



Submission cover sheet

Inquiry into the Liquor Amendment Bill 2025

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Standing Committee on Legal Affairs Inquiry into the Liquor
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ACKNOWLEDGEMENT OF COUNTRY

The Justice and Community Safety Directorate acknowledges the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region.

We respect the Aboriginal and Torres Strait Islander people, particularly our Aboriginal and Torres Strait Islander staff, and their continuing culture and contribution they make to the Canberra region and the life of our city.

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INTRODUCTION

The ACT Government welcomes the opportunity to provide a submission to the Standing Committee on Legal Affairs (the Committee) *Inquiry into the Liquor Amendment Bill 2025*.

This submission seeks to assist the Committee by providing information regarding the context of the proposals in the Liquor Amendment Bill 2025 (the Bill) and how they are expected to reduce harm in the ACT community. This submission is intended to supplement information presented in the Explanatory Statement to the Bill and the presentation speech of the Attorney-General, Tara Cheyne MLA.

CONTEXT FOR REFORMS

GROWING ONLINE SALES OF ALCOHOL

Online alcohol sales in Australia have rapidly grown, increasing from \$769 million to \$2.1 billion in the decade to 2024/25, with continued revenue forecasted to grow to over \$2.6 billion by 2031.¹ Online sales are a growing proportion of total liquor retail turnover, which in the 2024/25 financial year was approximately \$17.8 billion in Australia, and about \$265 million in the ACT.²

Of these online alcohol sales an estimated 11–22% are rapid alcohol delivery (delivery within 2 hours).³

ACT'S APPROACH TO ALCOHOL HARM MINIMISATION

ACT liquor laws and regulation were substantially reformed in 2010. As part of these reforms, the *Liquor Act 2010* (the Liquor Act) adopted a new focus on harm minimisation and community safety. This is outlined in the object of the Liquor Act which is to regulate the sale, supply, promotion and consumption of liquor:⁴

- to minimise the harm associated with the consumption of liquor;
- to facilitate the responsible development of the liquor and hospitality industries in a way that takes into account community safety;
- in a way that encourages and supports liquor consumers to take responsibility for their consumption of liquor; and their behaviour if it is affected by the consumption of liquor;
- to contribute to the responsible development of the ACT's night-time economy; and industries related to the ACT's night-time economy, including the liquor, live music, entertainment, tourism and hospitality industries.

¹ IBISWorld, *Industry Report OD4087 – Online Beer, Wine and Liquor Sales in Australia* (October 2024), p34; inflation adjusted to 2024/25.

² Australian Bureau of Statistics, *Retail Trade, Australia, June 2025: Table 11 Retail Turnover, State by Industry Subgroup, Original* (Catalogue No 8501.0, 2025) <<https://www.abs.gov.au/statistics/industry/retail-and-wholesale-trade/retail-trade-australia/jun-2025/8501011.xlsx>>.

³ Retail Drinks Australia, *Consumer Survey Report: Online sale & delivery of alcohol* (July 2025), p 8 <<https://www.retaildrinks.org.au/documents/item/1513>>.

⁴ *Liquor Act 2010*, s 9.

Following the first statutory review of the Liquor Act,⁵ the ACT Government amended the Liquor Act in 2015 to:

- expand the function and membership of the Liquor Advisory Board (the LAB); the LAB is mandated to provide advice to the Minister about the operation and effectiveness of the Liquor Act, including how well the objects of the Liquor Act, such as harm-minimisation and community safety, are being achieved;
- make it an offence to supply liquor to children and young people on private premises in certain circumstances; and
- strengthen the ability of the Commissioner for Fair Trading (the Commissioner) to determine who is a 'suitable person' under the Act when considering licence applications.⁶

Under the Liquor Act, the Commissioner must also consider certain information when determining whether a premises is a 'suitable premises' for a liquor licence⁷—including factors that contribute to the cumulative impact of a proposed premises with existing licensed premises near the proposed premises, such as the number of incidents involving violent, unlawful or anti-social behaviour at or in the immediate vicinity.⁸

Additionally, in making a decision under the Liquor Act, a decision-maker must have regard to the harm minimisation and community safety principles.⁹

Currently, the Liquor Act does not specifically regulate same-day delivery of alcohol. The Act focusses predominantly on the sale and supply of liquor at licensed premises—such as 'bricks and mortar' retail stores, pubs and clubs. The Act requires liquor licensees to abide by a range of harm minimisation measures including:

- licensed times for the sale of liquor
- mandatory Responsible Service of Alcohol (RSA) training
- risk-assessment management plans that detail procedures, practices and arrangements for the sale of liquor at a licensed premises, and
- prohibition on supply of liquor to a person who is under 18 or intoxicated

The ACT is committed under the *National Drug Strategy 2017–2026* to reduce initial alcohol consumption at early ages which is associated with increased long-term harm¹⁰ and under the *Drug Strategy Action Plan 2022–26* to review relevant ACT legislation to ensure current arrangements are contributing to minimising harm from online liquor sales and delivery and explore options for further

⁵ Australian Capital Territory, *Parliamentary Debates*, Legislative Assembly for the ACT, 24 June 2010, p 2385, Simon Corbell MLA, Attorney-General.

⁶ *Liquor Amendment Act 2015*.

⁷ *Liquor Act 2010*, s 76.

⁸ *Liquor Regulation 2010*, s 15.

⁹ *Liquor Act 2010*, s 10.

¹⁰ Commonwealth of Australia, *National Drug Strategy 2017-2026* (Department of Health, 2017) <<https://www.health.gov.au/sites/default/files/national-drug-strategy-2017-2026.pdf>>.

regulation.¹¹ The ACT is also committed under the *National Alcohol Strategy 2019-2028*¹² to prevent and minimise alcohol-related harms among individuals, families and communities; and committed under the *Healthy Canberra ACT Preventive Health Plan 2020-2025* to reduce the harmful use of alcohol including to review the regulatory framework for the delivery of same-day alcohol orders to prioritise the health and wellbeing of Canberrans.

The ACT is further guided by the *National Preventive Health Strategy 2021-2030*¹³ to mobilise a prevention system to deliver better health outcomes for all Australians; boost action in focus areas such as reducing alcohol and drug harm; and to continue strong foundations that acknowledge the positive work that is already underway.

CONSULTATION ON REGULATION OF SAME-DAY DELIVERY OF ALCOHOL

In 2023, the ACT Government consulted on a same-day delivery of alcohol framework following the release of a discussion paper 'Regulation of same day liquor delivery providers'.¹⁴ The discussion paper raised a range of possible legislative measures including age and identity verification, alcohol volume limits, restricted times for same-day delivery of alcohol shorter than off-licence trading hours, mandatory responsible service of alcohol training for delivery persons and appropriate record-keeping.¹⁵

The government received 20 written submissions (7 from industry organisations,¹⁶ 9 from community organisations¹⁷ and 4 from individuals). A further 288 contributors responded to survey questions about the proposals on the ACT's *YourSay* website.

Feedback from the submissions and survey results was published in a listening report in June 2024.¹⁸ The listening report noted that regulation of same-day delivery of alcohol should be appropriately targeted to and proportionate to the harm it is intended to protect the community from. The report indicated the government would consider the matters in further detail including further consultation with key stakeholders to inform next steps in relation to a regulatory framework for same-day delivery in the ACT.

¹¹ ACT government, *Drug Strategy Action Plan 2022-26* (Health Directorate, 2022), p 19
<https://www.act.gov.au/_data/assets/pdf_file/0003/2197200/Drug-Strategy-Action-Plan-2022-26.pdf>.

¹² Commonwealth of Australia, *National Alcohol Strategy 2019-2028* (Department of Health, 2019)
<<https://www.health.gov.au/sites/default/files/documents/2020/11/national-alcohol-strategy-2019-2028.pdf>>.

¹³ Commonwealth of Australia, *National Preventive Health Strategy 2021-2030* (Department of Health, 2021)
<https://www.health.gov.au/sites/default/files/documents/2021/12/national-preventive-health-strategy-2021-2030_1.pdf>.

¹⁴ ACT government, *Discussion Paper: Regulation of same day liquor delivery providers* (2023)
<https://yoursayconversations.act.gov.au/download_file/10057/3023>.

¹⁵ *Ibid*, p 8.

¹⁶ Australia Post, DoorDash, MenuLog, Retail Drinks Australia, and UberEats; and 2 confidential submissions.

¹⁷ ACT Council of Social Service; Alcohol and Drug Foundation; Alcohol, Tobacco and Other Drugs Association ACT; Australasian College for Emergency Medicine; Cancer Council ACT; Drug & Alcohol Nurses of Australasia; Foundation for Alcohol Research and Education, Public Health Association of Australia; and Ted Noffs Foundation.

¹⁸ ACT government, *Listening Report: Regulation of same day liquor delivery providers* (2024)
<https://yoursayconversations.act.gov.au/download_file/11535/3023>.

On 17 June 2025, Liquor Advisory Board¹⁹ members were advised that the government was exploring legislative options to regulate the same-day delivery of alcohol; and that draft legislation would be circulated in order to seek the Board's advice and feedback.

In September 2025, the Justice and Community Safety Directorate provided a draft of the Liquor Amendment Bill 2025 to the Liquor Advisory Board and additional targeted stakeholders²⁰ for consultation and feedback. In September and October 2025, the Directorate met with Retail Drinks Australia, Uber and DoorDash to receive additional information regarding the views of these stakeholders on the draft Bill.

NATIONAL CONTEXT

In 2022, all Australian jurisdictions adopted the *National Plan to End Violence against Women and Children 2022-2032*²¹ (the National Plan) with the vision of ending gender-based violence in one generation. The National Plan outlines a holistic approach that encompasses action across 4 priority areas: prevention, early intervention, response and recovery and healing. The National Plan identifies factors that weaken prosocial behaviour as one contributor that reinforces violence against women—such as alcohol²²—and notes that common impacts of violence against women and children can include alcohol use disorders among other poorer health outcomes.²³

On 1 May 2024, National Cabinet met to discuss the national crisis of gender-based violence. National Cabinet agreed to strengthen prevention efforts through targeted, evidence-based approaches and to be informed by an expert led rapid review of best practice approaches.²⁴

The expert led rapid review reported in August 2024 and made 21 recommendations to address domestic, family and sexual violence (DFS²⁵). Recommendation 17b recommended action by State and Territory governments on restrictions on alcohol sales and delivery timeframes.²⁶ The rapid review report noted that 'failure to consider DFSV in alcohol policy has allowed unprecedented growth in alcohol availability, both in the density of liquor outlets and the length of online delivery

¹⁹ The Liquor Advisory Board is established under the Liquor Act (s 215) and has the function of advising the Attorney-General about matters associated with the operation and effectiveness of the Act; and measures, including legislative measures, that support the harm minimisation and community safety principles. The Board includes members representing small businesses, club licensees, on-licensees, off-licensees and the late night economy; and a member with knowledge or expertise in the area of health and the effects of alcohol.

²⁰ Alcohol and Drug Foundation; Alcohol, Tobacco, and Other Drugs Association ACT; Australian Hotels Association; ClubsACT; Coles Group; Endeavour Group; Foundation for Alcohol Research and Education; Independent Liquor Retailers; MenuLog; Retail Drinks Australia; Uber Eats.

²¹ Commonwealth of Australia, *National Plan to End Violence against Women and Children 2022-2032* (Department of Social Services, October 2022) <<https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>>.

²² Ibid, p 34.

²³ Ibid, p 41.

²⁴ Australian Government, Prime Minister of Australia, 'Meeting of National Cabinet on Gender-Based Violence' (Media Release, 1 May 2024) <<https://www.pm.gov.au/media/meeting-national-cabinet-gender-based-violence>>.

²⁵ Expert panel (Dr Anne Summers AO, Dr Todd Fernando, Dr Leigh Gassner APM, Ms Elena Campbell, Ms Jess Hill, Dr Zac Seidler), *Report of the Rapid Review of Prevention Approaches: Unlocking the Prevention Potential – Accelerating actions to end domestic family and sexual violence* (August 2024) <<https://www.pmc.gov.au/sites/default/files/resource/download/unlocking-the-prevention-potential-4.pdf>>.

²⁶ Ibid, p 24, 109.

hours’ and that ‘[t]his increase in availability has been statistically linked to increases in alcohol-related DFSV’.²⁷

On 6 September 2024, National Cabinet met to agree practical next steps to accelerate action to end gender-based violence. Acknowledging the role that systems and industries can play in exacerbating violence, State and Territory First Ministers agreed to review alcohol laws and its impact on family and domestic violence victims to identify and share best practice and reforms and to report back to National Cabinet on progress.²⁸ States and Territories, including the ACT, have reported to the Council for the Australian Federation about their current liquor regulation to enable consideration by National Cabinet by the end of 2025.

In August 2024, the South Australian Royal Commission into Domestic, Family and Sexual Violence released its final report. The Royal Commission was asked to inquire into 5 areas, aligned with the National Plan. The Royal Commission considered the relationship between alcohol and DFSV, including research studies and testimony of lived experiences.²⁹ It found that ‘alcohol use does not, on its own, cause someone to commit domestic, family or sexual violence. However, alcohol was a contributing factor in nearly half of all high-risk domestic and family violence incidents reviewed by the South Australian Multi-Agency Protection Services (MAPS) in the 2023-24 financial year.’³⁰

The Royal Commission recommended that South Australia progress provisions contained in the Liquor Licensing (Miscellaneous) Amendment Bill 2025 (SA) to implement a 2-hour delay to prevent the rapid delivery of alcohol and to restrict alcohol sale and delivery timelines to between 10am to 10pm.³¹

In Western Australia, a study surveyed adults who had purchased alcohol for home delivery within the past 6 months.³² The study ‘found high-risk drinkers purchase larger amounts of alcohol, purchase alcohol more often, and are more likely to use rapid delivery online options compared to low-risk drinkers’ and that there was ‘initial indication that the removal of physical restraints to obtaining alcohol, enabled by easily-accessible online purchasing options may facilitate harmful drinking practices among drinkers already considered at high-risk of an alcohol use disorder.’ In light of its findings, the study recommended ‘stronger legislation (such as mandatory delay between order and delivery) and monitoring (e.g., test purchasing for compliance)’.

LOCAL CONTEXT

Alcohol is the most widely used drug in Australia, with almost 8 in 10 Canberrans reportedly drinking alcohol, and 29.7% of Canberrans engaging in risky drinking—defined as consuming more than 4

²⁷ Ibid, p 104.

²⁸ Australian Government, Prime Minister of Australia, ‘Meeting of National Cabinet’ (Media Release, 7 June 2024) <<https://www.pm.gov.au/media/meeting-national-cabinet-7>>.

²⁹ Royal Commission into Domestic, Family and Sexual Violence (SA), *With Courage: South Australia’s Vision Beyond Violence* (Final Report, 2025), pp 606–608 <https://www.royalcommissiondfsv.sa.gov.au/_data/assets/pdf_file/0006/1174695/With-Courage-Report.pdf>.

³⁰ Ibid, p 9.

³¹ Ibid, pp 51 and 611.

³² Kerri Coomber, Sarah Callinan, Ryan Baldwin, Nicholas Taylor, John W Toumbourou, Tanya Chikritzhs, Claire Wilkinson and Peter G Miller, ‘Characteristics of High- and Low-Risk Drinkers Who Use Online Alcohol Home Delivery in Western Australia’ (December 2023) *Drug and Alcohol Review* <<https://doi.org/10.1111/dar.13783>>.

standard drinks on one occasion in the previous 4 weeks.³³ Almost half (49.3%) of 18–24 year olds in Canberra had engaged in risky drinking.³⁴

Alcohol is consequently the single drug linked to the most emergency department presentations in the ACT. In 2023, alcohol intoxication accounted for 2136 (57%) of a total of 3746 alcohol and other-drug related ambulance attendances.³⁵

Significant proportions of people in the ACT report experiences of alcohol-related harm in the previous 12 months, with over 1 in 6 (17.6%) reporting alcohol-related verbal abuse, nearly 1 in 7 (13.7%) being put in fear, and 1 in 22 (4.5%) reporting alcohol-related physical abuse.³⁶

The prevalence of alcohol consumption in the ACT, combined with higher rates (almost half among some age cohorts) of risky drinking and alcohol-related harm occurring, underscores the urgency for regulatory reform. While traditional bricks and mortar premises are subject to licensing restrictions, trading hours and responsible service obligations, emerging models such as same-day delivery creates new avenues through which alcohol can reach consumers rapidly, often bypassing existing safeguards.

Without a clear legislative framework, these delivery mechanisms may exacerbate existing patterns of high-risk consumption, particularly among younger adults and other vulnerable populations in the ACT. The Bill provides an opportunity to embed harm-reduction measures into modern alcohol supply frameworks, providing the ACT with the ability to mitigate the burden of alcohol related harms, including the increased DFSV risk, whilst maintaining access for responsible adult consumers.

LIQUOR AMENDMENT BILL 2025

The Bill seeks to amend the Liquor Act and Liquor Regulation to establish a framework for regulating same-day delivery of alcohol that balances the convenience of same-day delivery for consumers and businesses with the potential for increased risk of alcohol-related harm to the community—particularly in the context of DFSV, to people who are vulnerable to alcohol-use disorders, minors and people who are already intoxicated.

The Bill also proposes to:

- introduce a new type of RSA training for same-day delivery of alcohol
- provide the Commissioner with the power to cancel liquor licences for failure to pay the associated fee, and
- make other minor and technical amendments to enhance the administration and efficacy of liquor regulation.

³³ ACT government, *2022 ACT General Health Survey Statistical Report* (ACT Health, 2023) <<https://www.act.gov.au/open/epidemiology-publications/2022-act-general-health-survey-statistical-report>>.

³⁴ Ibid.

³⁵ Australian Institute of Health and Welfare, *Alcohol, tobacco and other drugs in Australia: Data by region* (June 2025) Table S1.10 <https://www.aihw.gov.au/getmedia/f081a470-2311-42c0-8338-a287bde9e76b/aihw-phe-221-data-by-region_JUNE_2025.xlsx>.

³⁶ Australian Institute of Health and Welfare, *National Drug Strategy Household Survey 2022–2023: States and Territories* (2024) Table 9b.25 <<https://www.aihw.gov.au/getmedia/db6d1df6-ddb3-454c-9a51-d00eced3b017/National-Drug-Strategy-Household-Survey-2022-2023-9b-States-and-Territories.xlsx>>.

Significantly, in many areas the Bill adapts existing regulatory controls regarding sale and supply of liquor at licenced premises for consumption elsewhere to suit circumstances involving supply by same-day delivery.

SAME-DAY DELIVERY REGULATION

The Bill proposes to introduce a new part 8A in the Liquor Act to regulate the supply of liquor by same-day delivery. While specific policy settings differ, a similar legislative approach has been undertaken in New South Wales.³⁷

Clause 16 of the Bill would include the following requirements and restrictions for same-day delivery (SDD) of liquor. These measures would shift the onus of safety and harm minimisation from individuals to industry—who is are better able to take systemic steps to improve safety and minimise harm.

Daily liquor limit

The Bill would allow an amount of liquor to be prescribed by regulation.³⁸ It would be an offence for a SDD provider to take an order or orders and supply by SDD a total daily quantity of liquor to a customer that exceeds the amount prescribed. The purpose of this offence is to reduce the risk of harm arising from excessive alcohol consumption within a 24-hour period.

By way of example, national guidelines note that to reduce the risk of harm from alcohol-related disease or injury, healthy adults should drink no more than 10 standard drinks a week and no more than 4 standard drinks on any one day.³⁹

The Bill does not prescribe a daily liquor limit, to enable further stakeholder consultation on an appropriate limit to apply. In the absence of a prescribed limit, the daily liquor limit for SDD would not apply and consequently the offence would not apply.

Delay before delivery

The Bill would allow a delayed delivery period to be prescribed by regulation.⁴⁰ It would be an offence for a SDD provider to take an order and supply liquor by SDD under the order (or for a delivery person to supply that liquor by SDD) to a customer before the end of the delayed delivery period.

The purpose of this offence is to reduce alcohol-related harm by limiting the speed and ease with which alcohol can be accessed through same-day delivery services. By imposing a mandatory delayed delivery period, the Bill seeks to prevent impulsive or excessive consumption that may arise from immediate availability thereby mitigating the risk of prolonged drinking sessions, acute intoxication and associated harms such as injury, aggression or other health emergencies. Access to

³⁷ *Liquor Act 2007* (NSW), Part 6, Division 1B.

³⁸ New section 143M, Liquor Act.

³⁹ National Health and Medical Research Council, *Australian Guidelines to Reduce Health Risks from Drinking Alcohol* (Commonwealth of Australia, 2020), p 4

<<https://www.nhmrc.gov.au/file/18327/download?token=RohlFYFA>>.

⁴⁰ New section 143N, Liquor Act.

alcohol has been shown to be involved in up to 65% of family violence incidents reported to police⁴¹, therefore a delayed delivery period for same-day deliveries provides a temporal buffer than can reduce the escalation of alcohol fuelled conflict and harm.

Clause 47 of the Bill sets the delayed delivery period at 2 hours.⁴²

A cross-sectional survey of Australians who use alcohol home delivery services⁴³ defined a rapid alcohol delivery as one that was delivered in under 2 hours,⁴⁴ based on delivery guarantees offered by liquor retailers at the time of the study. The survey found that 'one-in-five participants had used an alcohol delivery service to extend a home drinking session because they had run out of alcohol and wanted to continue drinking'⁴⁵ and that one-third of this cohort would have stopped drinking if the delivery service was not available.⁴⁶ The study also noted that using alcohol delivery services to extend a drinking session was associated 'with six times higher odds of drinking at hazardous/harmful levels'.⁴⁷

The 2-hour delayed delivery period is also consistent with recommendations of alcohol and other drug harm minimisation advocates and the South Australian Royal Commission into Domestic, Family and Sexual Violence.

Permitted times for delivery

The Bill would allow restricted times for SDD of liquor to be prescribed by regulation.⁴⁸ It would be an offence for a SDD provider to take an order and supply liquor by SDD under the order (or for a delivery person to supply that liquor by SDD) to a customer outside the permitted times.

The purpose of this measure is to reduce the risk of alcohol-related harm by limiting the times when same-day deliveries can occur, and imposing a hard deadline for 'last drinks'. The risk of alcohol-related harm increases later at night, typically as blood alcohol levels and intoxication increase over the course of a drinking session.

Clause 47 of the Bill sets the permitted times for delivery as 10am to 10pm.⁴⁹ The proposed timeframe is consistent with recommendations of the South Australian Royal Commission into Domestic, Family and Sexual Violence, recommending that such deliveries should be limited to between 10am and 10pm.

⁴¹ Australian National Research Organisation for Women's Safety (ANROWS), Links between alcohol consumption and domestic and sexual violence against women: Key findings and future directions (Compass, February 2019) <https://anrows-2019.s3.ap-southeast-2.amazonaws.com/wp-content/uploads/2019/02/19024408/Alcohol_Consumption_Report_Compas-FINAL.pdf>.

⁴² New section 30B, Liquor Regulation.

⁴³ Stephanie Colbert, Claire Wilkinson, Louise Thornton, Xiaoqi Feng, Anna Campaign and Robyn Richmond, 'Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services' (2023) *Drug and Alcohol Review* <https://www.researchgate.net/publication/368879040_Cross-sectional_survey_of_a_convenience_sample_of_Australians_who_use_alcohol_home_delivery_services/fulltext/6611a5cca7c907287a4a318c/Cross-sectional-survey-of-a-convenience-sample-of-Australians-who-use-alcohol-home-delivery-services.pdf>.

⁴⁴ Ibid, p 2.

⁴⁵ Ibid, pp 1 and 6.

⁴⁶ Ibid.

⁴⁷ Ibid, p 1.

⁴⁸ New section 1430, Liquor Act.

⁴⁹ New section 30C, Liquor Regulation.

Liquor sales data⁵⁰ show that same-day deliveries peak around 6pm to 7pm, coinciding with evening meal times. The data also shows that there are a negligible number of deliveries before 10am, and less than 5% after 10pm. Setting the permitted delivery period as 10am to 10pm is consequently expected to impact deliveries that would have occurred after 10pm that are correlated with higher levels of alcohol related harm.

Same-day delivery of liquor not permitted to certain public places

The Bill would make it an offence for a SDD provider to take an order and supply liquor by SDD under the order (or for a delivery person to supply that liquor by SDD) to a customer if the place of delivery is a prohibited public place.⁵¹ The purpose of this offence is to support current safeguards prohibiting consumption of liquor at these public places and further protect the community from harm from SDD of liquor.

Self-exclusion

The Bill would require SSD providers to enable individuals to self-exclude from supply of liquor by SDD and from direct advertising and marketing about SDD of liquor from the SDD provider. This would empower individuals who do not wish to have rapid delivery of liquor available to them, or to receive direct marketing and advertising about these services, to enable this choice.

The Bill includes offences to give effect to self-exclusion from SDD of liquor and associated direct marketing and advertising.⁵² The purpose of these offences is to reduce harm from liquor for those recovering from or at risk of alcohol-use disorder, and therefore at increased risk of harm.

RESPONSIBLE SERVICE OF ALCOHOL TRAINING FOR SAME-DAY DELIVERY PROVIDERS

Clause 30 of the Bill would introduce a new type of RSA certificate—a ‘same-day delivery RSA certificate’ for a course about the responsible same-day delivery of alcohol. This certificate would cover training that is specific to the SDD of liquor context.

Clause 30 would recognise interstate RSA certificates about the responsible SDD of alcohol—for example, the analogous requirement in New South Wales for training of persons making same-day deliveries.⁵³ Additionally, the validity period for RSA certificates would be extended from 3 to 5 years to align with New South Wales and reduced the burden on hospitality workers who work across the ACT-New South Wales border.

The new RSA certificate is intended to ensure RSA protections apply regardless of how liquor is supplied to a customer, and to support the safety of delivery drivers and ensure that they understand their role, rights and responsibilities in refusing delivery of liquor.

The Bill includes offences to give effect to RSA by SDD of liquor:

⁵⁰ Frontier Economics, *Online alcohol sales and delivery in Australia, a report for Retail Drinks Australia* (June 2023), p 22 <<https://www.retaildrinks.org.au/documents/item/1345>>.

⁵¹ New section 143P, Liquor Act.

⁵² New section 143Q, Liquor Act.

⁵³ *Liquor Act 2007* (NSW), s 114P.

- a SDD provider and delivery person must hold a current SDD RSA certificate,⁵⁴ and
- a SDD provider must keep a copy of current SDD RSA certificates for the provider and each delivery person who supplies liquor by SDD under delivery orders taken by the provider.⁵⁵

The new RSA provisions would commence earlier (no later than 6 months after notification) than the other SDD of liquor measures in the Bill. This is intended to give adequate time for courses about the responsible SDD of alcohol to be developed and/or approved by the Commissioner ahead of the commencement of the other SDD of liquor measures in the Bill.

PROTECTIONS FOR CHILDREN, YOUNG PEOPLE AND INTOXICATED PEOPLE

Age and identity verification to prevent supply of liquor to minors

SDD providers would be required to verify a customer's age at the point of sale and at the point of delivery in order to prevent the supply of liquor to a person under 18⁵⁶—consistent with the existing requirements of the Liquor Act.

Additionally, delivery may be refused if the person does not provide an identification identifying the person as an adult.⁵⁷ This provision gives the delivery person discretion to refuse to supply the liquor if the person receiving the order does not show an identification document to prove they are at least 18 years old.

Prohibition on delivery to an intoxicated person

The Bill would prohibit SDD of liquor to a person who is intoxicated.⁵⁸ The purpose of this measure is to align with existing requirements under the Liquor Act to prevent supply of liquor to a person who is intoxicated.⁵⁹

The mandatory RSA training for people who make same-day deliveries of liquor is expected to give them the knowledge, skills and tools to identify people who are intoxicated, to ensure that inappropriate supply of liquor does not occur.

Delivery must not be left unattended

The Bill would prohibit unattended delivery of liquor at the place of delivery.⁶⁰ The purpose of this measure is to ensure that liquor is not inadvertently delivered to minors and is safely delivered to the appropriate person. The provision does not affect deliveries of liquor that are made through a service that is not a SDD provider such as a courier or the postal service—such deliveries can be left unattended in accordance with the instructions of the purchaser.

⁵⁴ New section 143R, Liquor Act.

⁵⁵ New section 143S, Liquor Act.

⁵⁶ New sections 143T and 143U, Liquor Act.

⁵⁷ New section 143V, Liquor Act.

⁵⁸ New section 143W, Liquor Act

⁵⁹ Division 8.2, Liquor Act.

⁶⁰ New section 143X, Liquor Act.

PROTECTIONS FOR DELIVERY PEOPLE

The Bill would make it unlawful to abuse, threaten or intimidate a delivery person because they refused to supply liquor, as required under the Liquor Act.⁶¹ The measure is analogous to existing provision in the Liquor Act that makes it an offence to engage in abusive, threatening or intimidating behaviour towards a staff member because they refuse to supply liquor to a person who is intoxicated.⁶²

A SDD provider must report certain types of incidents to the Commissioner:⁶³

- abusive, threatening or intimidating behaviour towards a delivery person at the place of delivery
- involving a person refusing to show a delivery person an identification document at the place of delivery, or
- other incidents prescribed by regulation.

Additionally, it would be unlawful to take, or threaten to take, detrimental action against the delivery person for refusing or proposing to refuse, to supply liquor by same-day delivery to a customer, on the basis that doing so would be an offence against the Liquor Act.⁶⁴ This would protect delivery people from detrimental or unfair treatment

OTHER MEASURES

Clauses 4 and 5 of the Bill would introduce a new power for the Commissioner to cancel liquor licences—allowing the Commissioner to issue a cancellation notice if the licensee fails to pay the fee within 28 days after an immediate suspension notice was given. This would avoid the potentially costly and resource-intensive process to seek cancellation of a licence through the ACT Civil and Administrative Tribunal.

Clauses 17 and 18 of the Bill expand the Commissioner’s power to issue a written direction to a licensee or permit-holder and their employees or any other people working at the premises, if the Commissioner believes on reasonable grounds that there is, or is likely to be, a contravention of the Liquor Act or a breach of a liquor licence or permit—to include written direction to a SDD provider and a delivery person.

CONCLUSION

The ACT Government welcomes *the Inquiry into the Liquor Amendment Bill 2025*. The Government looks forward to continuing to hear the views of stakeholders, community members and industry representatives, recognising that their insights are essential to ensuring that liquor laws remain responsive, practical and aligned with public expectations.

The ACT Government is committed to ensuring that the Liquor Act operated effectively and continues to achieve its objectives in light of evolving technology and community expectations.

⁶¹ New section 143Y, Liquor Act.

⁶² Section 108, Liquor Act.

⁶³ New section 143Z, Liquor Act.

⁶⁴ New Section 143ZA, Liquor Act.

The passage of the Bill would strengthen alcohol harm minimisation in the ACT by introducing targeted measures to reduce alcohol related risks while supporting safe and convenient access to liquor for consumers.