

ACT GOVERNMENT SUBMISSION

**To the inquiry by the
Standing Committee on Public Accounts**

**Review of Auditor-General's
Report No. 4, 2007
Regulation of ACT Liquor Licences**

2007

**Authorised by
Mr Simon Corbell MLA
Attorney General**

INTRODUCTION

The Auditor-General's Report No. 4, 2007 – Regulation of ACT Liquor Licences presents the results of a performance audit that reviewed the management of regulatory activities in respect of liquor licensing in the ACT. The Report made a total of seven recommendations.

The audit recommendations are the subject of future action commitments by the Government detailed below:

AUDIT RECOMMENDATIONS

Recommendation 1

OFT should ensure that:

- **documentation for licensing applications is complete and properly maintained on file;**
- **timely action is taken to follow up any outstanding documentation;**
- **appropriate checks are implemented to verify the accuracy and validity of application details, including information provided by applicants;**
- **adequate information is provided in the supporting documentation to clearly identify the required assessment actions taken – for example an inspection report on the assessment of the premises for suitability for a licence; and**
- **full details of the decision are clearly documented to facilitate accountability and transparency in licensing assessment.**

Government Position

Agreed

The Office of Regulatory Services will develop a 'Practice Manual' including checklists and forms to ensure applications are completed and maintained

properly. The manual will contain decision methodology for staff that ensures accountability and transparency.

Recommendation 2

The OFT should:

- **review the effectiveness and efficiency of the current liquor licensing procedures;**
- **develop and publish the new or revised procedures to improve:**
 - **operational efficiency;**
 - **consistency in the assessment of application for a licence;**
 - and**
 - **compliance with legislative requirements and in accordance with better practices; and**
- **train staff to ensure they have the appropriate knowledge and skills to assess liquor applications.**

Government Position

Agreed

The Office of Regulatory Services will integrate best practice into the 'Practice Manual' to ensure operational efficiency and consistency. The Office will also develop and undertake in-house training for staff to ensure the appropriate skills and knowledge are obtained.

Recommendation 3

The OFT should:

- **provide clear and comprehensive guidance to assist applicants in preparing and submitting quality application and understanding their obligations under the provisions of the Liquor Act; and**
- **make the liquor licence application pack and the guidance material to applicants readily available, for example, on the OFT's or Canberra Connect's website.**

Government Position**Agreed**

The Office of Regulatory Services will review the current application pack to ensure further guidance and understanding for applicants. The Office will also ensure that the application pack is readily available on its website.

Recommendation 4

The OFT should improve its existing management information system to facilitate the regulatory function of liquor Licensing, and enhance its accountability.

Government Position**Agreed in principle**

The Office of Regulatory Services has put in place an IT Steering Committee to investigate these issues and identify improvements that can be made to the system. It is noted that the current system was not developed for this capability.

Recommendation 5

The OFT should put in place sound management practices to ensure assessments of occupancy loadings are completed in a timely manner.

Government Position**Agreed**

The Office of Regulatory Services is in the process of working through outstanding occupancy loading assessments to ensure all licensees have a current occupancy loading. Current management practices will be examined as part of the planned review of the *Liquor Act 1975*.

Recommendation 6

JACS should consider reviewing and amending the legislation by prescribing a timeframe for assessment of occupancy loadings, in order to enhance the integrity and accountability of the process.

Government Position**Agreed in-principle**

The issue of occupancy loadings will be comprehensively examined as part of the planned review of the *Liquor Act 1975*.

Recommendation 7

The OFT should develop and implement an explicit, systematic and documented overall strategic framework for liquor licensing that:

- **addresses key priorities and strategies for delivering regulatory outcomes;**
- **incorporates a comprehensive risk assessment and strategies to address and monitor identified risks; and**
- **targets compliance activities in accordance with assessed licensee risks, preferably covering all regulated entities within a set period of time, with higher risk entities visited more often and/or subjected to more intensive inspections.**

Government Position

Agreed in-principle

The Office of Regulatory Services is currently undertaking a review of the business's core services focusing on key priorities, strategies and risks. The findings of this report will assist in developing a strategic framework for the office, which will include operational planning for the future and strategies for addressing non-compliance. The office will explore, plan and implement other possible methods, such as information campaigns to promote a level of self-regulation within the industry. The ability to inspect all entities within a set period of time and the higher risk entities being subject to more frequent intensive visits would be resource intensive.