other form of license or permit in respect to the supply of liquor. It is entirely optional at present whether a licensee sells liquor or not; although any licensee who persistently declined to do so, to the inconvenience of the public, would no doubt face action to have him declared an unsuitable person to continue to hold a license, either at renewal time or under the provisions of Section 125 of the Act.
- 9.2 THE COMMITTEE RECOMMENDS that it remain optional, at the discretion of the licensee, whether he remain open for the whole of the permitted trading hours or close during those periods when there is little or no public requirement.
- 9.3 The evidence disclosed that there would be some licensees who, by reason of the location of their premises, would not desire to open on Sundays, and there are some licensees at present who, for the same reason find little requirement to open on Saturday afternoons.

SECTION 10

CONDITIONS OF TRADING

AVAILABILITY OF FOOD

10.1 Dr James G. Rankin of the Health Commission of New South Wales stated, in answer to question No. 1600:-

"Yes, if you eat and drink at the same time the acute effects of alcohol are likely to be lowered. The level of intoxication is likely to be less if you drink and eat at the same time. It does not effect the long range effects of accumulated alcohol; it affects the short term action of alcohol."

10.2 The Committee is of the opinion that food should be available at premises covered by publicans and Australian Wine licenses and University and Colleges of Advanced Education permits, AND ACCORDINGLY RECOMMENDS that the obligation on publicans to supply meals on demand at normal meal hours should remain, and that there should be a further obligation that food of a substantial nature be available at all times that the hotel, the Australian Wine premises, or the licensed section of the University or College is open for the sale of liquor.

10.3 In order that patrons may be aware of the availability of the food, it is suggested that it should be on display or should be advertised in all bars, beer gardens or lounges by means of blackboard or other appropriate forms of menu.

SECTION 11

CONDITIONS OF TRADING

UNDER AGE PERSONS

- 11.1 As the law stands at present, persons under the age of 18 years are not permitted in the bars of licensed premises (the term bar having the extended meaning set out in Section 51 of the Act) and the supply of liquor to such persons on the licensed premises is prohibited.
- 11.2 The Committee is aware of the deplorable practice of leaving young children to their own devices at home, in the streets around hotel premises, or in parked cars outside those premises. It was also aware that many teenagers under the age of 18 years do patronise hotels, particularly those which provide entertainment of a nature attractive to that age group.
- 11.3 THE COMMITTEE RECOMMENDS that young persons accompanied by an adult should be allowed into those portions of licensed premises now known as lounges or beer gardens, and those parts of the licensed premises declared dining areas under the provision of Section 51B, but that it should remain an offence for them to be in those parts currently known as public, saloon or club bars. It should remain an offence for any person, be it licensee, employee or member of the public, to supply liquor on the licensed premises to any person under the age of 18 years. The under age persons should remain liable to prosecution.

11.4 The penalties provided in Sections 49 and 51 should be increased to the following amounts:-

Where the offence is by the licensee----- \$1,000.00

Where the offence is by a person

other than the licensee ----- \$ 500.00

Where the offence is by the person

under the age of 18 years ----- \$ 200.00

11.5 The difficulties of correctly determining the age of a person approaching the age of 18 years were stressed in evidence, and indeed are obvious when today's dress fashions are considered. In the hope that it may act as a deterrent, further to increased penalties, THE COMMITTEE RECOMMENDS that:-

1. A prescribed form of "certificate of age" be introduced into the Liquor Act and that
 - (a) a licensee, or his employee, be empowered to require a young person to sign such a certificate if he has doubts as to his or her age;
 - (b) the certificate form should be in duplicate and the signature should be witnessed by the licensee or his employee;
 - (c) the licensee should be required to retain the certificate for a period of twenty eight days and to provide the duplicate of the certificate to the person signing it; and

(d) the signing of this certificate will not serve to absolve a licensee or employee of his liabilities under the Act, but will be a matter to be taken into consideration by a Court, together with the other precautions taken by the licensee, when assessing the appropriate penalty in respect of the offence.

2. It should be an offence for the young person to make a false statement in the "Certificate of Age" and that a penalty of \$200.00 be provided.
3. A notice should be displayed on licensed premises in those areas where young persons are permitted and the notice should indicate the prohibition of the purchase or consumption of liquor by persons under 18 years of age.
4. A second notice should be displayed within, and on all internal entrances to, those parts of licensed premises where persons under 18 years are not permitted.

SECTION 12

CONDITIONS OF TRADING

AGE OF EMPLOYEES

BAR ATTENDANTS

12.1

During the course of evidence attention was directed to the provisions of Section 52 of the Act which prohibits females under the age of 21 years serving in bars. This Section is in conflict with the Federal award which governs this type of employment and which makes provisions for females 18 years of age and over. The Anti-Discrimination Board in its submission to the Committee drew attention to this Section and pressed for its repeal. THE COMMITTEE RECOMMENDS that it be repealed.

APPRENTICES

12.2

The Federated Liquor and Allied Industries Employees Union of Australia, New South Wales Branch, in its submission stated that Section 51 of the Act precludes persons under the age of 18 years from being in bars. The definition of a bar includes a dining room except during any period in which meals are being served therein. This restricts the employment in hotels of young persons apprenticed to the catering trades. The Union submitted that Section 51 should be amended so as to allow apprentices and probationers to be in dining rooms and dining areas (as defined under Section 51B) in the course

of their employment. The Union claimed that a waiter's work commences before, and extends beyond, the actual times of meal service, and that the current restriction would prevent apprentices experiencing the full range of work in the trade, and may act as a disincentive to the engagement of apprentices.

12.3

THE COMMITTEE RECOMMENDS that the Act be amended so as to permit apprentices and probationers, under the age of 18 years, to be in dining rooms and defined dining areas in the course of their employment, providing that they are under the supervision of an adult and that they are not permitted to serve or consume liquor. Such an amendment may not be necessary if the earlier recommendation, relating to the admission of young persons to specified sections of licensed premises, is accepted by the Government.

SECTION 13

CONDITIONS OF TRADING

PERIOD OF GRACE

13.1

The Committee has been made aware of the fact that it is unreasonable to require a person who has purchased liquor on licensed premises shortly before closing time to consume that liquor and leave the premises by closing time. In other States a period of grace to clear the licensed premises is allowed and indeed here in New South Wales the provisions of the Act relating to restaurants do allow a period of one hour for the removal of bottles and glasses from the tables. IT IS RECOMMENDED that in respect of the other forms of licenses, etc., other than restaurants, a period of fifteen minutes be allowed for patrons to leave the licensed premises, this statutory period to apply to both Sunday and mid week trading.

SECTION 14

CONDITIONS OF TRADING

SUPERMARKETS

- 14.1 Submissions were made by Woolworths Limited, G.J. Coles and Company Limited and other operators of supermarkets seeking certain changes in the conditions applying to the sale of packaged liquor at supermarkets.
- 14.2 In particular the Committee was asked to recommend that such stores be permitted to display and sell packaged liquor from any location in the store and further that the age restriction on persons selling such liquor should be removed.
- 14.3 The law at present requires that the Licensing Court in the granting of a spirit merchant's license shall identify that portion of premises which will be regarded as the "licensed premises". The law also at present makes it an offence for a male under the age of 18 years or a female under the age of 21 years to sell or supply liquor on licensed premises.
- 14.4 The Committee has considered these submissions but has concluded that what is sought would require the whole of the supermarket area to be determined as licensed premises so that liquor would be paid for with other goods at checkout points, sometimes manned by staff under the age of 18 years. The Committee is not disposed to recommend that employees of a licensee should be excluded from liability for selling or supplying liquor to an under-age person. The Committee does not believe it is reasonable to place on such an under-age person the responsibility of determining and indeed challenging the age of a customer

14.5

THE COMMITTEE RECOMMENDS that the present requirement that the Licensing Court, in the granting of a spirit merchant's license shall identify that portion of premises which will be regarded as the "licensed premises", remain unaltered. In keeping with the recommendation in Section 12 relating to bar attendants, THE COMMITTEE RECOMMENDS that the minimum age for all employees who sell or supply liquor be 18 years.

CONCLUSION

1. The Select Committee has heard evidence from witnesses representing a wide spectrum of views on the variation of liquor trading hours and related conditions. The Committee has also observed Sunday trading in the Australian Capital Territory, Queensland, Tasmania and some New South Wales hotels which provide liquor to bona fide travellers on Sundays.

2. Recommendations have been made in this Report concerning matters which the Committee considered to be within its Terms of Reference, however, many of the submissions referred to matters considered by the Committee to be outside its Terms of Reference.

Such matters as:-

- (1) The grant of new licenses
- (2) Differential license fees
- (3) Orders for renovation of licensed premises
- (4) Standard hotel licenses
- (5) Outmoded terms and sections in the Liquor Act, 1912
- (6) Tippling and credit sales
- (7) Gaming on licensed premises

to mention but a few, were urged upon the Committee, and IT IS RECOMMENDED that copies of the major submissions and transcript of evidence be forwarded to the Honourable the Minister of Justice for consideration when overall amendments of the Liquor Act, 1912, are in contemplation.

LAW ENFORCEMENT

1. Whether or not the Government accepts the recommendations of the Committee, but particularly if it does, there is an urgent need, resources permitting, to increase the size of the Licensing Branch of the Police Department. This Branch is primarily responsible to see that the provisions of the Liquor Act are enforced.

2. If the problem of under-age drinking at licensed premises is to be tackled effectively and meaning given to the increased penalties recommended, then a substantial increase in the number of police assigned to this duty is essential. Moreso, there will be a need for greater supervision of licensed premises if food is a requirement to be available during the hours when hotels are opened, if general Sunday trading is introduced and if the amenity of the neighbourhood is to be given greater emphasis in applications for cabaret endorsement permitting trade to 3.00 a.m.

ACKNOWLEDGMENTS

The Committee wishes to acknowledge:-

- (a) The valuable assistance and advice given by the Department of the Attorney-General and of Justice, New South Wales and by the Licensing Authorities of the Australian Capital Territory and the States of Queensland and Tasmania.
- (b) The willing assistance and co-operation of Mr P.R. Leeds, B.A., the Secretary to the Committee, Miss Robin Long, the Committee Stenographer and the Parliamentary Reporting Staff.
- (c) The invaluable assistance of Mr J.L. Fitzmaurice, a former Chairman of the Licenses Reduction Board, New South Wales, who was appointed as a consultant to the Committee, and whose knowledge and advice facilitated the Inquiry by the Committee and the preparation of this Report.

E.N. Quinn,
Chairman

Parliament House,
Sydney.

3 April, 1979.